



## Fact Sheet N° 45

### Intercountry Adoption

#### THE PREPARATION OF PROSPECTIVE ADOPTIVE PARENTS, THE ASSISTANCE IN THE COUNTRY OF ORIGIN AND THE ADOPTION ORDER

Similarly to other stages in the intercountry adoption procedure, the preparation of prospective adopters, the support provided to them as well as the final adoption decision follow specific principles, in addition to those general principles applicable to all types of adoption (see Fact Sheets N° 28 and 29).

##### **The preparation of prospective adopters**

When applicants turn themselves to intercountry adoption, it is essential that part of their preparation focuses on the specific characteristics of the country of origin of their prospective child. A child adopted in Russia or Ukraine will undoubtedly not have experienced the same events as a child adopted in Ethiopia, and the child will have experienced an even different reality if he is from Colombia. These factors may appear trivial and obvious, but should nonetheless be reminded to the prospective adopters as they will play an important role in their future adoptive family life. A child does not suffer from a loss of memory when he/she is adopted. He/she arrives in the family with a past, which will inevitably influence his/her behaviour. It is therefore important for the prospective adopters to know about the culture of the country of their prospective child, and to understand how abandonment may be perceived there.

The conditions of care in the institutions of the country of origin also play a central role in the mental and physical state of health of the child when he/she arrives in the receiving country. A baby well taken care of will develop normally physically, in cognitive aspects and emotionally, whereas a child who has spent lengthy periods of time in his/her bed may suffer from developmental

problems. In some countries, children are reasonably well stimulated through a variety of games and activities or by being actively involved in the life of the institution. They are provided with a nanny or a person of reference with whom they may bond. In other countries, institutionalised children are so numerous that three or four children may be sleeping in one bed, there is not enough staff, the basic equipment is insufficient... It is therefore important for the prospective adopters to be aware of these elements when they welcome the child, in order to better understand his/her behaviour and to provide him/her with the appropriate support.

It is also useful for the prospective adopters to understand the more specific risks of the country from which they wish to adopt (foetal alcoholism, malnutrition...) in order for them to pay particular attention to these, as some illnesses or problems may not be detected initially. It is therefore important that adoption bodies are informed of the characteristics of the country of origin in which they are present, that they draw the attention of the prospective adopters to these problems, and that they encourage them to consult specialists once the child has arrived.

##### **Assistance to the prospective adoptive parents in the country of origin**

Despite this preparation, the adopters are often not very familiar with the environment, language, culture, habits, food, etc. of the country of origin when they arrive there to meet the child. This brings on anxieties and stress, which are added to the emotional burden of meeting the child for the first time. The assistance on the part of the representative of the foreign accredited body with whom they have built up a relationship of confidence, or on the part of a specialist professional from the competent authority of the State of origin, is a very favourable element in helping them reduce the pressure and tackle the first moments of their life together with the child in a positive way. It requires important psychosocial skills on the part of this representative/professional.

### **The adoption order**

As we saw it in Fact Sheet 44, the length of the stay of the prospective adoptive parents in the country of origin varies from one country to another. Usually, it covers the period of time necessary for the competent authority to issue the adoption order after it has received the final agreement of the family and, if needed, the child. In many countries, *judicial authorities* are competent for issuing the final decision for an intercountry adoption. In various countries, a single Court, generally located in the capital city, is competent in

matters of intercountry adoption. Yet in some States, it is *an administrative authority*, which is in charge of formalizing the adoption (for example the Central Authority).

When the intercountry adoption order becomes legal, in a certain number of countries *the submission of the file to the court* is done through a private solicitor, the representative of the foreign accredited body or, in very rare cases, through a national accredited body. The major problem resulting from the involvement of private solicitors and, sometimes, of national accredited bodies or the solicitors representing the foreign accredited bodies, is the high cost of their services, similar to that of a business transaction rather than to a child protection measure. Thus, some States of origin have opted for empowering the Central Authority (or the authority responsible for the matching) to submit the file directly to the court, without the involvement of a solicitor or an external body.

*A certificate of conformity of the adoption decision* with the Hague Convention should be issued as a duty by the competent authority of the State of origin. This certificate allows the adoption to be automatically recognized in all contracting States to the Convention.

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### **For more information:**

FURSLAND Eileen, *Preparing to Adopt: A training pack for preparation groups*, London, British Agencies for Adoption and Fostering, 2002

*Adopter Preparation and Assessment and the Operation of Adoption Panels: A Fundamental Review*, UK Department of Health, October, 2002, 71 pp.

*Adoptive Applicants Education and Preparation*, Adoption Information and Service Unit (AISU), Wellington, New Zealand, 1998, 13 pp.

**We are interested in your opinion!** To tell us your experiences, ask us your questions about the themes addressed in this file, or to send us your suggestions for changes, don't hesitate to write to us at [irc-cir@iss-ssi.org](mailto:irc-cir@iss-ssi.org). We also invite you to share this file with other interested persons in your country. Thanks in advance!

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