



October 2010

INDEPENDENT ADOPTIONS

1. Context



Today, the fact remains that abuses and bad practices exist, even if the Hague Convention of 1993 (THC-93) has undoubtedly made considerable improvements in processing intercountry adoptions, mainly in countries of origin which have not ratified THC-93, but also in certain Convention Countries.

However, it is now accepted by a large majority of adoption professionals that an "independent adoption" (without the intervention of an accredited body) has more risk, since prospective adoptive parents are left alone to face the risks of a procedure in a foreign country. In this context, they rarely master the procedures, or at times the language. Being further subjected to the intense stress of the first meeting with the child, prospective adoptive parents are particularly vulnerable to manipulation and are reluctant to question the information provided to them as well as more prone to paying what is required of them without daring to raise questions.

Moreover, the study conducted by the ISS/IRC in 2010 entitled "The grey zones of intercountry adoption"¹ tends to show that cases of serious abuses (false declarations of abandonment, manipulation of biological parents, etc) occur upstream of the adoption process itself, and thus are in fact more difficult to identify. The study notes however that a number of factors are likely at least to arouse the suspicions of a knowledgeable professional (i.e.: working for an AB). For example when large amounts of cash are required; when the proposed child is very young (few months); when it is possible to choose a child from among many others in an institution, etc. Arguably, by regularly working in a specific context one will be able to better understand a system and therefore identify gaps (similar documents from one dossier to another, identical judgments, interventions of the same players - intermediaries, lawyers etc.-). Often the only barrier to illegal practices is this specialised knowledge of a country of origin and its adoption process. Of course such illegal practices abound more in a country of origin, when it is unable to provide the necessary guarantees for the entire adoption procedure.

This paper provides an overview of the arguments in favor of prohibiting so-called independent adoptions, based in part on the findings of Special Commissions on the operation of THC-93, national laws in force and various positions of child rights advocates.

2. Definitions

- **Private adoption:** adoptions which are arranged directly between birth parents and adoptive parents
- **Independent adoption:** where prospective adoptive parents have been authorised to care for a child with a view to adoption, but undertake steps in the country of origin without the support of an authority or AB.

¹ Partial version available on the Hague Conference website: http://www.hcch.net/upload/wop/adop2010_info6f.pdf;
Final version foreseen for end 2010.

3. International organisations

- **The recommendation 1443 adopted by the Parliamentary Assembly (Council of Europe),** entitled « **International adoption: respecting children’s rights**», already condemned private adoptions in 2000: « *The Assembly therefore fiercely opposes the current transformation of international adoption into nothing short of a market regulated by the capitalist laws of supply and demand, and characterised by a one-way flow of children from poor states or states in transition to developed countries. It roundly condemns all crimes committed in order to facilitate adoption, as well as the commercial tendencies and practices that include the use of psychological or financial pressure on vulnerable families, the arranging of adoptions directly with families, the conceiving of children for adoption, the falsification of paternity documents and adoption via the Internet.*² ».
- **Conclusions and recommendations adopted by the last Special Commission on the practical operation of the Hague Convention of 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption (2010)**³:
 - *Concerned to prevent, in the context of intercountry adoption, the abduction, sale and traffic in children and their illicit procurement, the Special Commission draws the attention of States to the following as essential features of a well regulated system (...): prohibition on private and independent adoptions ; (point 1g).*
 - « Adoptions which are arranged directly between birth parents and adoptive parents (i.e., private adoptions) are not compatible with the Convention. Independent adoptions, in which the adoptive parent is approved to adopt in the receiving State and, in the State of origin, locates a child without the intervention of a Central Authority or accredited body in the State of origin, are also not compatible with the Convention. It was strongly recommended that training be provided for judges and other authorities or persons exercising functions under the Convention. This training should address in particular the problems surrounding private and independent adoptions, as well as other possible ways in which the procedures and safeguards of the Convention are circumvented» (points 22-24).

4. Receiving countries and countries of origin prohibiting independent adoptions⁴

Receiving countries	Source
Canada (Ontario)	http://www.children.gov.on.ca/htdocs/French/topics/adoption/how/index.aspx
Canada (Quebec)	Act to implement the Convention on protection of children and co-operation in respect of intercountry adoption (http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/M_3_5_1_3/M35_1_3.html)
Denmark	As a priority intercountry adoptions must be undertaken by one of the two Danish ABs, except where the prospective adoptive parents would like to adopt a child where there is a family tie or there are other special circumstances www.adoptionsnaevnet.dk/english/basic-information-about-intercountry-adoptions-in-denmark/
England	All Hague adoptions must go through the Central Authority or AB. As for non Hague adoptions, whilst the PAPs may travel independently to a country of origin to find a child to adopt (without the assistance of a Central Authority or accredited body in the State of origin), an English AB will be involved both during and after the assessment of the PAPs as suitable to adopt and therefore private and independent adoptions are not permitted.

² <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta00/EREC1443.htm>

³ http://www.hcch.net/upload/wop/adop2010concl_e.pdf

⁴ This list may be non exhaustive and is based on information available to ISS/IRC, October 2010

	See Adoptions with a Foreign Element Regulations 2005
Iceland	In general all adoptions from abroad must go through an accredited body. Private adoptions are not permitted. In extraordinary circumstances an adoption can be undertaken without mediation from an accredited body (mainly family adoptions). The Central Authority or an administrative authority (i.e.: The National Commissioner on Adoption) acts as an intermediary in such cases. www.hcch.net/upload/wop/adop2010_is.pdf
Ireland	Adoption Act 2010
Italy	The obligation to go through an AB is relaxed for certain relative adoptions. Law of 31 December 1998
Norway	Chapter 3, section 16 of the Law N°8 of 28 February, 1986 about adoption ; National Office for Children, Youth and Family Affairs (Central Authority) http://www.bufetat.no/Documents/Bufetat.no/Adopsjon/IntercountryadoptioninNorway.pdf
Sweden	Direct adoption is prohibited except in cases of adoption by a family member or other particular cases authorised by the Swedish Central Authority. Law 192 of 1997 (art. 4)
Particular Cases: <i>recourse to AB's is strongly recommended. For exceptional adoption cases not passing through an AB, the Central Authority fulfils the main functions of an AB themselves or by delegating this responsibility to a social agency. The Central Authority also controls the reliability and professionalism of the intermediary in the country of origin:</i>	
Australia	In Australia, recourse to AB's is only compulsory for intercountry adoptions. http://www.ag.gov.au/www/agd/agd.nsf/Page/IntercountryAdoption_Theintercountryadoptionprocess
Belgique (Flemish community)	Intercountry adoptions can be undertaken either through the mediation of an AB, or individually, but in both cases, under the supervision of the central authority for the community. Private and independent adoptions are strictly forbidden. As for individual adoptions, the Central Authority will receive the child's official file from the State of origin's competent authority. Since individual adoptions have increased, the Flemish decree has foreseen more safeguards: comprehensive questionnaire is submitted to PAPs, investigations in the country of origin etc. If these investigations reveal bad practices, the central authority refuses to approve the PAP's candidature. In the latter case, the PAPs can refer the matter to the court of appeal, called "Conseil d'Etat". Decree of 15 July 1997 (art. 3 and 4)
Belgium (French community)	The 2004 decree enacts the principle of priority recourse to an AB. If the adoption process is not controlled by an AB, then the central authority is automatically competent. The "Filière libre adoption"(i.e.: free channels/network adoption), as it existed before the 2004 reform, is not permitted anymore. It is worth noting that the 2004 decree is about to be revised. Decree related to adoption, 31 March of 2004.
New Zealand	All New Zealand intercountry adoptions involve the NZ Central Authority. In cases when no New Zealand accredited agency is working with an accredited overseas agency, assistance is provided to PAPs by designated adoption social workers within Child, Youth and Family. Country Profile for Intercountry Adoption published by The Hague Conference, 2010, http://www.hcch.net/upload/wop/adop2010pd03b_nz.doc
<i>Countries of origin</i>	Source
Albania	Law No. 9695 of 2007, 2 ^o and 4 ^o periodic reports submitted to the Committee on the rights of the child, November 2009 § 262 and following (http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-ALB-2_4.doc), US State Department (http://adoption.state.gov/country/albania.html)
Belarus	www.travel.state.gov/family/adoption/country/country_354.html and Chapter 13 Marriage and Family Code
Bolivia	Article 87, Child and Adolescent Code, Article 29 of the rule n°2026
Brazil	Law n°12.010, 3 August, 2009, http://www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/bresil_9433.html
Cambodia	Law of 3 December, 2009 on intercountry adoption (this law is about to come into force)
China	China Centre of Adoption Affairs (Central Authority), http://www.china-ccaa.org/frames/index_unlogin_en.jsp
Colombia	Law N° 1098 of 8 November, 2006 (http://www.icbf.gov.co/Ley_infancia/documentos/97835-CODIGO%20DE%20LA%20INFANCIA%20Ley1098.pdf), Rule (http://www.icbf.gov.co/Ley_infancia/documentos/DECRETO%204840%20DE%202007%20REG_LAMETARIO%20LEY%201098%20DE%202006.pdf), Resolution N° 2550 of 18 June, 2008

	(http://www.icbf.gov.co/icbf/directorio/portel/libreria/php/decide.php?patron=03.031119),
Equator	Article 181, Childhood and Adolescence Code, 2003
Ethiopia	SAI : www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/ethiopie_9606.html
Guatemala	Articles 10, 33 and 39, Adoption Law, Decree N°77-2007 and Articles 54-55 of its Regulations N° 182-2010
India	Central Adoption Resource Agency, http://www.adoptionindia.nic.in/carahome.html
Kenya	Home Affairs Ministry, Government of Kenya, http://www.homeaffairs.go.ke/index.php?option=com_content&task=view&id=110
Lithuania	SAI, http://www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/lituanie_9614.html
Nepal	"Conditions and Procedures made to provide Nepalese Children to Foreign Nationals for Adoption", Chapter 3, article 8, http://www.nconepal.org/front/Conditions_Procedures.pdf
Niger	SAI, http://www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/niger_9623.html
Russia	Mrs. VS Tsekhonia, Director of the Department of Supply Chain Management for the data bank relating to children without parental care, Ministry of Education of the Russian Federation, Symposium on International Adoption held in Montreal on 4 and May 5, 2004 by the Intercountry Adoption Secretariat in Quebec http://www.adoption.gouv.qc.ca/fr/mod.php?mod=userpage&page_id=69&menu=1006
South Africa	Articles 250 and 260 of Law No. 382005, Children's Act, 2005
South Korea	SAI : www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/pays-origine_3233/fiches-pays_3895/coree-du-sud_9601.html

Additional sources: Special Commission on the practical operation of the Hague Convention of 29 May 1993, 17-25 June 2010, *Conclusions and Recommendations Adopted by the Special Commission*, http://www.hcch.net/upload/wop/adop2010concl_e.pdf, Country Profiles published by the Hague Permanent Bureau, http://www.hcch.net/index_en.php?act=conventions.publications&dtid=42&cid=69 I. LAMMERANT, *L'Adoption et les droits de l'homme en droit comparé*, Librairie générale de droit et de jurisprudence (i.e.: Adoption and human rights in comparative law), Paris et Bruylant, Bruxelles, 2001, n°s 293-302, SAI (*Service de l'Adoption Internationale – France*), http://www.diplomatie.gouv.fr/fr/actions-france_830/adoption-internationale_2605/index.html

5. Theoretical complements

Guide to Good Practice N°1: the implementation and operation of The 1993 Hague intercountry adoption convention, 2008⁵

4.2.6 Central Authority role in independent adoptions

191. Independent adoptions undermine the system of safeguards put in place by the Convention, in particular Article 29. Independent adoptions are those in which the prospective adoptive parents, after being approved by their Central Authority or accredited body, are permitted to go to the State of origin and find a child to adopt, without the assistance of the Central Authority or an accredited body or approved (non-accredited) person in the State of origin. How the prospective adoptive parents find a child, who arranges the adoption, what the costs are. This information may not be known to the authorities in either country, as there is no supervision of the procedure. They create many problems for officials in both the State of origin and the receiving country, usually when procedures have not been followed correctly. The practice of allowing independent adoptions is inconsistent with the system of safeguards established under the Convention and Central Authorities should not participate in this form of intercountry adoption.

8.6.6 Are private adoptions within the scope of the Convention and are they compatible with Convention standards and procedures?

⁵ http://www.hcch.net/upload/wop/adop2010_pd02e.pdf

520. These questions have arisen concerning privately arranged adoptions *i.e.*, ones where arrangements for adoption have been made between a biological parent in one Contracting State and prospective adopters in another Contracting State. Under the national laws of certain Contracting States private adoptions of this nature are permitted, while they are prohibited in many others.

521. With regard to the question of scope, Article 2 applies to all cases where a child habitually resident in one Contracting State has been, is being, or is to be moved to another Contracting State for the purpose of adoption. Private adoptions do therefore come within the scope of the Convention and are subject to Convention requirements

522. This means that all the requirements of Articles 4 and 5 must be met, including for example, that:

- due consideration should have been given to possibilities for placement of the child within the State of origin,
- the biological parents should have been properly counselled,
- the consent of the mother should have been given only after the birth of the child, and
- it should have been determined that the prospective adoptive parents are eligible and suited to adopt.

523. Equally the procedural requirements of Chapter IV of the Convention apply, including the reciprocal transmission of reports on the child and the adoptive parents. Article 17 is also critical. The Central Authorities of both States must be satisfied that essential procedures have been followed before giving their agreement that the adoption may proceed.

524. In conclusion, private adoptions arranged directly between birth parents and adoptive parents come within the scope of the Convention if the conditions set out in Article 2 are present. This means that these adoptions should comply with the Convention standards and requirements, but this is not possible without losing their .private nature. In other words, a purely private intercountry adoption arrangement is not compatible with the Convention.

525. A distinction is made in this Guide between purely private adoptions and independent adoptions. In this Guide, the term independent adoption is used to refer to those cases where the prospective adoptive parents are approved as eligible and suited to adopt by their Central Authority or accredited body. They then travel independently to a country of origin to find a child to adopt (without the assistance of a Central Authority or accredited body in the State of origin). Such adoptions are not consistent with the Convention because the safeguards of the Convention to protect the interests of the adopted child cannot be guaranteed, in particular, the safeguards in Articles 4, 16 and 17 of the Convention. The safeguards of the Convention are also intended to protect the interest of the biological family and the adoptive family.

10.1.1.6 Prohibition on private and independent adoptions

626. It has been stated in this Guide that purely private intercountry adoptions (adoptions arranged between the adoptive parents and the biological parents) are not consistent with the Convention (Chapter 8.6.6). Similarly, independent adoptions (where prospective adoptive parents are approved by their Central Authority or accredited body and then travel to a country of origin to find a child) which are not regulated or supervised by Central Authorities in the two countries concerned, are not consistent with the procedures of the Convention.

627. Contracting States should take steps to eliminate these forms of adoption which undermine the safeguards established by the Convention. (...).

➤ **Guide to Good Practice N°2 : accreditation and adoption accredited bodies : general principles and guide to good practice, 2010⁶**

4.1 Is it mandatory to use accredited bodies?

⁶ http://www.hcch.net/upload/wop/adop2010_pd02e.pdf

115. The Convention permits the Contracting States to call upon accredited bodies but does not require any State to appoint accredited bodies or use them. A receiving State or State of origin may, however, require by law the use of accredited bodies, as an increasing number of States do.

116. The use of accredited bodies is considered as good practice as it allows the States to engage them in fighting abuse, trafficking and the failures associated with independent adoptions.

117. On the other hand, some States of origin have reported problems where no accredited bodies are used and an adoption is arranged between Central Authorities. For example, when the prospective adoptive parents come to the State of origin without any support from a professional body, the parents are reliant on the (usually) under-resourced Central Authority in the State of origin to give them advice and assistance. Sometimes the adoptive parents' Embassy representatives have to take on this role. Some possible solutions are: the State of origin could permit adoptions only when it has agreed on the "practical arrangements" for adoptions with certain receiving states. Such arrangements may specify that the receiving State must have an accredited body or a representative in the State of origin to support the adoptive parents during their visit. Another possible solution is found in the Chinese model, where the adoptive parents are not permitted to travel to China until the "authorisation to travel" has been given. Another model is from the Netherlands: when prospective adoptive parents wish to adopt from a State where their accredited body does not work, the parents must identify a reputable intermediary in the State of origin to assist the parents. The Dutch accredited body investigates the intermediary to confirm his or her good reputation before permitting the procedure to continue.

- **Thematic Fact sheet N°38 on Children deprived of parental care, *Accredited adoption bodies of receiving states- AAB's (I) : The nature and advantages of their intervention* , ISS/IRC, 2007⁷**

Although the 1993 Hague Convention (HC-1993) does not impose it, the obligation for prospective adoptive parents to proceed through adequately qualified and supervised AABs, constitutes an additional guarantee for intercountry adoptions between Hague Contracting and non-Contracting countries. We recall that, in accordance with the provisions of the HC-1993, these private bodies are delegated responsibilities by the States in order to achieve the objectives of the HC-1993. In order to do so, a body shall, first, be **accredited** by the competent authority in the receiving State and, secondly, **authorised** both by the State of origin as well as the receiving State, in order to be able to work in the said State of origin.

The role and responsibilities of AABs

AABs play the role of a close 'third party' and contribute to putting into practice the necessary intervention and mediation of society and of the State in the protection of children deprived of a family (arts. 20 and 21 UNCRC). AABs constitute a concrete link between families, relevant actors and authorities of the receiving countries and the countries of origin. Equally, they allow children, biological parents and adoptive parents, not to become mere paper files.

Under the control of receiving States and States of origin, AABs should be guarantors of the ethics, professionalism and multidisciplinary nature of the intercountry adoption process. Their responsibilities vary from one receiving country to another, and from one country of origin to another, in accordance with existing child and family welfare systems in each of these countries. Nonetheless, the fields in which their presence:

- Information, awareness-raising, preparation of prospective adoptive parents;
- Designing the skills of adoptive candidates in helping to define the profile of the child who could be placed with them for adoption; motivation for encouraging the evolution of prospective adoptive parents' willingness to care for a child with special needs.

⁷ <http://www.iss-ssi.org/2009/assets/files/thematic-facts-sheet/eng/38.aabs%20nature%20and%20advantages%20of%20intervention.pdf>

- Matching: to associate, at a given moment, the body to the selection of an appropriate family for a particular child may be a beneficial contribution for the child, because the body can participate in the evaluation of the suitability between the skills of the families it serves, and the needs of the child for whom a family is sought; it is certainly a contribution when it comes to submitting the matching proposal to the prospective adoptive parents for their approval, given that it enables an individualised support.
- Preparation of the adoptive parents for the first meeting with the child; support in the meeting and in the period of mutual encounter; the presence of the body in these stages reduces tensions and anxieties and plays a positive role in facilitating the start of a child/parent relationship.
- Preparation of the child for the adoption, or training of the staff or of the foster family who cares for him/her, in order for them to be competent, where these are not provided by the country of origin.
- Post-adoption follow-up.

Benefits of the AABs' intervention

The Central and competent authorities of the receiving countries and countries of origin rarely have the material and human resources (a sufficient number of multidisciplinary, trained, experienced personnel who are also have close ties to the field) to fully fulfil the functions of preparing and supporting children and parents of origin and/or prospective adoptive parents. Therefore, the delegation of some of their functions to bodies from the private and/or public sector, which comply with specific criteria set by law, often constitutes a genuine necessity.

Similarly, the intervention of AABs enables Central Authorities to carry out their mission and develop a genuine comprehensive policy for intercountry adoption, with the ever increasing concern of serving the children. This function is not ensured in independent adoptions, which we define herein as adoptions in which prospective adoptive parents directly contact the professionals or authorities of the countries of origin – i.e. without resorting to the agencies in its country – in particular with those which determine the adoptability of a child or undertake the matching, including sometimes with the parents of origin or the guardians of the child (which is even more open to criticism: see art. 29 HC–1993). The receiving State, as much as the State of origin, can impose on adoptive candidates the obligation to proceed via the mediation of an AAB. The latter can constitute an element of additional guarantee in an adoption process respectful of the fundamental rights of children. Furthermore, it represents a means for States to contribute to the struggle against certain abuses, trafficking and failures, which are rooted in resorting to independent adoptions. Indeed, the accreditation granted to adopters at the end of their psychosocial evaluation is, at times, interpreted – erroneously – by some independent adopters as a “right to a child”, which justifies actions in the country of origin which may lead to pressure in obtaining a child or to a conscious or unconscious complicity in trafficking. Therefore, the receiving State may be considered as a bearer of responsibility in relation to the behaviour of its nationals, adoptive candidates, abroad.

Consequently, we recommend States to foresee the adoptive candidates' compulsory resort to AABs of receiving countries (a growing number of receiving States and States of origin already impose it. However, this measure only constitutes an effective guarantee for the rights of the child if States also ensure, in parallel, the support, training and supervision of the AABs, as well as the establishment of a system of qualitative and quantitative regulations.

6. Examples of risks in practice

In addition to the preceding arguments advanced, it is sufficient to undertake some internet research on independent adoptions to understand the serious outcomes that can result. Below are some results from non exhaustive research on the topic:

- *La défense de l'adoption individuelle, libre et éthique ,37% des adoptions (tous pays) en France!*
<http://www.adoption-individuelle.com/2010/10/08/le-nombre-d%E2%80%99enfants-des-rues-continue-d%E2%80%99augmenter-des-orphelinats-modeles-privés-ont-fait-leur-apparition-tandis-que-les-autorités-continuent-de-négliger-les-solutions-de-fond/>
“Le nombre d'enfants des rues continue d'augmenter. Des orphelinats modèles privés ont fait leur apparition tandis que les autorités continuent de négliger les solutions de fond...”
 - *El embarazo.net*, <http://adopcion.elembarazo.net/%c2%bfque-son-los-facilitadores.html>,

“En el entorno de los facilitadores **podréis encontrar de todo**, desde profesionales serios y eficientes hasta (por desgracia) otros no tan serios que pueden aprovecharse y cobrar honorarios desorbitados por gestiones que no son del todo transparentes”.

- **Family Doctor.org,**

<http://www.redhookfamilypractice.com/index.cfm?fuseaction=site.content&type=aafphand&destination=/online/famdoces/home/articles/845.membersite.html&print=1>

“No. Algunas adopciones no son tramitadas por una agencia. Estas se llaman adopciones independientes y son tramitadas por abogados. Los padres adoptivos usualmente contratan los servicios del abogado. Los padres verdaderos también pueden tener un abogado. Los padres adoptivos usualmente pagan por las cuentas del hospital donde la madre tiene el bebé y demás gastos médicos hasta que el bebé nace. Algunos también pagan por los gastos de mantenimiento de la madre durante el embarazo.

Después de que el bebé nace, los padres adoptivos se llevan al bebé a su casa. El estado les hace una evaluación como padres durante seis a ocho semanas. Durante este tiempo, tanto los padres adoptivos como los padres verdaderos tienen derecho a cambiar su decisión con respecto a la adopción. Una vez que la adopción es aprobada es permanente”.

- **Adoption.com, USA,**

<http://adopting.adoption.com/child/private-or-independent-adoption.html>:

“Private (or independent) adoptions are done through adoption attorneys, and may or may not involve an adoption opportunity that is located and arranged by the attorney. If so, the “finding” function that the attorney performs will increase the cost. [Click here](#) for more information on private adoption costs. In some states, private attorneys cannot be involved in the “finding” and “matching” phases of an adoption, but are limited to finalizing the legal part of the adoption in court once the match has taken place.”

- **Adoptive families, USA,**

<http://www.adoptivefamilies.com/articles.php?aid=1017>:

“In a typical independent adoption, the prospective parents take an active role in identifying a birthmother, usually by networking, advertising, or by using the Internet. Another difference between independent and agency adoption is the method by which the birthparents give their consent to adoption. In an agency adoption, the birthparents relinquish their parental rights to an agency, and the agency, in turn, consents to an adoption by specific adoptive parents. In independent adoption, the birthparents give their consent directly to the adoptive parents”.

- **Babycenter, USA,** http://www.babycenter.com/0_independent-adoption_1373616.bc:

“In selecting an attorney to assist with an independent adoption, prospective adoptive parents should do careful research. Not every attorney has the expertise, knowledge, experience and sensitivities to handle an independent adoption. Just because an attorney has handled stepparent adoptions does not mean that he or she is familiar with the intricacies of a private or independent adoption”.

- **Independent Ukraine Adoption,** http://www.adoptukraine.com/ukraine_adoption_center.html:

“Usually Mrs. Kunko (Adoption Center in the center of Kyiv City) sees the families first. She speaks with the translator about you and your expectations. She will tell him some generalized information. Sometimes they have trouble locating girls in the age you are specifying and she asks will you be willing to see a different age or she might tell him that it may take a little time while the referral staff looks over the information on which children have come available.(...) Once Mrs. Kunko has a pretty good idea of what you are looking for and whether they can come close to a match, she speaks with the referral people and they get to work on looking for you. You will probably take a seat out in the hallway. Sometimes you can go right down to the referral office, because they can find a number of referrals relatively quickly”.

7. Bibliography

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- Special Commission of November/ December 2000 on the practical operation of The Hague Convention of 1993, *Evaluation presented by The International Social Service*, http://www.iss-ssi.org/Resource_Centre/thcevaluation.PDF
- Intervention of ISABELLE LAMMERANT, Coordinator of ISS/IRC, « Ethics and International Adoption », Colloquium of the LOUIS CHATIN ASSOCIATION FOR THE DEFENCE OF CHILDREN RIGHTS, International Adoption in Comparative Law, Paris, 25-26 April 2003, pp. 35-50
- ISS/IRC Monthly Review Editorial n° 70, *Inter-country adoption: Benefits of compulsory participation of adoption accredited bodies in the receiving countries under the supervision of the Central Authorities*, <http://www.iss-ssi.org/2009/assets/files/editorial-monthly-review/Editorials/2004/Edito.70.eng.pdf>

See also the bibliographic resources available at the ISS/IRC Documentation Centre available on line at <http://www.iss-ssi.org/library/> (key words: Adoption independent).

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