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EDITORIAL

Accredited adoption bodies and current challenges: Two-way ethics?

The 2015 Special Commission on the operation of the HC-1993 confirmed it: given the changing landscape of intercountry adoption (ICA), accredited adoption bodies (AABs) face important difficulties in many Contracting States, often linked to their funding sources, and which jeopardise their survival and their activities in accordance with international standards.

In those Contracting States that have chosen a system of AABs, which are being delegated several tasks of the Central Authority in accordance with Arts. 9 and 22 of the HC-1993, some of these bodies have developed, over time, stronger expertise, in particular in terms of preparation and support of prospective adoptive parents as well as of the child during the pre- (see p. 12) and post-adoption (see p. 10) stages. At a time when ICA is increasingly complex, this know-how is, now more than ever, called upon for its quality and offer of specialised services, whilst the financial viability of AABs is at risk. This paradoxical situation jeopardises not only the ethics of AABs, but also the protection of the children and families involved.

From the ethics of AABs...

The willingness to fight against child trafficking, in particular thanks to transparency in the costs of ICA, has been one of the fundamental pillars of the HC-1993. This is why ICA intermediaries – which have sometimes been involved in fraudulent practices – have been the object of strict regulations with regards to their operational methods. Thus, in many countries, an ethical framework for the activities of AABs has developed in practice, often strongly influenced by civil society, and has, amongst others, resulted in the drafting of legal provisions and sometimes even deontological or ethical codes (see p. 9).

These ICA experiences may also act as examples for more recent developments, such as the resort to surrogate mothers at international level, which has led to the birth of a profitable business, particularly due to the lack of regulations of these practices, which has often been to the detriment of the rights of children – a concern, which has resulted in the ISS/IRC's commitment in this new field (see p. 4). Whilst ethics have developed at domestic and international level in relation to AABs, what about the support offered to the latter in the current context of ICA?

...to an ethical approach towards AABs

Nowadays, the survival of many AABs benefitting from limited public funding strongly depends on the number of adoptions undertaken. The latter having decreased considerably, this situation may have a strong impact on the quality and the ethics of the services provided.

Moreover, in practice, we often witness a lack of concrete cooperation – or even a certain degree of disconnection – between Central Authorities and AABs. Thus, would it not be incumbent upon each Central Authority, which resorts to AABs, to assume its responsibility and to establish clear criteria, not only for the allocation of sufficient public funds, but also through means of close collaboration? In order

for this cooperation to be efficient, a dialogue must exist or resume amongst these actors.

What future is possible for AABs?

For the ISS/IRC, a fair balance between establishing an ethical framework for AABs and providing the public support they require must be sought. Furthermore, on the one hand, this should lead certain countries to readjust the number of AABs and other intermediaries to the average number of ICAs undertaken over the last few years; on the other hand, is the expertise of several AABs, gained thanks to their important closeness to adoptable children and prospective adoptive parents in specific fields – such as

health, the children's older age, etc – not too valuable to be given in to at these complex times?

Before these challenges, the ISS/IRC suggests that all ICA actors should reflect on concrete solutions in order to ensure that professional AABs continue to offer quality services to adoptive families. In this regard, the ISS/IRC shares several lines of reflection on the solutions already explored or to be explored in this field.

The ISS/IRC team
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