



Published by the International Reference Center for the Rights of Children Deprived of their Family

Monthly Review

EDITORIAL

N° 188
JANUARY 2015

2014: More projects, fewer subsidies...

For this first editorial of the year, we offer the usual brief look back at the activities carried out by the ISS General Secretariat and the prospects that lie ahead for the coming year.

Perhaps it is a sign of the evolution of our time, that non-government organisations must increasingly look for their own funding sources and rely less and less on public money. The IRC's operational record for the past year (and therefore its balance sheet) illustrates well this trend: the projects created and implemented by us are growing in importance, while it is increasingly difficult to keep fixed contributions from central authorities supporting the IRC.

"Unstable" Finances

Despite the generous support for over 20 years, for the past 3 years, the estimated budget contributions related to the central authorities who financially support the IRC do not cover more than about 80% of expenses. This decrease is mainly due to stringent budget cuts implemented in several countries, seriously affecting the administrative capacity to support the ISS / IRC. Fortunately, the continued support from other countries, which is very much appreciated, has so far helped limit some of the negative effects of this decline.

Whilst the implementation of field projects is not motivated by economic considerations, financial contributions remain important especially when planning these activities, in particular the human resources required – which was not always possible due to such constraints.

Nevertheless, 2014 saw a marked increase in our activities directly linked to different projects, which is very gratifying.

"Field support" is always necessary

An important part of the activities of ISS/IRC in 2014 has been dedicated to supporting different

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countries of origin: it began with the completion of the joint project with UNICEF in Ghana, as part of the efforts by the country to prepare for the ratification of the Hague Convention 1993. Likewise the ISS/IRC has undertaken an evaluation of the adoption system in Armenia, and alternative care system in Tunisia, in both cases in cooperation with the UNICEF national office. Both projects will continue this year, in parallel with a new project providing technical support to adoption authorities in Moldova.

'ISS' branded projects

The project "Another future is possible for children with disabilities in institutions" is becoming increasingly important: on one hand, more and more countries are expressing their interest in the program being implemented in their countries, and on the other hand, increased private donations allows the project to operate and make way for its gradual expansion. Thus, training was conducted for professionals in charge of this issue in Burkina Faso and Vietnam, and two assessment missions were conducted in Mexico and Mauritius.

The study "Discovering abuses during the search of origins" commenced, and we were particularly grateful to see the enthusiasm that this project has generated among adoption associations. It turns out that this issue remains largely unexplored. To date few tools attempt to answer legitimate questions that adult adoptees may ask and it is therefore urgent to quickly provide professionals with the means to respond.

A service that is always useful

As part of its more traditional activities, the ISS/IRC published 10 issues of its monthly review, with a double issue devoted to the "International Year of the Family" and another to "biological fathers and adoptive fathers." In the interests of openness and exchange, a substantial part was left to the contributions of external authors, writing 24 articles throughout the year.

A little over a hundred various requests were sent to ISS/IRC during the year, 14 country situation analysis were drafted or updated bringing the number of countries whose analysis is available on our website to 94, fact sheets relating to child protection in alternative care and adoption were addressed to the Committee of Children's Rights at each session and to the African Committee of experts on the Rights and Well-being of the child (with other organizations), conferences and training courses were also organized. In addition, we continued our close cooperation with our partners especially in advocating for the implementation of the Guidelines (see the next Monthly Review)... In short, the summary of the past year's efforts is encouraging, especially that our work is useful and appreciated.

The entire ISS/IRC team would like to take this first editorial to once again thank the various people and institutions who, through their support, make it possible to continue of our efforts.

The ISS/IRC Team
January 2015

ACTORS

- **Iceland:** This country has updated contact details of its competent authority.

Source: The Hague Conference on Private International Law,
http://www.hcch.net/index_en.php?act=conventions.publications&dtid=43&cid=69.



BRIEF NEWS

ISS launches its new website

ISS's General Secretariat website has undergone a makeover to ensure it is more user-friendly and technology compatible - especially for the many professionals accessing materials for their work. Numerous resources covering child protection issues including, for example, cross border questions, alternative care and adoption matters as well as international family mediation are accessible. Currently available in English and French, it is hoped that the Spanish version will be forthcoming.

Source: www.iss-ssi.org

New child protection hub for South East Europe

Terre des Hommes with partners has launched an interactive hub for child protection professionals working in South East Europe. The "Learn and Explore" section includes a space for quick learning (e.g.: news, multimedia and promising practices etc), active learning (e.g.: webinars, tools for trainers and self study tools) and a documentation library. The "Connect with colleagues" section highlights members, events and vacancies. However the most innovative section is the "Exchange information" section which allows for among other things questions to be asked and answered within 48 hours as well as an opportunity to discuss a case. This hub promises to be a valuable tool for child protection professionals within the region and for those wanting to access more information about this region.

Source: <http://www.childhub.org/>

PRACTICE

Kenya: Domestic adoption in the best interests of the children?

Denise Stuckenbruck, Child Protection Specialist, UNICEF Eastern & Southern Africa Regional Office, published in 2013 one of the few studies available about domestic adoption of children in Africa, focusing on Kenya. The following article presents the main outcomes of her work.

"Advancing the rights of children deprived of parental care: Domestic adoption of children in Kenya"¹ aimed at understanding the current environment surrounding domestic adoption of children in Kenya. It provides an assessment of the main opportunities for, and barriers to, increasing the practice of domestic adoption among local people, including the cultural beliefs and practices surrounding child care in the country.

Legal framework and child protection system

The Kenyan government has been taking steps to follow the global momentum on the promotion of family-based

alternative care of children: it has developed a domestic version of the Guidelines for the Alternative Care of Children and is in the process of reviewing its Children Act, 2001, in order to align it to international developments in the field of child protection. The country has a comprehensive regulatory framework for adoption, including a central authority and detailed adoption regulations.

Like most Africans, Kenyans have a long tradition of caring for their children via informal care arrangements. However, rapid economic growth, urbanisation, and the spread of HIV/AIDS have led to changes in social structures and norms. Limited human and financial resources have reduced



families' ability to provide adequate care for their children. As a result, in recent years residential care facilities have mushroomed across Kenya and it is a common belief that children are better placed in these institutions than within impoverished households.

According to the main findings of this study, there are around three types of child care in Kenya: residential care, kinship care and domestic adoption. The findings of the study point to several violations of the rights of children living in residential care and indicate that child care institutions must be better regulated and monitored by the Kenyan government. With regards kinship care, it was found that while it may increase children's sense of belonging and access to education and basic needs, it may also expose children to various risks, such as discrimination, abuse and exploitation, in addition to potentially violating their rights to property and inheritance. This study indicates that if a more appropriate case management system was in place, many Kenyan children experiencing rights violations under informal and residential care could potentially be placed in other more suitable, long-term or permanent family-based care alternatives, including domestic adoption.

Domestic adoption, the solution for Kenyan children deprived of their family?

While this study confirms that there is mounting acceptance of the practice of domestic adoption in Kenya, a considerable

number of risks for children were identified in the way different forms of alternative care are practised and managed across the country. Pushing for a rapid growth in adoptions within such an environment could place already vulnerable children at further risk. This paper proposes that for adoption to be increasingly offered to Kenyan children as a suitable solution for their care, a comprehensive transformation is needed in all the processes related to why and how children are first separated from their parents, placed in alternative care and thereafter sometimes made available to adoption without the application of all gatekeeping mechanisms that ought to protect children's best interests.

Furthermore, this study concludes that for children's rights to be fulfilled in domestic adoption, there must be a meaningful reduction in the stigma associated with adoption in Kenya. It confirmed that traditional beliefs and practices have often been used to shame adoptive children and their parents and that, as a result, the practice is still shrouded in secrecy, occasionally leading parents and other actors involved in adoption procedures to behave unethically and illegally. This inquiry concludes that if these factors, which inhibit adoption and hinder its practice, are not firmly addressed by Kenyan society, adoptive children will continue at risk of being subjected to severe discrimination and exposed to a wide range of rights violations.

It is hoped that this study will contribute to interest in further research about domestic adoption practices across Africa, particularly in Kenya. More knowledge is needed to understand which local beliefs and practices should be supported or challenged in order to improve the quality of child protection services and increase children's wellbeing. Such knowledge should inform the design of policy and programmes that foster locally accepted family-based care alternatives for children deprived of parental care, including domestic adoption.

Sources:

Available in English at:

[http://resourcecentre.savethechildren.se/sites/default/files/documents/dstuckenbruck_domestic_adoption_of_ children_in_kenya_jun20131.pdf](http://resourcecentre.savethechildren.se/sites/default/files/documents/dstuckenbruck_domestic_adoption_of_children_in_kenya_jun20131.pdf)



INTERDISCIPLINARY RESOURCES

Survey on international Korean adoptees

In July 2014, the Korea Institute for Health and Social Affairs published a study¹ aiming at identifying the current status and situation of international Korean adoptees abroad to enhance the awareness on the reality of international adoptees and to establish measures for post-adoption services.

South Korea is one of the largest countries of origin for intercountry adoption worldwide. Between 1958 and 2011, an estimated 185'000 Korean children² were adopted abroad (most of them in the US), more than double domestic adoption within the same period. As a consequence, there is today an increasing number of adults adopted abroad visiting their mother country, trying to reunite with their family or even to establish themselves in Korea. Based on this growing call for post-adoption services, a study has been undertaken in order to analyze the needs, demands and living conditions of these international adoptees (1000 participated to this survey) and to contribute to create substantial policies. This survey is the first broad research on adoptees, including at the same time testimonies, social, legal as well as psychological aspects of intercountry adoption.

Analysis of post adoption services needs

In order to better understand this phenomenon, the study has examined the most demanded post-adoption services used by Korean adoptees living abroad as well as adoptive parents. While adoptees are more likely to search information about adoptees support groups, events and visits to Korea; adoptive parents are keener to call out for culture class and counselling services, as well as adoptees support groups. Also, support for finding birth parents is in high demand.

The most desired organizations selected by adoptees for providing post-adoption services were international adoptees support groups and adoption agencies in Korea.

It is interesting to note that more than 80% of adoptees object of the study, have visited Korea to travel, to find their

biological parents, to learn Korean cultures, or to participate in gathering events. Most of them visited the country in their 20s and the vast majority made several visits, indicating their strong interest and bond with their original culture.

Living conditions of international adoptees in Korea

There is no official statistical data on the number of international adoptees living in Korea, but adoptees support groups estimated a number of 300 people, with the majority in their 20s/30s. The living conditions of 80 adoptees currently living in Korea were analyzed and the study revealed that, among them, about 31.6% would like to stay permanently.

Most international adoptees living in Korea want to find their biological parent, but, in the meantime, they must face several difficulties, especially financial and housing problems. Considering that about half of the international adoptees living in Korea are working as English teachers, one of the recommendations of the survey would be to establish various types of support to help them secure employment.

Strengthening pre- and post-adoption services

The study underlines the fact that a support strategy both before and after the placement should be elaborated. Before the placement, efforts should be made in order to reinforce the matching process, develop domestic alternative care measures and give proper trainings for prospective adoptive parents. Right after the placement abroad, constant attention should be given to adopted children, in order to ensure that they are adapting well in their new environment and,



later, post-adoption services should be accessible when needed.

ISS/IRC positively welcomes this study which gives another perspective of pre- and post-

adoption needs of adoptees and their families. It is encouraging to see that countries of origins are making efforts to develop quality post-adoption services.

References :

¹ *Survey on International Korean Adoptees*, Policy report 2013-74, Korea Institute for Health and Social Affairs, 2014. Available at:

https://www.kadoption.or.kr/en/board/board_view.jsp?no=8&listSize=10&pageNo=1&bcode=43_3

² Ibidem, p.34 of the survey.

Parenting a child with or at risk of genetic disorders

This guide, edited by BAAF, is part of a series which look at a number of health needs and conditions that are often associated with looked after children.

This guide provides expert knowledge about genetic disorders, coupled with facts figures and guidance, as well as parents' testimonies.

Understanding genetic disorders

The guide explains in particular how genetic disease may pass through the family, what happens when a child has a known or suspected genetic disease. The fact that a child's birth parent, or other biological relatives develop a genetic disease may also raise important issues, such as the decision to convey the information to the adopted child and adoptive parents.

In all the case studies presented in the guide, the central issue is the welfare of the adopted children and the hope that their health, and potential health risks, are not seriously compromised because they have been separated from their birth family.

The guide also raises the question of the genetic testing of children: There are arguments in favour and against testing. For instance, early testing may help a child, and his/her parents, to adapt to the information and will clarify some of the health questions and uncertainties. At all times the best

interests of the child must be essential.

Parenting children affected by a genetic disorder

The guide gives two testimonies of parents who adopted children with genetic disorders.

The first testimony comes from parents who adopted a little girl with GHD (growth hormone deficiency), which affects growth from the age of two and may be hereditary. The parents did not know it when they adopted their daughter, but discovered it little by little talking with the doctor and social workers who took care of their daughter before the adoption and by doing research about her birth mother. Knowing that she was suffering from GHD allowed the parents to give the correct treatment to their daughter.

The second testimony comes from parents who took care of three children, each with a different disability. They give their "golden rules", in particular the fact that whatever the genetic condition a child has, he/she is foremost a child. They also remind us that a genetic disorder may seem daunting and frightening but is only one aspect of a child's



life and does not change the child's need for a family.

Conclusion

We recommend this guide to adopters, prospective adopters, foster carers, social work practitioners and all those involved in

Parenting a child with, or at risk of genetic disorders, Peter D Turnpenny, Dorothy Marsh, Sarah Lucas, BAAF 2014

the care of children. The combination of expert information and first hand experiences will help readers to gain knowledge, achieve understanding and to make informed decisions.

ISS publishes research on age requirements for prospective adopters and adoptable children

Given the increasing interest in the legal provisions relating to age conditions applicable to prospective adopters and adoptees, ISS has undertaken and published a review of these issues.

Adoption-related professionals have repeatedly been approaching ISS to request information on legal requirements, policies and practices relating to the minimum, maximum and other age conditions for the adoption of children in specific countries. ISS therefore undertook research into domestic laws – as well as internal regulations, policies and practices, when they exist – in order to provide updated information, and to promote further reflection, on these aspects.

Age conditions for adoptable children

A non-exhaustive overview of the relevant legal provisions in 74 countries was undertaken in June 2014¹. As a general comment, whilst most legal instruments provide specifically for the age requirements for prospective adopters, they only do so to a limited extent in relation to adoptable children.

Indeed, these are closely linked to the definition of the child in each country. Nonetheless, in some countries, the upper age limit for children to be considered adoptable is set below 18 years: age limits indeed range between five and 16 years in a number of countries. Less frequently, the maximum age limit is set above 18 years, including up to 21 years.

From the ISS/IRC's perspective, the setting

of a minimum age limit by some countries should be considered as a means to protect the rights of the children concerned and to prevent potential abuses – if not set below six months. However, a certain flexibility regarding the children's maximum age limit should be considered, as older children also have a right to grow up in a fulfilling family environment, provided that the countries concerned develop systems that are adapted to these specific projects.

Age conditions for prospective adoptive parents

ISS also updated its research on the age limits applicable to prospective adoptive parents in all Hague Contracting States².

The research shows that most legislation imposes a minimum age (between 18 and 35 years of age, even 46 years for older children). It appears that this age limit has become a compromise between the concern to identify, as far as possible, adoptive parentage with biological parentage and that of guaranteeing the adopter's maturity and stability. Moreover, several legal systems impose a minimum age difference between the adopter and the adoptee (between 10 and 25 years), with the aim of also guaranteeing an age difference similar to what one would find in a biological family.



The interests of the adoptee are also the basis for the requirement of a maximum age limit, stipulated less frequently in domestic legislation (between 35 and 65 years). Furthermore, certain legal systems impose a maximum age difference between the adopter and the adoptee (between 40 and 50 years). This reflects that the current demographic evolution strives towards delaying the age of parenthood, whilst adoption also presupposes specific adaptive capacities and psychological flexibility, which are presumed to decrease with age. Thus, as

far as a maximum age to adopt is concerned, legislative flexibility may correspond to the best interests of certain children, such as children 'with special needs'. However, the current issue is that of increasingly older prospective adoptive parents wish to adopt very young children. Paradoxically, legislation is more specific about minimal age limits for adopters than it is about maximum conditions. Certification by law of a maximum age difference could, thus, be of considerable value, not just as a legal but also a symbolic reminder.

Whatever age or other characteristics are applicable to prospective adoptive parents, the assessment of their suitability should always be made in the best interests of children. Similarly, irrespective of the age requirements applicable to children, here again, decisions on their adoptability should ensure their best interests, rights and needs. Thus, some thinking on legal requirements should be undertaken and focus specifically on setting the procedure and practical elements for the assessment of the suitability of adopters and adoptability of children, as well as for their subsequent matching.

References:

¹ 'The age limit of adoptable children', ISS, June 2014; available through the restricted area of its website: <http://www.iss-ssi.org>.

² 'Age prescriptions for prospective adoptive parents', ISS, May 2014; available through the restricted area of its website: <http://www.iss-ssi.org>.

READER'S FORUM

Pre and post adoption support: experience of Danish Central Authority

This interview focuses on specific aspects of the Danish approach to pre and post adoption support. As a first essential element, such support has to be considered as continuity in support -one global effort-given the interdependency of both.

1. How can we concretely ensure that there is continuity between pre and post adoption support?

This continuity can be ensured:

- Having courses immediately after the pre courses that address the future adoptive parents' dilemma in the

process of waiting for the adoption.

- Making sure that adoptive parents have counseling before they accompany their adoptive child to Denmark and in the months after.

- Having counseling programs available after the arrival of the adopted child in order to address specific

problems/themes such as attachment,

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living in new environment, support groups for adoptive parents and for (adolescent) children.

2. What is the « ideal » environment where the preparation courses should take place? What is needed to create a safe and open environment where people can express their feelings?

I think it is important to make sure that the approval system is totally divided. Participants should feel confident that any information from pre- adoption courses are not shared with authorities who will be responsible for approving PAPs. This creates a climate that can bring about an honest discussion, where the participants can reveal their most inner thoughts and dilemmas. It is also extremely important that the people handling the courses are well educated, and that they work in pairs in order to support each other as well as the participants. Additionally, the preparation course should be a process in two steps, for example 2 x 2 days. This will enable an important mental process and reflection to take place among the PAPs.

3. Can you describe your new approach when dealing with the « griefs » linked to adoption, from the child's and parent's perspective?

There has been some time the belief that parents should have dealt with their grief of not having their own biological child in order to be ready to adopt a child. We have changed our perspective on this. Despite the belief that there is one grief process which passes through certain phases, we believe another approach exists – the dual grief process. This means that grief is a process where a person will shift between two positions: an emotional position and a more “action” oriented position. This can take place for many years. This goes for the adopted child as well where he or she not only “looses” his or her family of origin due to adoption but also changes in life

surroundings from one country to another. Because grief emotions related to adoption are not socially acceptable, they are usually suppressed. As a consequence neither the child nor the family is able to properly grieve. This can create a great distance in the relationship and be an obstacle in the healthy tackling of the loss created in relation to adoption for both the child and parents.

4. Given that the biological parents of the child is one theme that you are dealing with, what advice and support are you giving to the future adoptive parents on this issue?

It is very important to realize, that the child's life did not start with meeting the adoptive parents. The child had a life beforehand and this life should always be incorporated in the adoptive families' lives as well.

So a degree of openness is extremely important. This is not entirely the same as open adoption but that the parents have an open mindset so that the child can have as much continuity as possible. This aspect is even more pertinent when the adopted child is older. It is the parent's responsibility to carry this out, because the child will not do it out of loyalty and due to safety measures.

So the parents should be prepared to support and be open-minded about potentially meeting with biological parents later on.

6. How do you prepare adoptive parents to deal with potential racial discrimination or other cultural issues?

It is a delicate theme, where we expose the future adoptive parents to different scenarios. Eg. Is it ok to vote for an extremist political party, when you have a child with a multiethnic background? We also look at racism in the language. It is very common that even parents can say as a phrase “this is not for white people”. Again we focus on how this might affect the child? Then we have focus on “racism in the school yard”. How the parents must be aware of this, since the child will not be likely to talk about this. We simply emphasize the fact that the child



is different from the parents and by preparing the parents/child for potential discrimination, we can avoid some of the impact of such actions.

7. How do you support parents to deal with their own stress and that of the child when he or she arrives in the adoptive family?

First of all it is important to have knowledge about own stress patterns which is why it is essential that this is part of the counseling before the parents pick up the child.

At this end, we use a psycho-educative approach, where we enclose the brain and how it works, when exposed to stress.

It is a fact that the child is stressed and the child needs to borrow in a way some of the parents more calm nervous system. If this mechanism is not possible – very often problems occurs. This knowledge about stress patterns is also important for the parents as they are under stressful situation.

Furthermore, it is essential to have learned about attachment, as it helps the parents to have a code of child's behavior, demands or needs – especially in the context where a child has not been trained to attach given he or she has been living in an institution. With a child that has not had the ability to train attachment due to stay in orphanage.

8. Which kind of services are you offering in the post adoption support, particularly on the issue of search for origins?

This is an area that we have not explored so much. But we offer counselling to parents and the child, when a young child wants to seek his or her biological roots. We are running some pilot trials related to support programmes in this area, when this situation occurs. This programme brings in support before, during and after. And the programme is supporting all members of the adoption triangle.

FORTHCOMING CONFERENCES AND TRAINING

- **Italy:** “Connections: adoptive bonds in the internet age”, Regional Agency for Intercountry Adoptions, Turin, 16 – 17 April. Further information <http://www.arai.piemonte.it/cms/convegnoconnessioni.html>
- **Sweden:** “Expert meeting on children on the move - children's participation and discussion of the way forward”, Stockholm, Council of Baltic Sea States et al, 10-11 March 2015. Further information <http://www.childcentre.info/experts-to-meet-in-stockholm-to-reflect-on-the-expert-meeting-series-childrens-participation-and-the-way-forward/>
- **United Kingdom:** International Conference on the Legal Needs of Street Youth, American Bar Association et al, London, 16-17 June 2015. Further information Cathy.Krebs@americanbar.org

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

