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***We wish you all very Happy Holidays
and hope that 2008 will enable us to further contribute
to the promotion and protection of the rights of the child deprived of a family!***

EDITORIAL

Humanitarian action and intercountry adoption:

A sulfurous mixture of kinds 

Recent events between France and Chad have highlighted the risks that a blind desire 'to save children' may lead to. They also question the image, which the West may have of countries in the South. In addition, they illustrate a worrying confusion between humanitarian action and intercountry adoption.

On a daily basis, the news reflects on our screens its share of misery, violence and dramatic situations, illustrated, if possible, by pictures of children in order to add a touch of pathos. Depending on the degree of media coverage of one situation or another, there is no doubt that all kinds of initiatives designed to assist the affected populations will subsequently arise, and insist once again on the situation of children: the Romanian orphanages in 1990, the tsunami in 2004, or more recently, Darfur. Each time, there are well-intentioned people ready to launch a humanitarian action in order to 'save children', with the implications we are all aware of.

A matter of image

Clichés are having a hard time, and everyone may easily experience this. What images do we associate with Ethiopian children? Famine. With Indian children? Slums. Thailand? Guess... It also appears that all Swiss are rich, that Spaniards love bullfights, and that the French wear berets. However, these preconceptions – as crazy as they might be – are finally not that far away from those, which induce to taking any child on the

Darfur border or an institution in Malawi, given that the context is sufficient to convince us that he is certainly orphaned, or at the very least, that he will be better somewhere in Europe.

From a more serious perspective, it is clear that intercountry adoption also suffers from these prejudices, which still consider countries in the South as inexhaustible sources of adoptable children. Too many applicants still live with the illusion that, given the state of the world, adoption could only be simple and fast. When will we admit that it is by helping the families of these children – which are the victims of poverty – rather than by taking these away from them, that we will best respond to their needs?

What humanitarian assistance?

Beyond individual feelings, one notices that, for some time, there has been a progressive bridging between intercountry adoption and humanitarian (or development) programmes, which raises a number of questions. There is no doubt that the development of projects in one country of origin by a receiving country cannot be directly linked to the number of children adopted by nationals of the latter.

The development of projects aimed at the implementation of structures designed to help single mothers may be a good thing, but the final aim must certainly be the protection of vulnerable families, rather than an easy access to adoptable children. In order to do so, close cooperation with national actors in the countries of origin is indispensable. The time factor is equally decisive: several years are often necessary before a programme may be effectively implemented, which is not necessarily compatible with the impatience of adoption applicants.

The 1993 Hague Convention's reply

The Report of the Hague Special Commission offers an initial framework of reflection: 'Receiving countries are encouraged to support efforts in countries of origin to improve national child protection services, including programmes for the prevention of abandonment. However, this support should not be offered or sought in a manner which compromises the integrity of the intercountry adoption process, or creates a dependency on income deriving from intercountry adoption. In addition, decisions concerning the placement of children for intercountry adoption should not be influenced by levels of payment or contribution. These should have no bearing on the possibility of a child being made available, nor on the age, health or any characteristic of the child to be adopted'¹.

Where should the line be drawn?

In an ever tenuous context, in which all receiving States face a growing number of adoption applicants, whilst the opportunities for adoption worldwide tend towards a decrease, do the support to institutions or the implementation of development projects already constitute a means of attracting the good deeds of the country of origin? On the other hand, does this type of initiative not enable to remedy the shortcomings of the social systems in some countries, which are insufficiently endowed with the resources and qualified staff to ensure the reliability of the procedures? In addition, what can be said about the accredited bodies, which financially support the institution, from which their members have adopted: is it a matter of maintaining a link with the child's country of origin and of trying to help those who have not been adopted, or rather, does this step already constitute an interference with the

local adoption system? In all these cases, however, there is no doubt as to the necessity to establish and implement strict criteria and a mechanism of control of the use of donations and other payments by, and via, accredited bodies. Furthermore, it would also be important to prohibit all donations, or promises to donate, to an institution before the adoption has been completed.

A matter for professionals

Similarly for both, humanitarian action and intercountry adoption, it is important that the steps taken are carried out with the support of professionals and within the necessary legislative framework. Whether for the one or the other, the good will of amateurs has often done more harm than good. It is not a matter here of criticising the praiseworthy efforts of committed individuals, but rather of underlining the fact that it is illusory to want to improve the fate of a population without knowing its structure, its history, its values, and its customs. Let us also recall that intercountry adoption is prohibited in situations of emergency, whether due to natural disasters or to conflicts.

Courage

One's commitment to defending the weak is an act of courage and empowerment, but actions to fight against preconceptions and ill-oriented good will requires just as much. At the end of a year favourable to dreams of a better world, we would hope that good faith will guide the actions of the various actors involved in the adoption process a little more. Let us also admit that changes in the mentalities, and therefore also in the practices, are necessary and urgent if we do not wish to see unfortunate initiatives repeat themselves. Even though we may be considered sweet dreamers, we will conclude with a well-known French slogan: let us be realistic, let us demand the impossible!

Happy Holidays to all !

The ISS/IRC team

¹ Report and Conclusions of the Special Commission on the Practical Operation of the 1993 Hague Convention on Intercountry Adoption, 28 November – 1 December 2000, Recommendation 10 (<http://hcch.e-vision.nl/upload/scrpt33e2000.pdf>).