



## ANNEXE VI : Facebook et la recherche d'origines (Question 7 de la Circulaire)

<b>Allemagne</b>	It seems impossible to prevent the use of social networks like Facebook to search for biological relatives. Therefore, it is a demanding task for all professionals involved to handle the access to an adoption file very attentively and with caution, knowing about the risks of unaccompanied contacts and the risk of invasion of personal privacy and rights. During an adoption process, adoptive families are regularly informed about the possibilities and professional framework to help their children in identity tracing matters. Good preparation and trustful cooperation during this process is the best way to guarantee that a search for identity does not cause further harm to the adoptee or his adoptive and biological family.
<b>Andorre</b>	Pas de cas en l'espèce.
<b>Australie</b>	
<b>South Australia</b>	The Department alerts clients about this sensitive issue and its inherent risks. Usually, this warning is given to the families during the adoption process particularly at the placement of the child and is discussed with applicants for adoption information.
<b>Tasmania (Australia)</b>	Currently, we are exploring the role of internet social networking sites in adoption both as an avenue to provide general information about our service and the part these sites play in providing a means for adoptees and birth parents to contact each other. During the mandatory counselling sessions at which registrants receive his or her identifying information, counsellors talk with adoptees and birth relatives about social networking sites as part of the discussion on searching and making contact with each other.
<b>Victoria (Australia)</b>	In Victoria, this awareness-raising is incorporated into the mandatory interview.
<b>Western Australia</b>	Education and counselling is available and offered to parties to adoption through the Department and support groups. Adoption plans were incorporated into legislation in 1994 Act and are negotiated between parties prior to an order being made. An adoption plan is a contact agreement which forms part of the adoption court order, stipulating level, frequency and type of contact and exchanges of

	<p>information between parties. Appropriate, sensitive and confidential approaches are encouraged and supported with available resources in the Department and non government agencies and groups.</p> <p>Social networking sites are increasing part of society and subject to appropriate application by users, therefore education and counselling to parties as possible is of value. Control of such mediums however is not possible by external body such as Departement.</p> <p>Adoption Act contains clauses pertaining to confidentiality, harassment and restrictions on publication of identity of parties, with penalties for breaches. Prosecutions are uncommon.</p>
<b>Communauté flamande (Belgique)</b>	The adoption services do mention this to adoptive parents so that they are aware of the possibilities and the risks but this is still not very organised.
<b>Communauté française (Belgique)</b>	Des actions globales de sensibilisation n'ont pas encore été mises en place. Mais, lors de la préparation (obligatoire) à l'adoption, et lors de l'accompagnement (obligatoire) des OAA pour l'apparement, des mises en garde sont faites à propos de cette manière de fonctionner. Les candidats adoptants sont incités à avoir recours, dans l'avenir, à la médiation des OAA pour entamer des recherches, plutôt que de tenter celles-ci via Internet ou les réseaux sociaux.
<b>Brésil</b>	Não temos conhecimento de ações de conscientização e prevenção em relação aos encontros entre adotados e famílias biológicas através de redes sociais.
<b>Burkina Faso</b>	D'une manière générale, le gouvernement du BF développe des stratégies de sensibilisation en rapport avec les rencontres sur le Net et la cybercriminalité à travers la commission informatique des libertés.
<b>Canada</b>	
<b>Ontario (Canada)</b>	There is information available on the internet regarding searching and reunion. Stakeholder groups provide information and guidance.
<b>Manitoba (Canada)</b>	The mandated child welfare agencies advise their clients of the potential contacts via the medium of social networking sites.
<b>Québec (Canada)</b>	<p>Quand une personne initie des recherches personnelles et qu'elle demande au Secrétariat à l'adoption internationale ou au Centre de la protection de l'enfance et de la jeunesse régional une confirmation de l'identité et des coordonnées trouvées, que les informations soient exactes ou non, elle est informée de l'impossibilité de répondre à sa demande, puisque l'identité de la personne recherchée ne peut être transmise qu'avec son consentement. Elle est invitée à présenter une demande auprès de l'une ou l'autre des instances concernées en suivant la procédure habituelle, laquelle sera traitée en respect de la loi et des modalités prévues.</p> <p>Le Secrétariat à l'adoption internationale sensibilise les personnes concernées aux risques liés aux initiatives personnelles en publiant sur son site web</p>

	<p>des recommandations à cet égard et en faisant de la sensibilisation dès qu'une occasion se présente. Elles sont informées que toute tentative d'entrer directement avec le parent recherché peut avoir des conséquences malheureuses sur celui-ci, si ce dernier ne s'y attend pas, s'il y a erreur sur la personne, s'il n'y est pas préparé ou s'il n'a pas donné son consentement à des retrouvailles. Elles sont aussi sensibilisées au fait qu'elles peuvent mettre en danger la sécurité et l'intégrité physique de la mère biologique, en raison de particularités culturelles, religieuses ou circonstancielles. On les prévient également qu'elles risquent de contrevenir à la loi, aux us et coutumes du pays d'origine et, ainsi, de s'exposer à des conséquences malheureuses.</p>
<b>Croatie</b>	<p>There is always the possibility for the adoptive parents to contact experts in the Centre for Social Welfare who will provide them with the professional support and counseling.</p>
<b>Espagne</b>	<p>No se han hecho campañas de sensibilización sobre el tema, sin embargo, dada la sensibilidad de la materia, desde las entidades públicas se recomienda la utilización de los servicios de asesoramiento, apoyo y mediación que brindan estas entidades en los casos de que se quiera realizar este contacto.</p> <p>En algunas Asociaciones y ONG sí que se intenta sensibilizar e informar de la peligrosidad que puede albergar realizar este tipo de encuentros, puesto que no hay preparación psicológica previa, ni proceso de mediación, ni protección de la intimidad y de datos personales que pueden traer consecuencias no deseadas, desagradables/peligrosas.</p>
<b>Honk Kong</b>	<p>This can be something beyond our power to control. We are also aware of the risk of facebooking and the internet social networks.</p>
<b>Italie</b>	<p>In Italy, these actions are still in an initial stage but some new developments are underway.</p>
<b>Mexique</b>	
<b>Mexique (Hidalgo)</b>	<p>Hasta el momento no se ha presentado en este Sistema DIF Hidalgo ningún caso bajo esta premisa.</p>
<b>Mexique (Jalisco)</b>	<p>No, en la entidad federativa no se ha realizado ninguna acción de sensibilización y de prevención, aunado a que no se han dado casos o por lo menos en la dependencia no se cuentan con antecedentes de supuestos como el que se señala en este punto.</p>
<b>Norvège</b>	<p>Yes, the awareness of social networks is to some extent a topic at the preparation courses for prospective adoptive parents.</p>
<b>Nouvelle-Zélande</b>	<p>Not at this stage. However, social workers usually discuss with individuals how best to search and make contact whilst being aware of and respecting the personal privacy of other persons. Social workers may advise that when searching, exercise sensitivity by trying where possible to find the actual person you are looking for and approach that person discreetly in the first instance, rather than making approaches to a number of people. The best outcome may not be achieved if the person you are looking for believes his/ her privacy has been</p>

	invaded or compromised in the searching process.
<b>Pays Bas</b>	Yes, the agencies like Fiom offer counseling and make people aware of the risks involved. All agencies advice people involved to work through social work agencies such as ISS and Fiom in order to prepare the persons involved for a meeting by discussing their expectations, the cultural differences and wishes in advance. This in order to avoid too high and unrealistic expectations.
<b>Portugal</b>	Pas spécifiquement orienté pour la rencontre á travers les réseaux sociaux, mais comme déjà mentionné les parents adoptifs sont préparés, quand ils sont encore candidats à l'adoption pour la possibilité d'une rencontre, le souhait d'accéder à ses origines et la nécessité de révélation de la situation d'adopté dès le début.
<b>Suède</b>	The website is meant to be an alternative to the way searching is presented in mainstream media which displays a lack of integrity we find worrying. When it comes to social networks, our experience is that it may be helpful but the need for precaution is great. The information in our website will inform of the risks and dangers which needs to be considered before using social networks for searching.
<b>Suisse</b>	<p>There is no law banning judicious adopted children of 18 years or older and biological parents to get in contact by mutual consent. Any person whose personality rights are unlawfully infringed may apply to the court for protection against all those causing the infringement [Art. 28 para. 1 SCC and Art. 12 et seq. Federal Act on Data Protection (DPA; SR 235.1)]. Though the confidentiality of adoption information according to Art. 268b SCC does not legally prevent the adopted child from disclosing the identity of its adoptive parents to its biological parents or to third parties, the child owes such consideration and respect as the good of the family community requires according to Art. 272 SCC.</p> <p>According to ISS Switzerland, any awareness-raising training is offered by the competent authorities. ISS, within the framework of the seminar, endeavours to sensitize the authorities on the importance of a professional assistance during those procedures that may result delicate. The simple transmission of biological parents' identity could be inadequate as the adopted child, for the most part, will try to contact his/her biological parents. Otherwise, we had the opportunity to sensitize adopted people when they adress ISS to initiate the procedure. Finally, it is to be noticed that trickeries increasingly come about during origins research. Many evil-minded people take advantage of this activity in a remunerative way. Recently, an ISS-Indonesia colleague has been held and hardly put under pressure because of this tricky activity. Other accidents of this kind took place via internet and the social networks.</p>

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