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## EDITORIAL

### Biological fathers, adoptive fathers: Greater visibility than in the past?

Whether one focuses on biological fathers or on adoptive fathers, the attention that is granted to each of them throughout the adoption process and beyond still poses a challenge. Invisible for a long time, biological fathers only started to exist in the adoption system a long time after biological mothers were integrated into the now well-known adoptive triangle. Indeed, for many years, all the attention focused on the construction of the adoptive family, thereby only leaving little space – if any at all – to the child's past. Whilst some time was necessary to develop an interest in the biological mothers' experience, the fate of the fathers has required even more time, as highlighted by Gary Clapton (see p. 7).

#### The long absence of the fathers' point of view

The articles presented below (see pp. 7, 8 and 10) all agree on at least one issue: it is always afterwards that one remembers that a child is born from a mother and a father, and that the latter has a right to be heard, understood and supported in the child's care process. Why has this point of view – indeed different from that of the mother, but nonetheless essential – been neglected for so long? Would this stem from the fact that, as from the child's birth, the father and the mother may not be on an equal footing? Whilst it is possible to be certain about a child's biological mother, doubts may arise as to the position of the father: has he been told of the child's existence by the mother? Has he chosen, or been able to choose, to be present by the mother's side? If, in due course, he has not initiated steps towards a declaration of paternity, will he be absent from his child's life forever? Does the non-registration of the father on the child's birth certificate not jeopardise the child's opportunity to find his father in the future? The ascertainment of paternity is therefore, as from birth, more unpredictable and subject to various factors, which are sometimes independent of the father's wish. The persistence, in many cultures and societies, of a concept that expects the mother to be the primary person in charge of the education and well-being of children, plays a

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significant role in the place that is granted to fathers. These concepts influence, consciously or unconsciously, those professionals in charge of adoption and child protection issues. Conversely, in cases of out-of-wedlock births, Norwegian law, for example, requires social services to undertake those steps that are necessary to determine the father's identity in all cases (*Children Act 1981*).

### **Towards a change?**

However, developments are noticeable. Based on the evidence of the personal accounts shared in this Monthly Review, thoughts and actions have been and are gradually being raised in favour of fathers: biological fathers, to whom the floor has finally been given through several studies focusing on their point of view and on the impact that the separation and adoption may have had on their life and on that of the child (see p. 7); adolescent fathers, who have been invisible for a long time, and who are the focus of a special programme that has been developed in Peru (see p. 8); and adoptive fathers, amongst whom some have called for the implementation of new forms of support in the exercise of their adoptive fatherhood (see p. 10). To provide the fathers with a place also requires a change in perception amongst some professionals, which will only be possible with the development of publications that address this issue, as well as with training materials, of which examples will be offered in our Documentation Appendix (attached to this Monthly Review).

**A better understanding of the fathers' experience, and the promotion of the consideration of their role and their needs, remain a challenge. The ISS/IRC opens its Monthly Review to your reactions and experiences on this issue, the visibility of which deserves further strengthening.**

The ISS/IRC team  
April 2014

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## **BRIEF NEWS**

### **United States of America: A new study on global intercountry adoption trends – *A Changing World***

The Donaldson Adoption Institute has released an extensive study on intercountry adoption trends, primarily based on U.S. data; 'among its components are surveys of about 1,500 adoptive parents, adoption professionals in the U.S. and other "receiving" countries and countries of origin, as well as interviews with senior policymakers in 19 nations'. In light of its findings, multiple recommendations are included in the framework of the Hague Convention such as, importantly, that 'poverty should not be a reason for [intercountry adoption], so receiving countries should work collaboratively on creative ways to offer support so that as many children as possible can be raised in families of origin'. This study is available at: [http://adoptioninstitute.org/old/publications/2013\\_10\\_AChangingWorld\\_ExecSum.pdf](http://adoptioninstitute.org/old/publications/2013_10_AChangingWorld_ExecSum.pdf).

### **Publication of a global survey on violence against children**

Aimed at assessing the follow-up on the recommendations issued in the United Nations Secretary-General's Study on Violence against Children (2006), a global survey, which was undertaken between 2009 and 2012, thanks, in particular, to questionnaires sent to over one hundred governments and seven regional consultations with children and adolescents, has recently been published. Even though this survey has noticed progress, it also puts emphasis on several persistent challenges, such as violence in alternative care institutions, which it describes as a particularly urgent situation. This study recalls the importance of the 2009 Guidelines for the Alternative Care of Children and insists on the prevention work that must be undertaken with the families. Preventing the institutionalisation of children is a step towards a reduction in violence in institutions. Available at: [http://www.crin.org/docs/toward\\_a\\_world\\_free\\_from\\_violence.pdf](http://www.crin.org/docs/toward_a_world_free_from_violence.pdf). On this same topic, see also the report published by the Global Initiative to End All Corporal Punishment of Children in 2013, available at: <http://www.crin.org/docs/globalreport2013.pdf>.



## Ethiopia: ISS with partners supports the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

On 12 April 2014, ISS with the Better Care Network, SOS Children's Villages (SOS) and Save the Children (SC) organised a training for the members and secretariat of the ACERWC during their 23<sup>rd</sup> session in Addis Ababa. The training specifically follows up on ISS's intervention with SOS and SC in April 2013, where the Guidelines for the Alternative Care of Children and the Moving Forward Handbook were presented. Given the newness of the topic with some members of the Committee, more comprehensive training was requested by the ACERWC. The half-day training focused on practical examples of alternative care across Pan-Africa, ending with an interactive segment considering the potential added value of references to the Guidelines in developing arguments and recommendations, when reviewing State Party reports. More specifically, the topics broadly covered included family strengthening and prevention, range of quality care options as well as alternative care provision in emergency situations.

## ACTORS

- **Croatia, Haiti and Serbia:** The HC-1993 entered into force in these three countries on 1 April 2014.
- **Bulgaria, Germany and Luxembourg:** These countries have updated the contact details of their Central Authority and accredited adoption bodies.
- **Albania, Croatia, Cuba, Georgia and Slovakia:** These countries have updated the contact details of their Central Authority and, in the case of Cuba, of its Competent Authority.
- **Belgium and Chile:** These countries have updated their lists of accredited adoption bodies.

*Source:* The Hague Conference on Private International Law, [http://www.hcch.net/index\\_en.php?act=conventions.publications&dtid=43&cid=69](http://www.hcch.net/index_en.php?act=conventions.publications&dtid=43&cid=69).

## LEGISLATION

### Madagascar: The main aspects of Madagascan legislation on intercountry adoption – Strengths and weaknesses

*Faratiana Esoavelomandroso, a Private Law Professor at the University of Antananarivo, Madagascar, and a Member of the Madagascan Commission for the reform of child rights, offers an analysis of the Madagascan laws relating to domestic and intercountry adoption.*

Nearly 10 years after the application of new instruments regulating intercountry adoption in Madagascar [*Loi 2005-014 relative à l'adoption* and *Décret d'application 2006-596* establishing the means of application of the latter], it is possible to draw a general picture of the legal framework that regulates intercountry adoption in this country in order to assess its strengths and weaknesses.

#### The principle of subsidiarity of intercountry adoption: A strength in the reform

Whereas the race for the intercountry adoption of Madagascan children was previously the case, today the Madagascan law-maker has reminded

one of the fundamental principles of the HC-1993, which is represented by the right of the child to grow up within his family of origin. If the latter is not possible, or if he cannot be placed with a relative in the extended family (art. 9 of Law 2005-014) or with a foster family (art. 11 of Law 2005-014), only in these cases will an adoption be considered as a solution. Domestic adoption will then be given priority over intercountry adoption, which will be taken into account as a last resort (art. 32 of Law 2005-014). In November 2013, a verbal communication relating to the protection of children deprived of parental care via an adoption was approved, stating that children orphaned of mother and



father, who cannot be cared for by their family of origin (uncle/aunt) or in their extended family (great-uncles / great-aunts / cousins / parents' cousins) for financial reasons, will be considered adoptable<sup>1</sup>.

### **The Central Authority: A key element for an intercountry adoption that is compliant with domestic and international standards**

Since the 2005 reforms, any full adoption – whether domestic or intercountry – must be undertaken via the Central Authority. The latter gathers the requests of prospective adoptive parents for a full adoption and holds a list of adoptable children (art. 9 of Decree 2006-596), which is created on the basis of data provided by the accredited children's homes. Even though the Central Authority – via its unit of experts – proceeds to the matching (art. 50 of Law 2005-014), it may only submit the child's matching proposal to the Central Authority of the receiving country for the acceptance or refusal of the adopters following the consultative opinion of the accredited person or institution caring for the child (art. 51 of Law 2005-014)<sup>2</sup>. This centralisation of the procedure within the Central Authority makes it possible to avoid child trafficking, and, in particular, undue gains in intercountry adoption.

Any full adoption procedure, whether domestic or intercountry, indeed requires a financial contribution (Title IV of Decree 2006-596); however, in order to prevent this contribution from being considered as an undue material gain (sanctioned by art. 15 of Law 2005-014), the Law's application decree clearly regulates such a financial contribution, the amount of which is set by the Ministry of Population. As long as the matching has not yet been accepted by the adopters, all the costs and expenses relating to the child are incumbent upon the home, which has cared for the child (art. 42 of Decree 2006-596). Once the matching has been undertaken, all the costs, such as the lawyers' fees and the costs relating to the expenses for the child, are incumbent upon the adoptive parents (art. 43 of Decree 2006-596), through a financial

contribution paid to the Madagascar Central Authority.

### **Long periods that may jeopardise the child's best interests**

One of the criticisms expressed in relation to the new positive law on intercountry adoption refers to the periods established. Even though the periods set for the child's real adoptability are understandable – period for obtaining the 'provisional guardianship order', period for obtaining consent and the 'order of report of the consent to adoption' and period of withdrawal, those relating to the adoption procedure are much more subject to criticism.

During the administrative stage of a full adoption, once the matching has been undertaken, the proposal of child matching is sent to the prospective adoptive parents. A period of six months is granted to accept or turn down the proposal (art. 51 of Law 2005-014)<sup>2</sup>. Should the adopters accept, the Central Authority must issue a justified opinion within two months from the date of reception of the acceptance file (art. 53 of Law 2005-014). During the judicial stage, an order is issued by the Judge, in which he sets a probationary period of one month, in order for the parents to get to know the child (art. 56 of Law 2005-014).

However, in general, the prospective adoptive parents do not need six months to know whether or not they wish to accept or turn down the matching proposal, without taking into account the fact that one must add another two months for the Central Authority to issue its opinion; all this time, the child will remain in an institution.

### **The regulation of children's homes and a national child protection policy ?**

In order to counteract any willingness to establish children's homes for purposes other than humanitarian, the new instruments have set the conditions for the granting of accreditation (arts. 17 and 18 of Decree 2006-596). These accredited children's homes may only undertake adoptions if they have obtained a specific accreditation from the Central Authority (art. 16 of Decree 2006-596).



Even though the number of accredited children's homes has decreased, even though there is a better framework and therefore greater certainty as to the child's true adoptability, is there finally a genuine and efficient child protection policy? To try to halt intercountry adoption via the adoption of legal instruments, as compliant as they may be with international Conventions, is not sufficient. As adoption is a child protection measure, it may only be understood within the framework of a national policy on family, which provides indeed for an important part on child protection.

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**Sources:**

<sup>1</sup> Communication of the Council of the Government, 5 November 2013, <http://www.communication.gov.mg/conseil-de-gouvernement-mardi-5-novembre-2013/#more-1278>; 'L'adoption d'enfants sans soins parentaux autorisée', *L'Express de Madagascar*, 6 November 2013.

<sup>2</sup> It is worth mentioning that the General-Directorate for Social Protection stated, on 11 February 2014 in the framework of the launch of the programme *Femmes et Elections*, that 'matching is now an exclusive competence of the Central Authority'.

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## PRACTICE

### Rajasthan, India: Co-creating family-based care for children in need of care and protection

*Ian Anand Forber-Pratt, President and Founder of Foster Care India (FCI)<sup>1</sup>, explores the process of starting FCI, an organisation dedicated to family-based care in the State of Rajasthan. He shares his journey from India to the United States and back.*

The idea for 'Foster Care India' was formally launched in 2007 when Anand, born in India and raised in America, first visited Udaipur on a college trip to study the caste reservation system in the State of Rajasthan – igniting a desire to help children have access to education and a family. In the period following this trip, the National Indian Government and the Government of the State of Rajasthan started creating positive movements to create family-based settings for children as an alternative to institutional care. In fact, Rajasthan had passed the beginning of a kinship program (*Palanhar Yojana*) that is supporting kinship carers and encouraging education.

As a consequence, Anand then looked for the gaps and planned ways to help identify them:

1. There seemed to be little collaboration among the various organisations and activities that addressed the needs of care and protection for children, and
2. Activities were not focused on long-term, systemic change based on evidence-based research.

#### Shift to India

In May 2011, FCI was consequently founded to develop a collaborative, systemic model for family-based care. The first tasks were to create a foundation for the organisation, which needed recognition from government and civil society members, and to have a deeper understanding of the local non-profit environment of child protection. Brought up as an American, it seemed unfair to just come to Udaipur and impose his 'solutions' for vulnerable children. A 650-household research study in urban Udaipur, to have insight into people's thoughts about the concept of foster care, was therefore essential and successfully completed.

Based on this survey, the challenges in establishing FCI now included skepticism about intentions, fundraising, gaining recognition as a legal entity and securing credibility among community members and other professionals, as discussed in more depth below.

### The challenge of overcoming scepticism

In India, although many are in full agreement on the importance of a family environment for children, the idea of government involvement and a formalised foster care system brings fear and skepticism. FCI is doing three things to address these concerns:

1. Launching awareness programmes in the community for general populations and stakeholders about foster care,
2. Supporting kinship families and existing child protection systems in order to gain credibility, and
3. Lovingly embracing those in the child protection field at local, state and national levels to exemplify our motive to not impose but to partner.

### The challenge of fundraising

Funders in India want to see direct practice results. However, without funds, it is difficult to conduct direct practice. Further, in India, new organisations are prohibited by the *Foreign Contribution Registration Act* from accepting foreign funds during the first three years. So the initial work was funded by members of the Board of Directors of FCI. At the same time, Anand spent the first two years building a foundation. Finally, recently, the state heads of Save the Children, CRY India, Plan International and other leading NGOs in India were ready to start a discussion about collaboration and support.

### The challenge of strengthening family-based care

The other challenge has been to strategically strengthen family-based care in Rajasthan. FCI is launching its second phase of development: FCI

will link with the government and civil societies to produce three pieces of resource material. Child protection stakeholders will be brought in for consultations that aim to design three documents:

1. The description of non-institutional vs institutional care,
2. An explanation of the 'fit person' process (*i.e.* foster family identification, licensing and support), and
3. A discussion on how to qualify children, who are right for family-based care.

Further, FCI will coordinate with other partners a state-level consultation that will sensitise stakeholders about kinship, social relative and foster care in direct relation to the Juvenile Justice Act and the Integrated Child Protection Scheme. The partners will form a task force on family-based care, modeled after the work in Orissa as well as the national-level association. The task force will run for two to three years as an independent collaboration of like-minded stakeholders.

### Promising results and moving forward

The future is bright for family-based care in Rajasthan. FCI is privileged to be part of the movement towards our vision, "Every child's right to family".

The ISS/IRC welcomes initiatives, such as FCI, which are working with and within communities to set up more family-based alternatives for children – specially since international standards clearly recognise that the family environment is, in principle, the most suitable for the child's full development.

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#### Reference:

<sup>1</sup> For further information, see: <http://www.fostercareindia.org>.

## The impact of adoption on birth fathers

In this article, Dr Gary Clapton, from the University of Edinburgh, invites us to reflect on the evolution of the place of birth fathers in the adoption process and helps us to better understand their needs and the way they can be supported.

In the UK, nearly 900,000 adoptions took place between 1926 and 2001. The peak years for adoptions were the late-1960s. In 1968, about 15 out of every 1,000 babies were adopted by strangers, and it rose to 18 per 1,000 the following year. It has also been estimated that there could be 600,000 birth fathers in the United Kingdom. Yet, the birth-father experience has been largely ignored in adoption literature, conferences, etc.

### Adoption and birth fathers

There are very good reasons why Coles' book on birth fathers is called *The Invisible Men of Adoption* (2010). When it comes to being heard and understood within the adoption system, birth fathers are several decades behind birth mothers. For instance, the 2006 anthology *Family Wanted* (Holloway, 2006) has 25 individual stories written by adoptees, adoptive parents and birth mothers, but the birth-father viewpoint is absent (although three adoptive fathers are included). Waida-Ells's *The Adoption Reader* (1995) contains only tales from birth mothers, adoptive mothers and adopted daughters.

Perhaps, the reason for such marginalisation is the persistence of the traditional image of birth fathers as older men and feckless characters with no sense of responsibility. However, research now shows that, in the main, taking adoptions of the 1960s and 1970s as a guide, birth fathers were young men and likely to be in stable and loving relationships with the birth mother prior to the birth of their adopted child.

### Loss and grief in adoption

Adoption has been characterised by many emotions, traditionally the main one has included the pleasure of providing a family for a child, who has none; more recent emotions are more mixed, involving as they do children, whose families have not been able to care for them. However, loss and grief have always been there, sometimes more implicit, as in the loss of fertility experienced by adoptive parents. In recent years, loss and grief have been associated with the experiences of birth mothers, whose part in adoption was overlooked in the past when the concentration was on the making of an adoptive family.

Following the 'discovery' of birth mothers and the acknowledgement that they have a place in the adoption triangle (child/adoptive parents/birth mother), attention has turned to birth fathers. Work, which begun about 10 years ago, has indicated that birth fathers too suffer feelings of loss and grief (Clapton, 2003). Coles has suggested that birth fathers suffer a 'double burden' of feeling they have let down the child and the birth mother, and they also experience a loss of self-esteem. In one British study, nearly 80 per cent of birth fathers agreed that the emotional impact of the adoption was deeper and more lasting than anything else that had happened to them in their life (Witney, 2004). These, and subsequent work (Clapton, 2007, Passmore and Feeney, 2009) have unlocked new understandings of birth fathers in adoption.

I was never forgetful of the fact that as a nineteen year old, I'd help conceive a child, been there at her birth on Christmas Day 1969 and was involved in her being adopted out. Most of the memories from that time are vivid and some have, if that is possible, only become painful as I've got older.

Within two years of Jane's adoption I was looking after two three-year old children. Thirteen years after it I was step-parenting a young teenage girl. Hindsight's a wonderful thing. I can trace the connections only now. I eventually became a social worker – who was involved in adoptions. For twenty years after my daughter was adopted, I was unable to contemplate having another child. There are many other milestones in my life that I can attribute to the effect of having given up a child for adoption such as the subject of my doctoral thesis but probably the biggest milestone came in 1993 with the arrival of the letter that began 'I am writing to you on behalf of someone who believes that they may be related to you'.

I knew right away who it was...

Dr Gary Clapton



Birth fathers have also spoken about a sense of connectedness. Adoption is a lifetime condition for men, who had to give up their child. The research on birth fathers shows that birth fathers are haunted by the birth event and the adoption process. In one Australian study, over three-quarters of the men endorsed the statement 'There is a part of me missing' (Cicchini, 1993). 'Always after that I felt that I walked with a limp', said a birth father in Witney's study. 'I tend to beat myself up over it'.

Clearly the research is beginning to tell us that, for many birth fathers in adoption, out of sight

does not mean out of mind. Practice, however, has not altered significantly and birth fathers (and birth mothers) remain written about as 'the other'. For instance, some publications still maintain common and long-standing stereotypes of wild-eyed, vindictive birth parents. These are a sad reminder of how slow change can be.

*'...I might not have been her dad during all those years when she was growing up but being her father is so much part of my identity now that I no longer hesitate when asked how many kids I have and proudly say that that I have two boys and a girl.'*

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### References:

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## Peru: The experience of supporting adolescent fathers in Lima

*Since 2012, a new line of work has been developed in the framework of the Red Mami<sup>1</sup> project, led by the Peruvian association Taller de los Niños, in collaboration with the Swiss foundation Children Action, in order to reestablish gender equality and to render the adolescent father more visible.*

Over the last years, adolescent motherhood and fatherhood have become an issue of great social importance, given their multiple physical, social, emotional and cognitive consequences. The protection of this group has, in particular, been the object of specific provisions in the recent Guidelines for the Alternative Care of Children<sup>2</sup>. The aim of Red Mami's new project line developed for adolescent fathers is to be able to

define the profile of this father, who is too often invisible, understand his reality and act specifically with him and his family.

### A tendency to 'feminise' the issue

This issue, in general, focuses mainly on the mothers, resulting in a social tendency to link early pregnancy and its consequences only to women. Furthermore, the meaning of 'paternity' has varied over time, depending on socio-cultural





changes. For example, the family expects men to be, mainly, the economic providers. A man with a particular interest in his children's education and care will go against these expectations. Even though this view is in full transformation in Western societies, in South American societies, one would promptly speak of a masculine 'flaw'. The social roles of each sex are learnt from childhood and appear throughout life. Yet, adolescent paternity makes a mark on the main players and their families, given that it appears at an unexpected stage, resulting in the adolescents having to face adult responsibilities (Madrid and Olavarría, 2005). This situation requires dealing with economic needs, amongst others, when the adolescent is unable to find his place in the world of work.

### **The profile and living conditions of the fathers**

The fathers' average age is 17 years, an age at which they should theoretically have completed secondary education in Peru. However, the reality is different: only 25.4% of the fathers have completed their schooling, 8.7% still study, and the others have dropped out of school before their partner's pregnancy (44.6%) or because of the pregnancy or birth (21.3%). Many have dropped out of obligatory schooling due to their considerable difficulties to learn, but mainly because they do not believe in its usefulness. Driven by the financial emergency, most adolescent fathers work during the day – most of them in underpaid jobs – without social protection. Only 32% of them have health insurance (partially obtained thanks to the Red Mami project).

### **The young family's characteristics**

Despite their young age, but in accordance with Peruvian ancestral traditions, a baby's birth is often linked to the immediate moving in together of the young parents. Very often, the families impose the life together as the 'price to pay' for having had a baby.

Furthermore, it is a custom in Peru that, when a girl lives with her partner, her father considers that he no longer has a responsibility towards her, and that the new man in the home must assume all the maintenance costs of the new

family. This requirement is particularly difficult for the adolescent to assume and him breaking up with his partner is common.

This social and economic vulnerability therefore places the young man in a constant race to respond to the demands of the adolescent mother or her family. One way of escaping from this reality is through contacts with other vulnerable adolescents, who meet up at weekends. The return home to the partner may be a cause for conflicts, shouting and violence. This reflects the own experience in the paternal home. Furthermore, the young father's behaviour towards his mother is also a cause for anger. Sometimes, the young father's behaviour of 'male chauvinism' towards the mother also is a cause for anger.

### **Giving priority to the adolescent fathers' agenda**

Based on the above-mentioned difficulties, and with a view to creating an environment of trust with the young father, the intervention project intended to offer punctual interventions aimed at strengthening his self-esteem, at developing a life project, at solving conflicts and successive breakdowns without violence and at resuming his studies. However, the practice soon evidenced that the young fathers have their own agenda in life and that it is necessary to give priority to their own concerns in order to be able to set our support within their rhythm of life.

### **Slow but sustainable changes**

The impact of the psychologist's visits to the adolescent father's home has been huge. The presence of a friendly person, who has come to understand and not judge, to support and reconcile and not disapprove, is suddenly perceived as the unique opportunity to be able to change something in his life. The intervention allows for the reconstruction of broken bonds with his own family, to initiate a dialogue and to achieve small changes progressively.

Thus, thanks to the project, over a third of the fathers have decided to recognise their baby. Close to 20% of them, despite denying being the fathers, have not only established a bond with the child but have also slowly rebuilt a relationship with the mother, often under the



protection of the professional, who acts as a mediator. This resumption of contact and the better understanding, not only of the obligations, but also of the rights inherent to any father, have made it possible to build strong and deep feelings towards the child, a stronger wish to understand his development, to want to have a child happier than himself. The activities with the parents undertaken through the programmes of *Taller de los Niños* include a stimulation and play workshop

exclusively for the fathers and their child, which enables the father to enjoy a moment of tranquility, in company with other fathers and the care personnel, without his attitude being systematically questioned. An important change for a life that is in full development.

Christiane Ramseyer, Director of *Taller de los Niños*  
Jhonatan Navarro, Psychologist

### References:

<sup>1</sup> Identification and support project for adolescent mothers and their children in order for them to access their rights to identity, health, social protection and education.

<sup>2</sup> *Guidelines for the Alternative Care of Children*, available at: <http://iss-ssi.org/2009/assets/files/guidelines/ANG/Guidelines%20for%20the%20Alternative%20Care%20of%20Children%20.pdf>, paras. 36 and 41.

## READERS' FORUM

### Call for personal stories on the role and place of adoptive fathers

*A French adoptive father shares with us his personal experience of adoptive fatherhood and launches a call for personal stories, with a view to helping the various post-adoption support services in better taking into account the difficulties and needs of adoptive fathers.*

**A** teacher until last year and a pensioner this year, I have now initiated a survey on the role and place of adoptive fathers. Catherine and I have three adopted children: the eldest two (31 and 27 years old) are from South Korea, the youngest one (23 years old) is from Thailand. Like in many cases, their childhood with us was nearly perfect, and their adolescence quite difficult. We therefore realised that adoption was not the entire fairy tale that we had been told. This is why we started to inform ourselves and to attend discussion groups held by the association PETALES<sup>1</sup>.

#### Adoptive fathers: spared the adolescence?

The experience of the discussion groups reflects the following recurring pattern (which I considerably simplify for greater clarity): at adolescence, the child experiences his identity issues mainly within the framework of a transfer with his mother, who has been challenged nearly constantly for several years, whereas the father seems pretty much to have been spared this

situation. This situation is very difficult to live within the couple, and may jeopardise it in several ways: the father may think that he handles it better, or the mother may believe that he only thinks so. The latter first reacts by saying 'leave it, I can handle it'... to subsequently turn against her husband, when the situation gets out of control: 'what are you waiting for to help me?', which is an unmanageable situation for the husband. The child-mother tension increasingly becomes the focus of the whole existence, and the father finds himself pushed back to the role of an assistant, who is required when a resort to force is necessary. Which father does not yearn for another relationship with his son or daughter?

#### A 'right' place that is difficult to find

Faced with this situation, the nearly unanimous feeling of the mothers is that the father 'gets off better'. This is not my analysis at all. I rather have the impression that the situation is structured in a way that makes it very difficult for the father to have a possibility to find his right place, and to truly exist as such. In fact, both parents each face



difficulties at adolescence: the mother, who is attacked, exists very strongly for the child; caught between a rock and a hard place, the father is rather edged out. However, before being able to exercise his authority, the father's problem is to be recognised. Thus, I believe that it would be necessary, on the one hand, for the father to help the mother to manage the conflicts, and, on the other hand, for the mother to help the father in finding his place in order for him to act.

### How to better take into account the difficulties of adoptive fathers

Given these accounts, I therefore believe that time has come to initiate research on the place of the father in the adoptive family. The aim of my research is for the father's problems to be able to be taken into account and addressed within the couple and in discussion groups, as is already the case with the problems faced by the mother. Thus, to create separate discussion groups for fathers, as is starting to occur, is insufficient, even though this may be a beneficial transitory stage.

Furthermore, this research must rule out any preconception and be based mainly on field experience, *i.e.* what the fathers experience and what they say about it.

With this aim in mind, I wish to gather a sufficient number of personal stories of fathers in order to avoid some generalities. Within the framework of this initiative, I also call upon the professionals, in order to disseminate my project, which format has not yet been determined (book, oral interventions, etc). Afraid of the formal and restrictive character of a questionnaire, I would rather leave the fathers to express themselves freely if they join the project, and for them to send me their personal accounts in a way and through the means they wish to. I am committed to the greatest discretion and will only use these personal stories with their authors' agreement and in the way they will have consented to.'

Alain Vallee<sup>2</sup>, Adoptive father

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### References:

<sup>1</sup> This French association, which was created in 2002, informs, helps and supports parents and any person affected by attachment, its challenges and its disorders. For further information, see: <http://www.petalesfrance.fr/>.

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## Thoughts on the term 'abandonment'

*Following the presentation, in our Monthly Review N° 178, of the research on the various European practices relating to abandonment and its prevention – undertaken by the University of Nottingham and sponsored by the European Commission, we share the point of view of one of our readers on the term 'abandonment'.*

'An essential point, in my opinion, is to reflect on the term 'abandonment' (*definition provided by the dictionary: give up, surrender, separate from, leave without assistance, leave to the authority of, without affection, without subsistence*). This is one of the greatest fears in childhood, for everyone. One may mention an adopted woman saying 'I have no problem with adoption, it is with abandonment that I have an issue'.

The term *abandonment* has a derogatory connotation and must not fit into an individual's story like his only characteristic of origin, of identity. It should rather be emphasised that this

child wanted to be born, to be carried until his birth by his biological mother, who then entrusted him for adoption to 'forever' parents. He was therefore born a second time from the wish of these parents. For the adopted individual, unlike an orphan, the mourning of this mother is difficult due to the absence of a body to bury.

'To be adopted is an opportunity because you know you were wanted, the pregnancy just takes a little longer'. At what age does a child make a difference between abandonment, adoption ... was he *abandoned*? In addition to some physical features that are very different from those of their adoptive parents (skin colour...), the



denominations 'adopt', 'abandons' are stigmatising to the extent of defining the individual.

In the word abandonment, I would only like to keep 'don' (*Editor's note: 'gift' in French*) or talk about entrusting or refer to this word used by some adopted children: *mamandonné* (*Editor's note: 'given mum'*), a nice children's phrase, which says a lot.

**All this to underline that all adoption actors should rightly ask themselves about the trivialised use of the term 'abandonment', which will often be felt like a wound by the adoptee. Your review could be a channel for this reflection. What do the adoptees themselves think about it?'**

Bertrand Roullier expressed himself as an adoptee (simple adoption), a paediatrician, a former volunteer at *Médecins du Monde Adoption*, and currently an adviser at the Children's Court in Lorient (Morbihan, France)

## ISS ACTION WORLDWIDE

### Australia: The challenges resulting from a new method of family formation – Embryo adoption

*Damon Martin, Manager of ISS Australia's New South Wales Office, explores the challenges that Australia faces with the increased use of embryo adoption as a new method of family formation and the questions this practice raises with regard to children's rights.*

For couples unable to have their own biological child in Australia during the 19<sup>th</sup> and 20<sup>th</sup> centuries, the main alternative option available was to adopt a child or become a foster parent. The evolution of In Vitro Fertilisation (IVF) in the 1980s allowed many people to use artificial reproductive technology as an alternative method to have a child, and the practice of using donor embryos and sperm has continued to increase.

#### Background of embryo adoption

One of the newer methods of family formation involves adopting an embryo. There are at least seven embryo adoption programmes in the U.S.A. and couples from abroad (including Australia) are now exploring this new option. In short, the embryo adoption programme allows couples that have completed IVF treatments to donate their remaining embryos; this, in turn, allows others to adopt the embryos and give birth to their non-biological 'adopted child'. Couples wishing to adopt an embryo need to complete a process similar to that undertaken by prospective adoptive parents in the intercountry adoption process; that is, undergo a comprehensive assessment (*i.e.* a home study) complete with

screening of criminal history and child abuse records, and receive education about how to parent an adopted child. While ISS Australia keeps an open mind on the evolving nature of family formation, the principles guiding our work are that the best interests of the child are always paramount and the rights of children as set out in the United Nations Convention on the Rights of the Child (UNCRC) must be upheld, as stated in articles 3, 7, 8 and 9 of the UNCRC. We also believe that it is a fundamental right for children to know their family and medical history.

#### Embryo adoption and children's rights

Adoption practice has changed considerably over the years and learned from past mistakes. Adoption is now practiced in a spirit of openness, which achieves stability for the child in its new family without withholding information about his biological family – this is generally agreed to be in the best interests of the child. Working from the basis of this knowledge and learned practice, it is imperative that children adopted through an embryo adoption programme are afforded the same rights.



This approach ensures that children adopted through an embryo adoption programme are aware, from the earliest possible age, that they are not biologically related to their parents. Research indicates that when a child is aware that he is adopted from an early age, he is likely to grow up well-adjusted and happy. This approach also avoids family secrets and future issues of betrayal. Another important aspect to embryo adoption is the child's right to access information about his biological family. In some instances, this may include contact with the biological family, varying from information sharing to face-to-face contact. An important tool used in adoption and foster care placements is 'Life Story' work, which ensures the child or young person has an accurate record of his family background and history. The 'Life Story' work can help children, when they are ready, to understand why they were adopted, their donor's motivation and their parents' motivation to adopt an embryo. It may also allow the child to express his feelings about this. It is important for adopted children to have knowledge of, and feel connected to, significant people and places, particularly their biological parents' country of origin, culture and heritage.

### **Ethical dilemmas to be considered**

The child's right to factual information about his biological parents may be led astray through an effectively 'false' birth certificate. The adoptive parents would automatically be considered the child's legal parents and their details would be placed on the child's original birth certificate. Unlike adoptees, who have both an original and adopted birth certificate, this is presently the only certificate provided to a child born through an embryo adoption programme. For an Australian couple adopting through a U.S. embryo adoption programme and receiving the required IVF treatment (*i.e.* implantation of the embryo) in the

U.S.A., there would be no records held by an Australian Government Department to confirm the child was born to non-biological parents. This, in itself, could create dilemmas for the child as he grows up, as access to his biological parents' details may not be easily obtained from the embryo adoption programme in the U.S.A., due to the difficulty of navigating overseas systems or because the particular embryo adoption programme is no longer operating. It could also encourage adopting parents to keep details of the adoption a secret from the child, contradicting their verbal assurance in the assessment process that 'openness' would be practiced.

Other ethical dilemmas to consider include how embryo adoption programmes should identify the embryos to be adopted, and the nature of any matching process. For instance, should the approved prospective adoptive parents have a choice as to which embryo they wish to adopt (*i.e.* a specific race or gender, etc)? If permitted, this could be seen as facilitating a 'designer-babies' approach in which couples choose specific details for their child, such as skin colour, ethnicity, background and so on<sup>1</sup>.

Some may argue any unwanted embryos are 'little people', who should be allowed the opportunity to be born, grow and experience life, rather than discarded in a fertility clinic.

This alternative approach would provide any of the available embryos with an opportunity to be born and raised in a safe, loving and caring environment. It is certainly unlikely any child born through an embryo adoption will regret the opportunity to be born; however, it is clear further thought and consideration must be given to the complex ethical dilemmas created by emerging embryo adoption practice.

**As family formation continues to evolve and the new practice of embryo adoption grows, we need to consider the mistakes made in past adoption practice and be aware of the future needs of children born through embryo adoption programmes. Embryo adoption programmes, IVF clinics, donors and the parents of children born through embryo adoption must all embrace a practice of 'openness', to ensure the best interests of the child are always paramount and the practice is always ethical.**

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### Reference:

<sup>1</sup> Mathieu, G., '200g de sperme de luxe s'il vous plaît', *Journal du Droits des Jeunes*, N° 326, June 2013 (available in French at the ISS/IRC).

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## FORTHCOMING CONFERENCES AND TRAININGS

- **France:** **a)** *Accueillir: Et quand la culture s'en mêle?* [Care: And what about when culture becomes involved?], Association Pikler Lóczy, Paris, 18-20 June 2014. For further information, see: <http://www.pikler.fr/activites/programmeformations.pdf>; **b)** *L'agrément en vue d'adoption: Aspects psychologiques de l'accompagnement et l'évaluation en vue d'apparement* [The adoption suitability certificate: Psychological aspects of the support and assessment for matching], COPES, Paris, 16 June 2014. Duration: 5 days; **c)** *L'enfant accueilli en urgence: Pour qu'une séparation brutale ne soit pas une rupture* [The child cared for as an emergency: For a brutal separation not to become a break-up], COPES, Paris, 4 June 2014. Duration: 3 days. For further information, see: <http://www.copes.fr>.
- **Switzerland:** *Children at the Heart of Human Rights*, Geneva Summer University, 16 June - 4 July 2014. For further information, see: <http://www.genevasummerschools.ch/courses-2014/children-at-the-heart-of-human-rights>.
- **United Kingdom:** **a)** *Transracial placements: No longer a Black and White issue*, BAAF, London, 7 July 2014. For further information, see: <http://www.baaf.org.uk/training/allevents/2014-07-07t000000-1>; **b)** *Shades of permanence: Promoting stability for looked after and adopted children*, BAAF, Birmingham, 23 June 2014. For further information, see: <http://www.baaf.org.uk/training/allevents/2014-06-23t000000-0>; **c)** *Adopter recruitment: Meeting the challenge*, BAAF, London, 2 June 2014. For further information, see: <http://www.baaf.org.uk/training/allevents/2014-06-02t000000-0>; **d)** *Summer School on the Rights of the Child*, The Human Rights Law Centre, University of Nottingham, 23-27 June 2014. For further information, see: <http://www.nottingham.ac.uk/hrlc/shortcoursesandtraining/summerschool/summerschool.aspx>.

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