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SPECIAL EDITION ON INTERCOUNTRY ADOPTIONS AND EMERGENCY SITUATIONS

EDITORIAL

Emergency situations and adoption: when will things get back to normal?

At the moment of publishing their study on adoptions in the aftermath of the earthquake in Haiti, the ISS/IRC devotes this special edition to the question of adoption in the context of crises.

Once again, the media have rushed in and dreadful pictures have filled television screens. Once again promises of donations and humanitarian aid have flooded in from all over the place. Once again we needed to save a country, a people and its children.

Seven months after the earthquake that severely hit Haiti, but which today already seems so distant, the ISS/IRC counts the costs; but not huge sums have been spent (hardly 10% according to Jean-Max Bellerive and of Bill Clinton on 9 July (1)) but a number of intercountry adoptions.

If the tsunami of 2004 seemed to have marked a turning point concerning the banning of intercountry adoption after a natural disaster (see Review 5/2005), the case of Haiti has reopened Pandora's box leaving the field wide open for pro-adoption lobbies and for exceptional measures imposed by political powers, who are themselves submitted to the dictatorship of the media. As we write these lines, it is striking to note that the catastrophe that is ravaging Pakistan at the moment has not aroused the same reactions, even though we

speak of millions of children in distress. The crises are obviously not equal to each other.

As for adoption, the particular Haitian context had hundreds of pipeline cases and it was urgent to deal with them. The ISS/IRC report compiles and analyses these responses as presented on page 6. From this report, we see a very chaotic vision of operations carried out shortly after the catastrophe and a long list of violations of legal dispositions for the protection of children, despite the warnings issued by the international organisations (UNICEF and the Hague Conference) and NGOs (Terre des Hommes, Save the Children, ISS etc).

Which parents for which children?

Beyond the questions linked to respecting international norms in matters of adoption, the evacuation of children during a crisis context also gives rise to the question of traumatisms that the child has undergone, and of the capability of the adoptive families to deal with them.

As the article of Dr Cohen Herlem on page 5 stresses, the emotional impact suffered by a child leaves traces that will have to be overcome. Welcoming a traumatised child is not the same task as adopting in a normal

context: the preparation of the child and the adoptive parents is crucial in order to overcome the trauma. Equally professional and personalised follow up is essential, particularly in the initial stages of their life together. Unfortunately, it has to be admitted that these questions are too often ignored at the moment when mass evacuations are taking place (more than 2000 Haitian children left the island in such circumstances).

Competition or cooperation?

The total absence of acting together between receiving States is undoubtedly one of the main causes of abuse that can occur when adoption, despite it all, is authorised in an emergency situation. This competition between States is the more harmful when it takes place in countries of origin that are still unable to set up reliable and effective protection systems for children. In this area, cooperation as central pillar of THC-93, remains largely ignored. It is furthermore still impossible today to come to an international consensus concerning the restart or not of intercountry adoption in Haiti. The initiatives towards a consensus during the last Special Commission in The Hague have, regrettably, not found sufficient support. The intervention of the French Central Authority of Belgium reproduced on page 7 has clearly reminded

the concerned States of their obligations in the matter.

Finally, it is important to stress that the Haitian authorities themselves were disappointed that intercountry adoption was the main concern of the receiving countries, who were only slightly interested in other measures of child protection that could have been setup.

A lesson to learn

The fact that intercountry adoption is not an appropriate response in the context of a crisis is widely recognised both by the international texts and by the specialists of child protection (see UNICEF position on intercountry adoption on page 3). But if one wants the principle to be applied it is essential to explain to the public, the foundations for such reasoning, in other words everything must be done for a child and his/her biological parents so that they can live together and not be separated. Natural disasters and conflicts are only atrocities and suffering. To add to the suffering by action or by omission, is no longer acceptable today for even one sole family.

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(1) http://www.nytimes.com/2010/07/12/opinion/12clinton-1.html?_r=1&ref=haiti