



Monthly Review

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The ISS/IRC team wishes you Happy Holidays and joy, peace and love for 2018!

Note: The new adoption Law No 2017-014 of Madagascar, presented by Faratiana M Esoavelomandroso in Monthly Review No. 215 of September 2017, still awaits publication. The ISS/IRC will inform of its forthcoming entry into force.

EDITORIAL

Learning from the experience of adoption breakdowns in order to improve the success rate of intercountry adoptions

In this end-of-year period, the SSI/CIR is proud to present a new publication relating to intercountry adoption breakdowns, aimed at offering support to adoptees, adoptive parents, professionals from Central Authorities and other competent authorities, and accredited adoption bodies, in order to prevent and manage crisis, and even breakdowns, faced by adoptive families.

Thanks to the wonderful cooperation from experts worldwide, and to the support from many of you, the handbook *Vers une plus grande compétence: Apprendre des échecs de l'adoption internationale* [Towards improved competence: Learning from intercountry adoption breakdowns]¹ has seen the light of day. To date only available in French, the English and Spanish versions are being finalised and will be available in the first quarter of 2018. Two clear messages, among others, are clearly set out in this handbook: 1. Benevolent, professional, quality support can transform a crisis into an opportunity to reinforce relationships, which have suffered from a series of personal and interpersonal factors; and 2. An adoption breakdown is a painful process, requiring very careful support, but it never means that a person's life is a failure. In order for these messages to become a reality, the handbook encourages us to address several challenges...

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Lifting the taboo without stigmatising

Adoptees themselves urge us to have the courage to talk about intercountry adoption breakdowns, but to do so in an appropriate manner. The constructive approach, which the ISS/IRC's handbook suggests, is not helped if one only focuses on the often sordid stories publicised in the media about adoptions, which sometimes fail dramatically. Without forgetting the suffering involved, breakdowns are, in fact, an opportunity to raise questions as to why the adoption and child protection system fails, and to find concrete ways to solve these problems.

An in-depth analysis of each stage in the adoption process, and of the environment, in which intercountry adoptions occur, is essential in order to diminish the risks of breakdown, and to reinforce protection. This analysis is based on the promotion of innovative methods and tools, so as to aim for the maximum possible success for an adoption project. This approach pinpoints the importance, both in the receiving country and in the country of origin, of taking time to adapt the adoption procedure to the constantly evolving needs of the children proposed for adoption. These needs are sometimes complex, and require families to be well prepared with tools and support on the long term.

Support and cooperation without judgement

Talking about intercountry adoption breakdowns also implies being able to define these breakdowns, so as to determine the scope of analysis, and to be able to compile the necessary statistics and data (see p. 5). Information, such as the age of the child when adopted, the year when the breakdown occurred, and the professional interventions involved, help to identify where energy should be concentrated in order to avoid these situations. The ISS/IRC has decided on a wide definition in order to include, within the search for solutions, the largest number of problematic situations. Furthermore, the establishment of a legal framework at international and national level for the management of breakdowns is of prime importance, so as to define the role of each actor involved in these situations, and to ensure that they will fulfil their responsibilities. The numerous concrete examples throughout the publication are very indicative of the need for close cooperation, open dialogue and awareness of the inter-cultural issues. These are human beings and their lives and their future are at stake.

'The crisis or breakdown can even be an opportunity to ask questions, to step back and assess the problem, to give priority to both adoption practices and to the support to families as appropriately as possible'.

Sitara Chamot, who was adopted in India by Swiss parents, has been working in adoption for many years. Her point of view appears throughout the publication as a guiding theme.

Innovate and believe without ever losing hope

Professionals must be prepared to face challenges, such as understanding the crisis, which can rock an adoptive family, listening to the stories of the children and of the parents, and taking the risk of a temporary separation. Creativity and innovation are essential to try and avoid total severance. To quote the words of an adoptee, who accepted to share their story: '(...) this breakdown could have been avoided (...) the situation was dealt with in haste, without taking the time to realise that the decisions taken then were going to have an impact on my whole life'.

The handbook also shows us that professional support, which is adapted through innovative methods, especially for adopted teenagers, can help to re-establish family bonds. Crises and breakdowns cause strong emotions. We need to offer a benevolent space to adoptees and adoptive parents, where each person can express his/her suffering, and where a new life after the breakdown can be built.

Yes, the time has come to approach intercountry adoption breakdowns in a constructive way. Many adoptions are successful and transform the lives of children in need of a family. At this end of the year, let us make a wish that many more adoptions succeed, and that we strengthen our contribution to this resolution.

The ISS/IRC team
December 2017

Reference:

¹ Jeannin, C (2017). *Vers une plus grande compétence : Apprendre des échecs de l'adoption internationale*. Geneva, Switzerland: International Social Service. The publication is available upon request at ISS/IRC. A paper version will be available in the near future, funds permitting.

PREPARE YOURSELF FOR 2018 – FREE ONLINE ALTERNATIVE CARE TRAINING

Join thousands of colleagues working to either prevent unnecessary separation of children from their families and/or find quality alternative care through this international massive open online course (MOOC). This training was developed by leading international agencies including ISS and experts working in child protection. The course runs in English, French and Spanish.

Plan your agenda for February now. For further information, see: <http://www.iss-ssi.org/index.php/fr/actualites>.

ISS/IRC NEWS

The Hague Conference on Private International Law and ISS in Cape Verde: Training of judges, prosecutors and the Central Authority

From 30 November to 1 December 2017, ISS provided training on the 1993 Hague Convention, the principle of subsidiarity and the UN Guidelines for the Alternative Care of Children. This training was undertaken in collaboration with the HCCH, thanks to funding from the French Central Authority. Over 50 professionals were trained, including judges, prosecutors, social workers and members of the Central Authority. A workshop with 100 professionals, Embassy staff and religious associations was likewise organised thanks to support from UNICEF, where the application of international standards were discussed as well as the possible use of the 1996 Hague Convention in matters, such as the delegation of parental authority, *kafalah* and children on the move – with approximately 20 recommendations of how to move forward.

BRIEF NEWS

Open call: Develop a MOOC on appropriate care for children in the context of international migration

The International Federation of the Red Cross and ISS, on behalf of an inter-agency steering group, are requesting offers for an Institutional Consultancy to develop a Massive Open Online Course focusing on appropriate care for children in the context of international migration, to be prepared on the basis of the introductory MOOC on Alternative Care as well as multiple existing resources for unaccompanied and separated children. Expressions of interest in this consultancy addressing the expertise required should be sent with accompanying curriculum vitae, as well as a price proposal, to Mia Dambach at mia.dambach@iss-ssi.org and Tiziana Bonzon at tiziana.bonzon@ifrc.org, by 8 January 2017 (17.00 CET). Only applications that include a more in-depth response to the development of the MOOC demonstrating knowledge and competency will be considered. A draft budget must also be submitted with a proposed timeframe for executing the different tasks. For further information, please see the Terms of Reference at: <http://www.iss-ssi.org/index.php/fr/actualites>.

Adoption of General Comment No. 21 (2017) on children in street situations by the Committee on the Rights of the Child

In June 2017, the Committee on the Rights of the Child adopted its General Comment No. 21 on children in street situations ([CRC/C/GC/21](https://www.unhcr.org/refugees/article/4c7e1111.html)), based on expert contributions, such as the ISS/IRC's input on the importance of preventing unnecessary family separations in accordance with the 2009 Guidelines for the Alternative Care of Children. This General Comment was which stressed 'the need for respect,

'Give us the opportunity to change our story!'

'Living on the street does not mean that we cannot have rights!'

enriched with children's voices, dignity and right'.

Furthermore, the General Comment guidance on the implementation of for alternative care, the development child protection systems are promoted, in order to ensure a 'continuum of care, including prevention, early

clarifies State obligations, provides specific provisions of the UNCRC. As of specific services within national

intervention, street outreach, helplines, [...] temporary residential care, family reunification, foster care, independent living or other short-or long-term care options’.

LEGISLATION

Council of Europe: First draft of the codifying instrument of European rules on the administrative detention of migrants

In September 2017, the Committee of Experts on Administrative Detention of Migrants published two reports related to the first draft¹ of the codifying instrument of European rules on the administrative detention of migrants based on (1) the hearing of stakeholders² and (2) written submissions³.

The European Committee on Legal Cooperation of the Council of Europe is currently working on a legal instrument, which aims to codify existing international standards on the conditions of administrative detention of migrants. ‘The objective of the draft instrument is twofold. Firstly, to protect migrants held in administrative detention by providing them with individual guarantees on the conditions of their administrative detention. Secondly, to provide guidance to both national authorities responsible for the closed centres and persons working closely with migrant’⁴. In parallel to the written consultation process, a hearing with key stakeholders took place on 22 and 23 June of 2017, with approximately 50 representatives from civil society, which provided valuable observations in shaping this legal instrument, which will take the form of non-binding recommendations⁵ to the Member States and therefore provide a policy framework and proposals that governments can implement at national level.

ISS’s submission

On 30 June 2017, ISS provided its comments and proposed amendments to the draft legal instrument. A particular emphasis was placed, among others, on: less coercive alternative measures to the detention of children, such as family-based care arrangements; referencing to the UN Guidelines for the Alternative Care of Children when considering most suitable care settings; the need for effective cross-border cooperation mechanisms, which is illustrated in ISS’s recent manual on children on the move⁶; child participation; family tracing efforts; the appointment of an independent legal guardian;

access to psychosocial support services; and increased capacity-building of professionals.

Other contributions

The aim of the written and oral consultations was to provide inputs and guidance in terms of the structure and the contents of the codifying instrument. Numerous key stakeholders participated in this written consultation, such as Human Rights Watch, the International Organisation for Migration, UNICEF, national NGO coalitions, several ombudsmen and professors. While the Council’s initiative was welcomed, concerns were raised, reflecting ISS’s observations, with regards to the lack of consideration for alternatives to detention⁷, such as specialised foster care, non-custodial and community-based options, independent living arrangements, and small group homes. Indeed, the proposed draft allows for the detention of children, which has been widely criticised. As a general rule, children should not be detained. As highlighted by other NGOs and experts, ISS argues that detention is incompatible with the best interests of the child. In addition, ISS strongly believes that the 1996 Hague Convention (Art. 3) and the Brussels IIA Regulation (Art. 56) could bring valuable solutions with regards to cross-border placements of children, including kinship care. Finally, an important aspect included in the draft (Rule B.16) was the presumption of minority in those cases, in which age is uncertain and there are reasons to believe the person is a child⁸. Thus, it was argued that the burden of proof needed to explicitly lie with the State authorities, and not the child.

The ISS/IRC welcomes the work that is currently being undertaken by the Council of Europe to better protect the rights of migrants, and remains available to share the expertise of its network in relation to cross-border case management and family-based care arrangements.

References:

- ¹ See: [Codifying instrument of European rules on the administrative detention of migrants – 1st Draft](#).
- ² See: [Hearing of civil society and other key stakeholders](#).
- ³ See: [Analysis of the results of the written consultation on the 1st draft of the codifying instrument of European rules on the administrative detention of migrants](#).
- ⁴ See: European Committee on Legal Cooperation, Administrative detention of migrants, <https://www.coe.int/en/web/cdcj/activities/administrative-detention-migrants>.
- ⁵ The Committee of Ministers may issue recommendations to Member States and request updates on the latter’s implementation (Art. 15 b of the Statutes of the Council of Europe). Such an instrument would complement Council of Europe Conventions, such as the Convention on Nationality and Legal Status of Migrants (<https://www.humanrights.ch/en/standards/ce-treaties/migration/>).
- ⁶ Available in English upon request at: http://www.iss-ssi.org/images/Childrenonthemove_Guide.pdf.
- ⁷ See: International Detention Coalition, <https://idcoalition.org/alternatives-to-detention/>.
- ⁸ UNICEF and UNHCR (2014). *Safe & Sound. What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*; p. 34; <https://www.unicef.org/protection/files/5423da264.pdf>.

PRACTICE

Statistics 2016: The decrease in intercountry adoptions – reality or fiction?

Nothing surprising in the statistics, which confirm the decrease. These figures should, however, be put into perspective due to a lack of data in certain fields, such as expatriate or relative adoptions.

The ISS/IRC is happy to share with you, at this end of year, the 2016 statistics – an opportunity to review this past year and to express our wishes and objectives for 2018. Even if approximate, given the lack of statistics for Italy, these data remain a precious gift to better analyse, every year, the needs of the children, parents and professional concerned by this rich and complex adventure, which is an adoption.

The ‘official’ decrease continues...

In the great majority of receiving countries, as well as in countries of origin, intercountry adoptions continue to decrease according to the official figures. These figures, however, often do not include adoptions undertaken by expatriates, adoptions/*kafalah* placements in Muslim

countries and relative adoptions, which represent a significant number. Is there not, in accordance with Art. 7.2 of the 1993 Hague Convention, an

obligation for all countries to better collect data relating to all adoptions?

On the receiving countries’ side, only a few countries register a certain increase or stabilisation, such as France, where the increase in intercountry adoptions is a consequence of the release of an important number of files in transition from

the Democratic Republic of Congo. Australia maintains a stable number of intercountry adoptions, even though adoptions by expatriates, whose number is significant, are not taken into account. The same is true for Canada...

Receiving countries	2011	2012	2013	2014	2015	2016
United States ⁶	9 319	8 668	7 094	6441	5648	5372
Italy	4 022	3 106	2 825	2206	2216	n/a
France	1 995	1 569	1 343	1 069	815	953
Canada ⁷	1 785	1 367	1 242	905	895	790
Spain	2 560	1 669	1 188	824	799	567
Sweden ⁸	538	466	341	345	336	257
Netherlands	528	488	401	354	304	214
Germany ⁹	934 (579)	801 (420)	661 (272)	209	308	213
Norway	297	231	154	142	132	126
Belgium ¹⁰	360	265	219	144	136	121
Switzerland ¹¹	367	314	280	226	197	101
Australia ¹²	215	149	129	114	83	82
Denmark	338	219	176	124	97	71
Total	23 258	19 312	16 053	13 103	11 966	(8 867)

On the countries of origin's side, it is interesting to note a particularly important decrease in Ethiopia, due to the moratorium declared in April 2017 (see Monthly Review No. 212 of May-June 2017). The same is true for the United States of America, where the number of domestic adoptions is clearly increasing¹. In China, even though the decrease is proportionally less important, the number of intercountry adoptions continues to decrease in comparison with an average of domestic adoptions oscillating between 25,000 and 35,000 each year². Other countries of origin, like Colombia, struggle, despite their efforts, to promote domestic adoptions in their countries, whose number is almost equivalent, even inferior to intercountry adoptions (see p. 8). A slight increase in intercountry adoptions from Thailand or India may be highlighted, as the number of domestic adoptions in India remains largely higher to that of intercountry adoptions³. The same also applies to Haiti, mainly due to the outcome of the frozen procedures when the moratorium was lifted in 2012, and of the particularly long delays in the procedure.

Increasingly specific data

The more detailed the data on the children's profile, in particular, the more the countries will be able to select competent partners and families capable of responding to the children's needs. The proportion of children with special needs remains high, even if it is not always visible in the statistics. These data are included in the reports from France, where these adoptions represent

Countries of origin	2011	2012	2013	2014	2015	2016
1. China	4 098	3 998	3 316	2734	2817	2475
2. DRC	339	499	580	240	229	627
3. South Korea	920	797	206	494	406	362
4. Ukraine	1 054	713	674	560	339	339
5. Bulgaria	259	350	421	323	262	324
6. Haïti	142	262	460	551	236	324
7. India	688	362	298	242	233	323
8. Colombia	1 522	901	562	355	359	314
9. Philippines	472	374	525	405	354	313
10. Thailand	258	251	272	207	172	250
11. Vietnam	620	216	293	285	287	248
12. Ethiopia	3 144	2 648	1 933	975	543	235
13. Uganda	219	246	289	203	208	191
14. Russia	3 017	2 442	1 703	381	210	151
15. Taiwan	311	291	188	147	172	150
16. Poland	304	236	332	106	107	148
17. United States	97	178	167	155	160	147
18. Nigeria	218	238	225	175	163	139
19. South Africa	120	81	147	176	172	103
20. Latvia	116	59	131	96	189	89
21. Hungary	154	145	104	77	84	88
22. Ghana	107	172	188	128	93	32
23. Brazil	359	337	246	31	32	29
24. Central African Republic ¹³	19	43	73	44	15	7
25. Mali	154	127	4	36	25	-

over 60% of the total number of the intercountry adoptions. Disaggregated data based on the child's age, siblings and pathologies are also provided, such as in Quebec⁴. In the latter, we observe an increase in the age of children adopted abroad (about four years); the percentage of siblings and children considered as having health problems amounts to respectively 25% and 44%. Switzerland also specifies data concerning the children's age, with the number of children aged 0-four years decreasing constantly since 2011. On the country of origin's side, efforts continue to promote this type of adoptions, even though obstacles are numerous (see p. 8), obstacles are also experienced by the receiving countries, where some disabled children or children from ethnic minorities are adopted abroad.

Albeit complex, the compilation of statistics on other key adoption aspects is increasing: relative adoptions are becoming more visible (Germany, Australia⁵ and France) as well as the number of requests for searches of origins (Quebec, Australia, where ISS has been requested to develop a project in this field (see Monthly Review No. 207 of December 2016)). Through its Circular about the search of origins, and whose synthesis will be published soon, the ISS/IRC has also been compiling statistics in Belarus (five to seven requests per year) and in South Australia (275 in 2016-2017). With regards to the disruption of intercountry adoptions, the work carried out by the ISS/ICR was also an opportunity to compile the first data about Italy (of the Emilia-Romagna region), the USA, Lithuania, Peru, Romania or Vietnam – data, which has become more detailed (child's age

when adopted, causes of the disruption, country of origin, etc..). Other countries, such as India, work to develop mechanisms to collect data.

Efforts to adapt are continuing

All these data represent an opportunity to identify those aspects of intercountry adoption, which should be strengthened again and again in 2018: more specific assessment and preparation of prospective adoptive parents and adapted to the children's profile (see Monthly Review No. 191 of May 2015 and No. 210 of March 2017); a continuous, accessible and caring post-adoption follow-up (see Monthly Review No. 216 of October-November 2017); an adapted matching

process (see Monthly Review No. 215 of September 2017 and No. 216 of October-November 2017); relative adoptions in line with the 1993 Hague Convention; quality professional support for the search of origins. Themes, which the ISS/IRC wishes to develop tools about through its network.

Finally, the compilation of data should be extended to illegal adoptions, to adoptions by expatriates, to adoptions undertaken in Muslim countries, in order to be really able to put in place policies and practices ensuring the protection of each child.

A beautiful – non exhaustive – wish list for 2018; a wish we will try to transform into a reality with you, guided by the famous African adage: 'If you want to go fast, go alone. If you want to go far, go together'.

References:

¹ See Adoption and Foster Care Analysis and Reporting System (AFCARS), Data for Fiscal Year 2016, <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport24.pdf>; see also Johnston, R (2017). Historical statistics on adoption in the United States, plus statistics on child population and welfare, <http://www.johnstonsarchive.net/policy/adoptionstats.html>.

² US Department of State, <https://travel.state.gov/content/travel/en/Intercountry-Adoption/Intercountry-Adoption-Country-Information/China.html>.

³ Central Adoption Resource Agency (Indian Central adoption authority), http://www.cara.nic.in/resource/adoption_Statistics.html.

⁴ *Secrétariat à l'adoption internationale* (Central authority of Quebec, Canada), <http://publications.msss.gouv.qc.ca/msss/fichiers/2017/17-116-01W.pdf>.

⁵ Adoptions Australia 2016-2017, <https://www.aihw.gov.au/getmedia/4b533699-e466-42aa-b65c-9815aea82df/aihw-cws-61.pdf.aspx?inline=true>.

⁶ Fiscal year : 1 Octobre 2015 - 30 September 2016.

⁷ For 2011, 2012, 2015 and 2016, the statistical data was provided by the Canadian Central authority; for 2013 and 2014, data came from statistics provided by the Hague Conference on Private International Law.

⁸ For the previous year, statistical data was provided by the Swedish Central Adoption Authority (MIA). For 2016, data refers to statistics provided by the Hague Conference on Private International Law.

⁹ Until 2013, the number of adoptions reflects adoptions of children of foreign nationality undertaken by German authorities and accredited bodies, excluding private adoptions. Data included however adoptions of children of foreign nationality with habitual residence in Germany (domestic adoptions in accordance with the 1993 Hague Convention). For 2014, data published by the Hague Conference on Private International Law was referred to. In 2015 and 2016, reference is made to the website of the National Statistical Office '*Statistisches Bundesamt*', whose numbers exclude relative adoptions (see <https://www.destatis.de/DE/Publikationen/Thematisch/Soziales/KinderJugendhilfe/ErzieherischeHilfe.html>).

¹⁰ As from 2014, the ISS/IRC has included Belgium in its statistical presentation. For 2014, the numbers presented statistics published by the Hague Conference on Private International Law, and for 2015, numbers provided by the Belgian Central Federal Authority was used. It is worth mentioning that these numbers differed from the total amount of the data provided by the French-speaking and Dutch-speaking Central adoption authorities (179 adoptions for 2015). For 2016, the numbers come from the the French-speaking and Dutch-speaking Central adoption authorities, which refer to adoptions of children physically cared for by their adoptive families, while the final adoption order is sometimes formally pronounced months or even years later.

¹¹ Numbers for 2015 and 2016 come from the Federal Statistical Office. 2016 data do not include relative adoptions, nor adoptions of adults. From 2011 to 2013, the numbers were provided by the Swiss Central authority, whilst those relating to 2014 were statistics published by the Hague Conference on Private International Law.

¹² Fiscal year: 1 October 2015 – 30 September 2016 (see <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129553828>).

¹³ According to ISS/IRC sources, children from the Central African Republic were only adopted by French and American citizens.

Several countries, such as Germany, Australia and Norway, cluster several countries under general categories, such as ‘several Asian countries’ or ‘other countries’; thus, it is impossible to determine with accuracy the specific countries of origin of these adopted children.

Colombia: Current legal framework and the context of adoption

In March 2016, Colombia approved the Technical and Administrative Guidelines for its Adoption Programme [Lineamiento Técnico Administrativo del Programa de Adopción], which provide guidance on adoption to the Colombian Institute for Family Welfare (ICBF). In this article, together with Anne-Marie Piché¹ and on the basis of the research she undertook in the country, the ISS/IRC presents Colombia’s current legal framework and context.

As it has been, and still is, an important country of origin for intercountry adoption, Colombia has made great efforts to periodically review and strengthen its adoption system since it ratified the 1993 Hague Convention 20 years ago. Thus, most recently, in 2013, the ICBF took several steps to improve adoption procedures – following criticism in the national media² – and the transparency of costs. In fact, it is clear that Colombia has straightforward and sophisticated adoption procedures in place, established in official documents, and that it continuously seeks to ensure compliance with international principles and standards regarding adoption. Nevertheless, as reflected in the Concluding Observations of the Committee on the Rights of the Child³, concerns regarding the high number of intercountry adoptions and the fact that not all adoption procedures are under the supervision of the ICBF are ongoing.

Legal framework

Even though domestic and intercountry adoption procedures are still governed by the 2006 Code for Childhood and Adolescence, approval of the 2016 Technical and Administrative Guidelines for the Adoption Programme contributes to specifying the role of the ICBF and outlining the conditions and requirements at each stage of the procedure.

Moreover, some ICBF resolutions strengthen key elements of the process, about which there were some concerns, such as the financing of humanitarian aid projects and establishing a register for costs (Resolution No. 4274 of 6 June 2013).

Lastly, some judgments issued by the Constitutional Court have provided certainty as to certain requirements, such as requirements regarding adoption by same-sex couples (Resolution No. C-683 of 2015) and age (Resolution No. T-360 of 2002)⁴.

Statistics and profiles

As evidenced by ICBF’s figures and in Anne-Marie Piché’s research, adoptions in Colombia have dropped significantly over the past two decades, from 2,596 in 1997 to 527 in 2016. Moreover, the researcher also points out a change in the profile of the adopted children: in spite of national and international guidelines promoting the adoption of children with special characteristics, this type of profile has also suffered a drop according to the ICBF, from 608 in 2006 to 131 in 2016⁵.

Pending concerns and challenges

Anne-Marie Piché’s research⁶ indicates that there are some challenges regarding the adoption process:

- **The need for a greater focus on preventing family separation:** actors interviewed for the purposes of the research mentioned pressing needs in the field. Despite the great progress achieved, many children still live in adverse and high-risk situations. This affects the exercise of parental responsibility of parents, who have serious social and financial problems, the lack of support given to education, and the situation occurs again and again, generation after generation. Regarding this matter, it seems that the ICBF, with the support of UNICEF, is working to strengthen communities, focusing on three main issues: reducing inequality, preventing

violence and developing public policies. However, there is a contradiction in that adequate human resources to conduct relevant research and studies for the assessment of the family environment and potential alternatives are lacking. Moreover, the issue of excessive 'biologising' (i.e. giving 'excessive' priority to the birth family environment to the point that search and assessment processes take too long) has been raised, and there is even a great number of cases of failed adoption, because adoption by relatives had been 'forced' upon them.

- **Delays in the adoption process:** Due to delays in adoption decisions, children face the risk of staying in institutions for too long, despite the fact that residential care should not be a long-term measure (according to UNICEF, in 2012, 12,925 children lived in institutions, without any control or supervision from the relevant authorities). It is further mentioned that the Family Prosecutor fails to assess the initial legal situation of each child taken into residential care, despite this being provided for by law and there being a duty for adequate implementation. Opportunities for adoption are thus reduced. According to Anne-Marie Piché, this is nowadays the most criticised aspect by actors in the system. Such delays also have an impact on intercountry adoption, as waiting periods for foreign applicants also become longer. In fact, Anne-

Marie-Piché notes that some actors in the system criticise the all-too-strict application of the subsidiarity principle. In fact, several accredited adoption bodies in Colombia are closing down because potential adoptive parents are not willing to wait such long periods for their family project to come true – and also due to the unwillingness to adopt a child who is over six years old or with special needs.

Possible courses of action to respond to these concerns

- Conduct exhaustive assessments of children from the moment they enter any type of alternative care as well as periodic reviews of their situation;
- Set reasonable timeframes, in accordance to each particular case and the circumstances of the child and their family;
- Improve family support programmes, in order to achieve truly effective results and avoid family separation or to allow for family reintegration;
- Aim at providing the children with a permanent family environment, either with their birth family, extended family or through adoption, as well as through other types of long-term non-residential care that are suitable for the particular situation and in the child's best interests.

In this context, the ISS/IRC welcomes the fact that Colombia continues to reflect on and develop its legal framework on adoption, for the purposes of providing solutions to current circumstances and concerns. Nevertheless, it reaffirms the importance of focusing efforts on preventing family separation and on ensuring that all adoption procedures are in line with the specific needs of the child in question, that they respect the child's rights and that they comply with international standards on adoption. Research conducted by Anne-Marie Piché in Colombia and Latin America will provide specific information obtained in the field, and will contribute to reflection by actors in the system, with a view to keep improving procedures through good practices.

References:

¹ Dr Anne-Marie Piché (School of Social Work of the University of Quebec in Montreal, Canada (UQAM)) conducts research on adoption policies and transformation, as well as on the attachment process in adoptive families with older children and on identity construction of adults adopted internationally. She has also developed a programme of professional services for families involved in intercountry adoption.

² In 2012, TV channel Caracol broadcasted a documentary called *Made in Colombia* (<http://noticias.caracoltv.com/septimo-dia/la-otra-cara-de-la-adopcion>). As a consequence, the Office of the Attorney-General issued the *Informe de vigilancia superior sobre el programa de adopción* (http://www.procuraduria.gov.co/portal/media/file/portal_doc_interes//96_INFORME%20VISITA%20ICBF%20ADOPCIONES%2003%20de%20diciembre.pdf).

³ Committee on the Rights of the Child, Concluding Observations: Colombia, CRC/C/COL/CO/4-5, 6 March 2015.

⁴ See: ICBF, Adoption Programme, Regulations,

<http://www.icbf.gov.co/portal/page/portal/PortalICBF/bienestar/proteccion/programa-adopciones>.

⁵ See: ICBF, Statistics, http://www.icbf.gov.co/portal/page/portal/PortalICBF/bienestar/proteccion/programa-adopciones/ESTADISTICAS_PROG-ADOPCIONES_30-06-2017.pdf.

⁶ Bibliography available at the ISS/IRC, including:

- Piché, A-M (2012). La transformation éthique de l'adoption internationale. *Nouvelles pratiques sociales*, 25(1), 260–279. <http://dx.doi.org/10.7202/1017394ar>;
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INTERDISCIPLINARY RESOURCES

Coming Together: Family tracing and reunification activities worldwide

Mandated by the IKEA Foundation, Samuel Hall¹ – an independent think tank – undertook an analysis providing a detailed picture on the current global landscape of family tracing and reunification activities in the broader migration context².

To tackle separation and its consequences from loved ones, individuals and various service providers worldwide engage in the complex task of Family Tracing and Reunification (FTR). This study provides a detailed mapping of tracing and reunification activities. Based on a literature review and interviews with FTR providers, experts and beneficiaries, the study proposes an analysis of existing FTR tools and methods, respective stakeholders and key challenges for accessing and providing support services. In addition, the proposed assessment gathers important data, related, for instance, to tracing requests, asylum applications and number of profiles on online platforms, and highlights particular populations in extremely vulnerable positions, such as unaccompanied and separated children or Somali and Syrian refugees, who are in need of FTR support. Beyond analysing the current state, the study provides several recommendations on how to introduce changes and achieve further donors' involvement.

Key FTR concepts and actors

The study aims at creating 'evidence-based interventions in the FTR sector', and look at FTR as holistic process covering the following steps: (1) identification (*e.g.* registration and documentation); (2) tracing (*e.g.* re/establishing communication); (3) reunification (*e.g.* verification and preparation); and (4) reintegration steps (*e.g.* follow-up programmes).

Furthermore, the study proposes a classification of involved actors: main actors (such as the International Committee of the Red Cross, UNICEF, the United Nations High Commissioner

for Refugees, the International Organisation for Migration, and Save the Children), discreet actors (important actors with little visibility, such as ISS or the International Commission on Missing Persons), disrupting actors (small players trying to introduce changes) and supporting actors (crucial responders on the ground or advocating organisations, such as World Vision, the Danish Refugee Council, Terre des Hommes). These categories are the result of on a qualitative assessment of the actors' involvement in each step of the overall FTR process, based on indicators such as FTR focus, advocacy or operational, resources, geographic scope, expertise and innovation.

Given the numerous actors and their various degrees of involvement in each step of the FTR process, the evaluation highlights the need for a strengthened coordination and communication among main and less prominent actors, as well as beneficiaries' enhanced participation.

Analysis of existing tools (formal and informal; online and offline)

In the light of increased mobility and interconnectedness, the applied means and methods in providing FTR services have proliferated significantly over the last years. There are, for instance, numerous digital tools, such as tracing platforms, social media, mobile case management tools or internal databases, as well as analogue and operational methods, such as 'on the ground' visits or transportation support.

In addition, the study gives an overview on so-called general FTR services (*e.g.* legal assistance, psychological support and capacity building). It

stresses, however, the lack of connectedness among and availability of these tools, which can create a certain disconnection between the first humanitarian responses ‘on the ground’ and the long-term outcomes. Targeted responses are far too often linked to specific contexts, either acute humanitarian crisis or other (cross-border) migration situations.

Main challenges related to access and the provision of FTR support

The assessment concludes that there is a lack of awareness and trust, as well as a fear of exposure that hinder beneficiaries to fully access FTR services. With regards to the key challenges related to service provision, the study highlights, in particular, the lack of resources and limitation of capacities, as well as lack of collaboration

Example of promising holistic case management tool: CPIMS+ (part of the Primero software platform)

The Child Protection Information Management System, was initially developed in 2005 by the International Rescue Committee, Save the Children and UNICEF and ‘consists of a database and accompanying tools such as template paper forms, data protection checklists and information sharing protocols’. As a holistic tool, its updated version CPIMS+ has now replaced UNICEF’s RapidFTR as the primary case management tool for child protection emergency situations that features online and offline FTR possibilities (e.g. ‘offline’ data matching). While CPIMS+ has not yet been used for FTR purposes, but is currently active in Sierra Leone, Nepal, Kenya and Jordan – however, data matching between emergency situations.

among existing actors (see above). This situation leads often to financial, bureaucratic and legal constraints, which make reunification/reintegration efforts extremely challenging in practice.

Recommendations

Finally, the study offers several recommendations on how to reshape and optimise existing FTR approaches and services. The latter should especially focus on expanding awareness and policy campaigns, ensuring connectivity (via the use of mobile tools or digital identity documents for instance) and inclusive collaboration among all involved actors, benefitting in this way to affected persons throughout the provision of holistic services covering all the above-mentioned steps of the FTR process.

The ISS/IRC welcomes this comprehensive study and calls upon its partners and other stakeholders to seek collaboration with ISS members that have long-lasting experience in providing holistic FTR services.

References:

- ¹ For further information on Samuel Hall, see: <http://samuelhall.org/about/>.
- ² Samuel Hall (2017). *Coming Together: A critical analysis of key issues, actors and tools in the current global landscape of Family Tracing & Reunification*, commissioned by IKEA Foundation; available at: <http://samuelhall.org/coming-together-family-tracing-reunification/>.

ISS ACTION WORLDWIDE

ISS Australia: *The Colour of Time*, a longitudinal exploration of the impact of intercountry adoption in Australia

This book is a collection of personal experiences as told by intercountry adoptees in the Australian context, and is a sequel to the Post Adoption Resource Centre’s important 2001 publication The Colour of Difference.

In June 2017, ISS Australia was delighted to launch *The Colour of Time: A Longitudinal Exploration of the Impact of Intercountry Adoption in Australia*¹. The stories shared touch on themes of identity, race, cultural integration, belonging, search and reunion and parenthood and are explored across different generations.

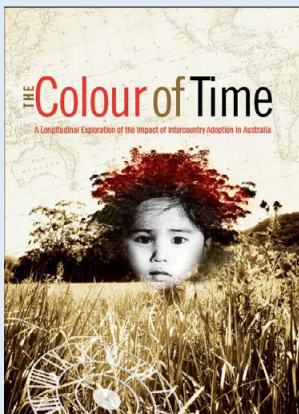
Invaluable contribution by intercountry adoptees and adoption academics



ISS Australia greatly appreciated the contribution from all the intercountry adoptees, whose stories are included in *The Colour of Time*. It cannot be underestimated how invaluable and insightful their journeys of self-discovery are to, not only adoption professionals, but more importantly those affected by adoption. We also

acknowledge their courage and honesty in sharing their intercountry adoption experiences and having their voices heard in public through this important resource.

Dr Patricia Fronek, a highly regarded adoption academic from Griffith University wrote: '(...) *The Colour of Time* is a compulsory read for anyone personally or professionally involved in adoption. It is a privilege to be invited back into the lives of adoptees who first told their stories years ago and of those younger adoptees who we hear from for the first time. Life stories of struggles, loss and joys are shared with readers. The complexities of their life journeys especially how critical race, culture, and reconnecting to first families or countries of birth are to senses of identity and belonging



also for future generations to come.

stand out. If you only ever read one book about adoption, this is it. After all, these are the people that adoption is all about’.

‘While I searched for many years for a sense of connectedness to one or more families and their racial or cultural heritages, I have come to realise that for me this can only come by looking from the inside out.’

Erika (p. 82)

‘I had never before felt more attached to people whom I have never met!’

Carmen (p. 67)

Official launch

The official launch was attended by over 120 guests, including many of the book’s contributors and their friends and families.

With over 45 Australian intercountry adoptees from various ages (*i.e.* young children to older adults), from various countries (*i.e.* Burundi, Vietnam, South Korea, Chile, etc.) and from various parts of Australia (*i.e.* some travelled from Perth, Adelaide, Cairns, Melbourne, etc.), this was undoubtedly the largest specific gathering of intercountry adoptees ever in Australia. Several contributors spoke on a panel about their experiences being part of the project.

The ISS/IRC welcomes this publication, which is a powerful example on how to give adoptees a voice on their lived experiences. It encourages professionals to consider this tool as a source of inspiration giving insight into the needs, concerns and desires of adoptees who decided to go on a quest for their origins. It is only through their lenses that professionals can shape and adapt their support services. This is of due importance for current adoption generations but

Reference:

¹ ISS Australia (2017). *The Colour of Time. A Longitudinal Exploration of the Impact of Intercountry Adoption in Australia*; available as an E-book at: <https://itunes.apple.com/us/book/the-colour-of-time/id1255677038?ls=1&mt=11> or https://www.amazon.com.au/Colour-Time-Longitudinal-Exploration-Intercountry-ebook/dp/B073CQLN8R/ref=sr_1_1?ie=UTF8&qid=1505862351&sr=8-1&keywords=the+colour+of+time. The publication was funded by the Australian Government, the Department of Social Services and produced in partnership with The Benevolent Society’s Post Adoption Resource Centre (PARC) and Intercountry Adoptee Voices (ICAV).

FORTHCOMING CONFERENCES AND TRAININGS

- **Canada:** 6th ICAR Conference on Adoption research, Montreal, 8-12 July 2018. Call for abstracts until 26 January 2018. The proposal can take the following forms: oral/written presentation, poster presentation or symposium. For further information, see: <http://icar-adoption.com/>.
- **Europe:** *Examples of child-friendly information for children in migration*, Council of Europe. Call for abstracts. For further information, see: <https://rm.coe.int/call-for-contributions-child-friendly-information/16807653e9>.
- **France:** a) *Accompagner l’enfant à vivre, formuler et comprendre ses émotions*, Pikler Lóczy, Paris, 9 January 2018; b) *Les temps de transition en structure d’accueil*, Pikler Lóczy, Aix-en-Provence, 15

February 2018. For further information, see: <http://pikler.fr/>; **c)** *Approche interculturelle des difficultés scolaires*, COPES, Paris, 5 February 2018; **d)** *La consultation enfant/parent dans le champ du soin psychique, L'équipe en placement familial, L'enfant placé*, trainings upon request, COPES. For further information, see: <http://www.copes.fr>.

- **Switzerland:** *Nos enfants sont-ils tous des adoptés?*, Robert Neuberger, Conference, Espace A, Lausanne, 22 January 2018. For further information, see: <http://www.espace-a.org/>.

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