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EDITORIAL

Receiving countries: A new look at priorities regarding child protection and adoption?

It has become a recurrent scenario over recent years for receiving countries to see a drastic decline in intercountry adoptions, all too often this is perceived as inevitable but could it perhaps be seen as an opportunity for these countries to review their priorities?

Let us close our eyes back to more than twenty years ago: the preparatory work of THC 1993 was well underway and the expectations of countries of origin were high, some of which however did not have any national adoption system, a prerequisite (condition sine qua non) for the correct application of the principle of subsidiarity. Now open your eyes and look at the progress made by countries such as Brazil who have developed a true culture of national adoption which did not exist previously or Chile (see page 7), India or South Korea where national adoptions have multiplied leaving an increasingly marginal place for intercountry adoptions. Even though the challenges of countries of origin are still numerous, in matters of intercountry adoption their priority turns increasingly towards children with special needs. These children who have for example, physical or mental health problems, disability or are older, have longer waiting periods for a family project. Now turn to the receiving countries, have they fulfilled their part of the contract, for example in the preparation and post adoption monitoring or even the prevention of abuse linked to the financial aspects of adoption? Intercountry adoption continues to raise new practical and legal questions (see page 3) and in its current form seems to provide an ideal opportunity to not only think but also work towards a redefinition of the

priorities of receiving countries regarding adoption and more broadly child protection (see page 8). Proof of this necessity is the fact that some receiving countries have become countries of origin in relation, for example, to certain profiles of children specifically from minorities for whom they were unable to find a domestic permanent family solution.

The principal of subsidiarity from the perspective of prospective adoptive parents

Let us look at a classic situation today is that a prospective adoptive parent (PAP), meeting the criteria fixed by the law and the policies of a given receiving country, who approaches the competent authority in order to submit his/her application. The PAP sometimes applies stating a preference for national adoption of a child deprived of his/her family, an approach that the authority should logically encourage and support. Is there not, in this procedure, a coherent application of the principle of subsidiarity on the part of the PAP (see the Special Monthly Review, March/April 2009, on the principle of subsidiarity)? The response seems obvious and yet how many children, deprived of their family, are in institutions or with foster families for interminable years in various receiving countries without a permanent family solution such as adoption being proposed? It should also be noted

that a number of these children in alternative care come from countries which are among the most popular countries of origin. At the same time how many PAPs are waiting for an intercountry adoption that will never happen? The following choice is therefore available to receiving countries provided that political willingness follows:

Persist with increasing intercountry adoptions or lift the obstacles to national adoption?

ISS/IRC commends those receiving countries who have begun to respond to this question by operating genuine reviews of both their intercountry adoption system and child protection. Thus Sweden, Denmark and Norway in particular have carried out an in-depth analysis of their intercountry adoption system in order to adapt the numbers of cooperation with countries of origin to the needs of these countries, and have proceeded with decisions such as the adjustment of the number of AAB's (See Monthly Review n°199, February 2016) the development of post adoption support services (see Monthly Review 188, January 2015) and also the adaptation of the preparation of prospective adoptive parents to the profiles of children (see Monthly Review 191, May 2015). Other countries like Spain (see Monthly Review 194, September 2015) or New South Wales, Australia (see page 9) have launched major reforms of their child protection system so that the principle of subsidiarity will be effective for PAPs and they can thus offer many children in alternative care in their own country the opportunity to grow up and thrive within a family. In these two countries, and in many others, promoting national adoption

must be a key priority together with the development of temporary family solutions such as foster families, which are currently too few to meet the needs of children. These major challenges highlight a fundamental question:

Should prevention measures and child protection in receiving countries continue to take second place?

What if the energy and the funds of receiving countries, which are focussed on preparing, recruiting and supporting PAPs in the intercountry adoption of children with special needs, changes perspective in order to turn primarily to the special needs of children present within their own territory. Without such engagement receiving countries risk being confronted with, if it is not already the case, the situation some countries of origin are facing today: that is having an intercountry adoption system which is better developed than their national adoption system. It would seem there are some readjustments to make?

Conscious of the major difficulties of such an exercise, ISS/IRC continues their unabated efforts towards giving priority to the interest of the child above all other interests. Receiving countries and countries of origin striving to offer children deprived of their family within their territory a permanent family solution is an essential investment for the future of our societies and the world.

The ISS/IRC team
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irc-cir@iss-ssi.org
www.iss-ssi.org

ISS
32 Quai du Seujet
1201 Geneva / Switzerland