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EDITORIAL

POST-ADOPTION: The usefulness of professional support for the adoptee and his adoptive family 

At the start of a series of three editorials devoted to the post-adoption period, the IRC presents the issue of professional support during the first moments of the adoptee's life together with his new family.

The IRC team proposes a series of three editorials devoted to the post-adoption period, covering three themes: professional support during the first moments of the adoptee's life together with his new family; the question of follow-up reports required by the country of origin; access to information and possible post-adoption contacts with the family of origin.

Professional support during the first moments of the adoption process

Adoption is a *process* and not just an act limited in time. In conformity with good practices developed internationally, this process begins, in the country of origin, with the task of providing support and information to the family origin, followed up, if need be, by checking the child's adoptability and the chances of him being taken into care in his country of origin (the principle of subsidiarity), and finally by the preparation of this latter option. At the same time, it involves informing, selecting and preparing prospective adoptive parents in the receiving country. Then,

in cooperation with the professionals in both countries, follow the professional matching and the first meeting between the child and the adopters, preferably within a professional supportive setting.

Supportive action, if possible obligatory, for the first moments of their life together

Naturally, the adoption process does not stop there. The first stages of their life together may also require *professional support*, in the best interests of the child, as support for the adoptive parents and as a sign of respect for the parents of origin. *Overseeing the placement in view of adoption* can be useful or even essential up until the legal completion of the adoption, the moment when the adopters officially and definitively become the parents. The verification of this effective act of creation and of a sufficiently harmonious parent-child bonding further allows the judge charged with declaring the adoption to take his decision in the best interests of the child. Furthermore, if this tie does not materialise, an early shift of the child to another family has often proved in practice to have a positive result for the child.

Supportive action, upon request, after legal completion of the adoption

After the legal finalisation of the adoption, the situation is quite different since the adopters are henceforth recognised as the child's parents. In the interests of the whole adoptive family, and particularly of the child who then needs emotional stability and a feeling of integration, it might be preferable, in principle, for the authorities and agencies to abstain from intervening with the family. The adoptive *family becomes a family like any other*, in the sense that it must benefit from the same protection and the same offers of assistance as any other family, without being suspected more than another of dysfunctions. Nonetheless, it remains different since it must reconcile itself with the fact that the adoptee « comes from somewhere else », bearing a path of earlier disruptions and abandonment before his entry into the adoptive

family. Moreover, the adoptee will recall it himself if this reality was to be denied. By virtue of this special family structure, the adoptive family may well need more specific support, ideally made available upon request.

Training of staff working with children

To make this offer of specific supportive action effective, several countries ensure the training of staff who work *with children* (teachers, social workers, psychologists, doctors...) by underlining the specificities of the adoptive situation and the need to offer forms of support which are adapted to adoptees and their family. This support might be assured by specialised post-adoption *services*, offered by accredited adoption bodies and/or specialised psychosocial bodies. A variety of services may be developed, preferably in a complementary manner: hot lines; individual consultations; family, adopter or adoptee groups or meetings; information, documentation, conferences, training; visits to the country of origin.

During preparation for adoption or at any other moment during the process culminating in adoption, the prospective adoptive parents in several countries are expressly informed of the need, in certain cases, for post-adoption supportive action, and of the services available.

A tool to prevent failures

Post-adoption services constitute the last link in the chain of *professional and multidisciplinary services that are indispensable* in guaranteeing that the global adoption process succeeds in the best interests of the child and out of respect for all interested parties. The existence of this chain of services constitutes probably one of the best tools in the prevention of adoption failure (See also *Interdisciplinary Resources*, below).

The ISS/IRC Team

THE 1993 HAGUE CONVENTION ON INTERCOUNTRY ADOPTION (THC-1993)

Source: The Permanent Bureau of The Hague Conference: http://hcch.e-vision.nl/index_en.php?act=conventions.status&cid=69.

Belize 🇧🇿: Belize acceded to the THC-1993 on 20 December and the Convention will enter into force in this country on 1 April 2006.

CONVENTIONS AND INTERNATIONAL DOCUMENTS RELATING TO THE RIGHTS OF THE CHILD DEPRIVED OF FAMILY

Source : Permanent Bureau of The Hague Conference : http://hcch.e-vision.nl/index_en.php?act=conventions.status&cid=70.

HUNGARY: The 1996 Hague Convention

The 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, was *ratified by Hungary on 16 January 2006*. The Convention will enter into force in this State on 1 May 2006 (See also Review 8-9/2005). It is currently in force in ten countries and has been signed by nineteen countries. Hungary issued a declaration on articles 23, 26 and 52 of the Convention, relating

to recognition and enforcement of decisions between Member countries of the European Union, and similar to that issued by most countries of the Union (see Reviews 70, 72-73). Its declaration also concerns articles 34, 54 and 55 and deals with the handling of the routing of requests, foreseen in the first paragraph of article 34, the language of communications addressed to its Central Authorities and the protection of the interests of a child situated on its territory.

PROTAGONISTS IN MATTERS OF ADOPTION

Source : Permanent Bureau of The Hague Conference : http://hcch.e-vision.nl/index_en.php?act=conventions.authorities&cid=69.

- **Canada (Quebec):** The Court of Quebec is the competent authority for granting the certificate of conformity foreseen in article 23, paragraph 1 of the 1993 Hague Convention, when adoption of a child usually resident outside Quebec by an adopter usually resident inside Quebec is declared in Quebec. The Ministry of Health and Social Services of Quebec is the competent authority for granting the certificate attesting that a foreign adoption order has been subjected, in Quebec, to a conversion, in conformity with article 27. Canada has also updated the list of accredited bodies in Quebec.
- **China and Poland:** These countries updated the particulars of their Central Authority.

PROCEDURE

ECUADOR: Evaluation of domestic and intercountry adoption

The National Council for Children and Adolescents has decided to carry out a study of the situation of children deprived of a family, of domestic adoption programmes and intercountry adoption bodies in Ecuador.

Given its responsibility for defining the adoption policy and ensuring that it is put into practice, the National Council for Children and Adolescents (*Consejo Nacional de la Niñez y Adolescencia, CNNA*) has decided to carry out a study, from the beginning of this year, covering the main issues relating to adoption in Ecuador, in particular domestic adoption programmes and the assessment of intercountry adoption bodies in the country.

Study of the situation of children deprived of a family and adoption programmes

The Code for Children and Adolescents, adopted in 2003, set up the CNNA, a body entrusted with ensuring respect and protection of children's rights. The President of the CNNA assumes the functions of the Central Authority of Ecuador in matters of adoption and, in this capacity, is responsible for the application of the 1993 Hague Convention (ratified by Ecuador in 1995 and in force since 1 January 1996). In this respect, the CNNA has noted, since 2002, a decrease in intercountry adoptions, in comparison with the number of domestic adoptions.

One of the aims of the planned study is to assess the number and profile of Ecuadorian

children, adoptable both domestically and at the international level. The results of the study will make it possible to identify and define the needs of children deprived of a family, what measures are already in place for them, the successes and failures of the bodies entrusted with their care and the potential future directions of adoption in Ecuador.

Evaluation of intercountry adoption bodies

In this same context, intercountry adoption bodies which operate in Ecuador will also be evaluated. This will enable to identify and define the number and profile of the protagonists required to respond to the needs of this country. The study will also make it possible to address the question of supervision and effective

monitoring undertaken by the competent authorities.

During the assessment, the CNNA will not issue new authorisations to intermediary intercountry adoption bodies. Nonetheless, bodies that have already concluded an agreement with the Government of Ecuador will be able to continue to operate normally; the agreements that expire during this period will be extended for six months. Intercountry adoption procedures in Ecuador will proceed as usual during this period.

The CNNA has decided that the findings of this evaluation must be presented within six months, i.e. by June 2006.

Sources: Consejo Nacional de la Niñez y Adolescencia, Secretaría Ejecutiva,
<http://www.cnna.gov.ec>.

CHILDREN'S RIGHTS

INDONESIA: Supporting the Development of the Alternative Care System at Regional (Aceh) and National Levels

Release of the ISS Report, following a field mission from 4 to 28 August 2005.

The earthquake and the tsunami that hit Aceh on 26 December 2004 had a devastating impact on children and their families. Approximately 100,000 people were killed, 600,000 displaced from their homes and many lost their sources of livelihood. 2,000 to 3,000 children were separated from their primary caregivers and many unaccounted children were left with a single parent. Many other children, numbers of which are still unknown, have been placed in orphanages (Panti) or Islamic boarding schools (Pesantren). It is estimated that 90 per cent of separated children are residing with their extended families and only about 10 percent have no contact with their family.

Into this context, ISS was invited by UNICEF to assess the situation and needs of these vulnerable children and families. For this purpose, two ISS consultants (one from ISS-USA) were sent to Indonesia for three weeks and undertook a rapid assessment in Aceh and selected sites in Java. Visits were made to extended families in selected communities, to Panti and Pesantren and interviews were undertaken. Visits were also made to universities and social work training schools to review the existing vocational and training systems, both at regional and national level. Interviews were held with other stakeholders, local and national

governments, in particular the Department of Social Affairs in Jakarta and Aceh, national and international NGOs, university departments, community representatives (village heads, women's groups, health clinics, mosques, youth groups, etc) and child centres within various communities. In addition to the field work, the ISS/IRC undertook a desk review of the current legislative/regulatory framework and existing policies around foster care, institutionalisation and adoption.

Strengthening the legal framework

Regarding the Indonesian legal framework, whereas positive developments recently took place with a view to implement the UN Convention on the Rights of the Child, further action should be taken in order to ensure that such developments are effective in practice. As a large part of the Indonesian legal framework on children deprived of parental care is composed of administrative guidelines, the binding impact of these rules is not guaranteed. Therefore it is recommended that these rules be adopted as laws or regulations, either at national or local level, as is most appropriate, according to the constitutional organisation of the country.

In addition, in order to ensure that the best interests of the child are guaranteed in intercountry adoption procedures, Indonesia

should ratify the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

Developing the social work infrastructure to support families

One of the main current challenges following the tsunami disaster is to ensure that the large numbers of families looking after separated children in Aceh receive adequate support to be able to most effectively take care of these children on the long term. Initially all families caring for separated children need to be identified. Then, from this list and using existing community structures – the village head, the women's groups, the clinics, the mosque, the youth groups and, where they exist, the child centres – the most vulnerable families need to be identified and targeted with the support offered by existing programmes.

Families looking after separated children do not just require financial and livelihood assistance, they also require information on good parenting, psycho-social issues, health, nutrition and child development so that they can offer the best possible care to the children they have taken into their families, whilst still ensuring the wellbeing of their existing family. This information and support can be supplied through the existing community structures in the form of workshops and participatory training.

In the long term, a community-based social work infrastructure needs to be developed with social workers trained in family and child matters, as well as with other professionals concerned with the protection and care of children deprived of parental care. These professionals will need to operate at community/village level and, in turn, be accountable at district and provincial level. Structures such as the PSM (volunteer social work network), which could facilitate the development of such a community-based social work infrastructure, are in existence in Indonesia.

In this regard, ISS recommends that a *Child and Family Welfare Academy* be created with initial locations in Banda Aceh and Jakarta. This Academy would be aimed at acting as a resource centre, developing curricula, conducting training, and providing counselling. It would be aimed at providing support to professionals, paraprofessionals, community groups and private citizens who assume major responsibility for the health, welfare, education and care and custody of children.

Assessing child institutions and boarding schools

A rapid assessment of the Panti (orphanages) in Aceh also needs to be carried out, identifying all children with surviving parents and extended families. When appropriate and in the best interests of the child, they should be placed back into their families, who need to be offered whatever support is required. Teams of staff within the institutions or from the local social affairs office need to be trained in order to effectively assess the situation of surviving families of children in residential care. Adequate infrastructures should also be developed and professionals should be trained in order to offer alternative permanent family measures for children who cannot be reintegrated into their family. Such measures should include adoption or kafalah. Adequate infrastructures for foster care, in principle on a temporary basis, should also be developed. Inevitably, some children will have to remain in institutions. Therefore, these need to be rehabilitated in order to create a less institutional environment by introducing a homely, more family-like structure, with small group-living arrangements and community integration.

Regarding the situation in Pesantren (religious boarding schools), it is recommended that, at least in Aceh, a survey of the situation is conducted. Efforts should be made through workshops with staff, to train on psycho-social issues, health, nutrition and child development. These assessments and workshops can be undertaken by the Department of Religious Affairs in partnership with other organisations.

Capacity-building and awareness-raising

In order to put greater emphasis on human development within academic curricula, a *Child and Family Institute* should be created. This Institute would stimulate the development of research, scholarship, policy analyses, curriculum and training and would comprise specialists in social work, medicine, law, education, psychology, human development and theology.

Finally, thought should be given to developing a national campaign to communicate that the best place for a child to grow up is in his or her family, with a view to promote de-institutionalisation. Such information could also be disseminated at community level.

For further information, the ISS Report is available at www.iss-

HAITI: Evaluation of intercountry adoption

UNICEF and Terre des Hommes have undertaken an analysis of the current state of intercountry adoption in Haiti and have issued a series of recommendations for the improvement of the situation.

The number of intercountry adoptions in Haiti has increased by more than 80% since the beginning of the 1990s, overtaking domestic adoptions by far and involving mainly the United States, Canada, France, Belgium and the Netherlands. Relative intercountry adoptions and the feeling of « saving » a child from a particularly difficult environment seem to be the most frequently given reasons for this sharp increase.

Nevertheless, the adoption procedures, as well as the roles of the protagonists, remain inadequate. The evaluation sheds light on the fact that the current procedure only serves to confirm administratively the abandonment of the child, without any enquiry, without checking and without questioning. Thus, parents' motivation for adoption, the possibilities of keeping the child and the opportunities for a domestic solution are not considered neither by the law nor by practice.

The successive progress through crèches, justices of the peace, lawyers, the Institute for Social Welfare and Research (*Institut du Bien-Être Social et de Recherches, IBESR*), the court, the civil registry, and the embassies raises worrying ethical questions about the lack of efforts to check the identity of a person giving his or her child up for adoption and his or her informed consent, as well as about the

inadequate examination of the family situation and of the need to give the child up for adoption. Furthermore, conclusions, fears and criticisms have also been expressed in relation to the lack of alternatives to intercountry adoption, about the trading nature of adoption in Haiti, and with regards to the very limited knowledge about the background of the children and their future.

As a result, UNICEF and Terre des Hommes recommend :

- a compulsory follow-up report of the child, submitted by the crèches to the IBESR;
- the obligation to go through an accredited adoption body ;
- more effective accreditation and supervision of the crèches ;
- the introduction of a time frame for the parents' consent ;
- a review of the legislation in force ;
- the ratification of the 1993 Hague Convention on Intercountry adoption; and
- awareness-raising of the mechanisms and the realities of intercountry adoption in Haiti.

Source : Fondation Terre des Hommes, En Budron C8, 1052 Le Mont-sur-Lausanne, Switzerland; tel: + 41 21 654 66 66; fax: + 41 21 654 66 77; e-mail: info@tdh.ch.

INTERDISCIPLINARY APPROACH

Lessons learned from fifteen projects launched to enhance post adoption services for children with special needs and their families

The projects lasted three years each and were financed by the Children's Bureau of the U.S Department of Health and Human Services. Notably, the findings concluded that families can deal better with challenges when adoption trainings have alerted them to the likelihood of difficulties.

While the vast majority of adoptions of children with special needs succeed, research shows that on average three to six percent dissolve after the adoption has been finalised and about

10 to 20 percent are interrupted before their finalisation¹. These children, who are mostly older, siblings, seriously ill, or physically or mentally disabled, usually re-enter the foster care system. To avoid these failures, many

families need access to adoption-competent services, supports and resources designed to promote the family's well-being.

In order to increase permanency and well-being for children with special needs and to expand and enhance post adoption services for them and their family, the Children's Bureau of the U.S. Department of Health and Human Services financed 15 three-year projects of which final reports have been synthesised in a paper published recently². Most of these projects involved the public child welfare agency at the State or local level, foster and adoptive parent support groups, private adoption departments of family service agencies and the local mental health system.

Groups for adopted children and parents

Ten projects provided support and educational groups for the adopted children. This gave them an opportunity to meet and interact with other children who were adopted and helped them consider and cope with the losses in their lives. All fifteen projects provided or assisted families in developing support or educational groups for adoptive parents. Participating families reported, notably, feeling less isolated, more knowledgeable about adoption-related issues and more confident in their ability to parent their children successfully.

All projects provided also information and referral services, either directly (through case manager or hot lines) or through resource directories, lending libraries, websites and newsletters. Additionally, ten projects provided adoption competency training for practitioners within the professional community (including the health, education and justice systems) who gained an understanding of adoption issues and reported greater confidence in working with adoptive families of children with special needs. Some of the projects also provided other services such as recreational and social activities, crisis intervention or advocacy.

Parenting skills and child functioning improved

The concrete outcomes of the projects are difficult to identify for a number of reasons. Notably, their efficiency in preventing adoption disruption is delicate to assess because different families received different sets of services, there were no control groups, grantees offered limited

information about sample sizes and the projects varied so that comparison of populations across projects was not possible.

Despite these considerations, the projects seem to have improved parenting skills of participating families and child functioning. Families can better deal with challenges when pre- and post-adoption training have alerted them to the likelihood of difficulties. Unfortunately, they tend not to participate regularly in support groups and activities, but rather move in and out as their needs change. They are more likely to make contact once they are in a state of crisis and seem to believe that seeking help before that point would be a sign of failure. Establishing a relationship between them and a post-adoption services provider early in the life of the adoption may help families know where and how to seek help when it is needed.

Flexibility and collaboration are important

In order to organise efficient services, it is also important to identify what families really need and potential existing gaps of the post-adoption services in the community. It is also important that the service is flexible enough to adjust its methods if it doesn't meet the needs of the target population. Moreover, collaboration among the different services for adoptive families of children with special needs should be organised in order to build a solid network of supports and referrals.

Another claim for more support

As the proportion of adoption of special needs children may increase in the future, this study underlines the necessity for greater support for the parents ready to engage in such a type of adoption. This also recalls that adoption has to be considered as a long term process, needing pre-adoptive but also post-adoptive counselling, what should be kept in mind by all actors involved.

¹ FREUNDLICH M.; WRIGHT L., *Post-permanency Services*, Seattle, Casey Family Programs, 2003.

² U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *Post-Legal Adoption Services for Children with Special Needs and Their Families: Challenges and Lessons Learned*, Washington, DC, National Clearinghouse on Child Abuse and Neglect Information, 2005. Available online at http://naic.acf.hhs.gov/pubs/h_postlegal/index.cfm

FORTHCOMING CONFERENCES, SEMINARS, COLLOQUIA AND COURSES

- **Belgium:** *International Interdisciplinary Conference on Children's Rights. An appraisal of the Children's Rights Convention – Theory meets practice*, Belgian IAP interdisciplinary research network, Ghent, 18 - 19 May 2006. Objectives: to assess the application of the Convention on the Rights of the Child, particularly through workshops, encounters and exchanges between university staff and professionals. Contact: Marie Delplace, Human Rights Centre, University of Ghent, Universiteitstraat 4, 9000 Ghent, Belgium ; tel: +32 9 264 69 56; fax: +32 9 264 69 95; Marie.Delplace@UGent.be; http://www.law.ugent.be/pub/iuap/c_welcome.html. Or see Review 10/2005.
- **Brazil:** *11th National Congress of Associations and Groups of adoption monitoring*, 17 - 20 May 2006, Rio de Janeiro. Organised by the Associação Civil Quintal da Casa de Ana. Contact : quintaldeana@terra.com.br; www.quintaldeana.org.br.
- **Bosnia-Herzegovina:** International Federation of Educative Communities (FICE) *Congress 2006: Building a positive future despite a childhood of hardships!*, 6 – 8 September 2006, University of Sarajevo, Bosnia-Herzegovina. The event's focal point will be the life-history and the needs of children who must grow up without or outside their biological families, due to external or family-related circumstances. What form should the out-of-family educational/therapeutic support take, to provide for the teenagers' basic needs and to strengthen their potential? What could we learn from pioneering projects or help programmes in different countries? What strategies and principles for educational/therapeutic action could we draw from scientific research and long-term accompaniments, and use for practical purposes? Contact: Congress Office, Adela Hadziomerovic, Otmar Svetlin Dzaferagic, info@fice-congress2006.org; www.fice-congress2006.org.
- **France - COPES:**
 - a) *Adoption d'enfants venant de l'étranger (Adoption of children from abroad)*, 29 May - 2 June 2006 (in French).
 - b) *Les échecs dans la situation adoptive : Reconnaissance, soin et prévention. Fatalité ou singularité? (Adoption failures: Recognition, care and prevention. Fatality or a One-off ?)* 22 - 24 May, 22 -23 June (5 days in 2 modules) (in French).
- Contact: COPES, Centre de Formation Continue d'Enseignement et de Recherche, 20 rue de Dantzig, 75015 Paris, France; tel: +33 (0)1 53 68 93 40; fax: +33 (0)1 53 68 93 45; e-mail: copes-formation@wanadoo.fr; www.lecopes.com.
- **Slovak Republic:** *Developing Foster Care in CEE/CIS/Baltics - Learning Together*, 4 – 7 June 2006, Bratislava. Organised by the International Foster Care Organisation. The IFCO Seminar will bring together people from across the region and beyond to share and learn together in a busy programme of plenary and workshop sessions. All those interested in the development of foster care in Eastern Europe are welcome to attend but places are limited. Full details and a booking form will be available on the IFCO web site www.ifco.info from 1 March. They are also available by email from the Bratislava-based IFCO East-East Network Coordinator, Lubka Semrincova, at east-east@ifco.info. Those who wish to submit a proposal for a plenary or workshop session should refer to the IFCO web site after 1 March or send an email to Stela Grigoras at sgrigoras@everychild.md. Closing date for paper submission is 14 April. If you wish to join the e-mail network and receive regular news and information please send your e-mail address to Lubka Semrincova at east-east@ifco.info.

As a reminder, this Monthly Review is distributed to a selected network of Authorities and professionals. It is not aimed at being posted on an internet website without the authorisation of ISS/IRC.

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www.iss-ssi.org/Resource_Centre/Resource_Center_EN/About_ISS-IRC/about_iss-irc.html. See publications.

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