



## Accreditation and authorisation of adoption bodies: a necessary inter-country cooperation focused on the needs of children

*ISS Statement for the Day on Accreditation, 17 September 2005, during the Special Commission on the practical Operation of The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of inter-country Adoption*

The situation and trends of inter-country adoption have evolved dramatically during the last few years.

Indeed, according to UNICEF<sup>1</sup>, worldwide « ...the adoption applications seem to exceed the number of adoptable children as far as young healthy children are concerned. The opposite seems, nonetheless, the case for children considered hard to place (children with special needs: aged, ill or handicapped, sibling groups), for whom there is a serious lack of prospective adoptive parents ».

In such a context, pressure from some foreign prospective adoptive parents and from some adoption accredited bodies in favour of the adoption of young children without serious health problems runs the risk of encouraging abuse of inter-country adoption and thus disregarding the best interest of the children.

In the meantime, adoptable children with special needs are waiting for a family but the authorities of countries of origin do not find, among all the files of prospective adoptive parents which sometimes flood them, enough prospective parents open to such children.

*A first question that could be usefully debated by this Special Commission is thus: “To what extent do your States experiment this situation?”*

*Secondly, this item presents important consequences for every aspect of the adoption process, and especially for the work of the Central Authorities, whether an adoption body is involved or not. ISS thus strongly believes that this concern has to be, as from today, repeatedly brought back to mind by the Special Commission and in every reflection concerning inter-country adoption: I refer notably here to the ISS answer to the Permanent Bureau Questionnaire for this Special Commission, which is available on the site of The Hague Conference and with the ISS delegation. In line with the debate of today, we could notably detail the impact of the intervention of the adoption accredited bodies in this unbalanced ratio between the needs of the inter-country adoptable children, on one hand, and the requests of the prospective adoptive parents, on the other hand.*

*Logically, the third crucial question for authorities to ask themselves has to be: “How to make the adoption procedures, more in line with the needs of the concrete inter-country adoptable children?”*

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<sup>1</sup> N. CANTWELL, « Intercountry Adoption – A Comment on the Number of ‘adoptable’ Children and the Number of Persons seeking to adopt internationally », *International Child Protection. The Judges’ Newsletter*, published by The Hague Conference, t. V, Spring 2003, pp. 69-73, [http://hcch.e-vision.nl/index\\_en.php?act=publications.details&pid=2799](http://hcch.e-vision.nl/index_en.php?act=publications.details&pid=2799) and [www.iss-ssi.org/Resource\\_Centre/Tronc\\_DI/Cantwell\\_Intercountry\\_Adoption\\_English.pdf](http://www.iss-ssi.org/Resource_Centre/Tronc_DI/Cantwell_Intercountry_Adoption_English.pdf).

In this respect, the International Social Service would like to stress the current existence of good practices of cooperation between States of origin and receiving States, and between Central Authorities and adoption accredited bodies. Based on these good practices, ISS would suggest that the following brief recommendations be discussed and potentially widespread:

1. *Countries of origin should assess the number and profile of the inter-country adoptable children* after all the suitable domestic alternative solutions are carefully examined; they should then share the results of this assessment with the receiving countries; and consequently, determine the numbers and profiles of foreign prospective adoptive parents and of adoption accredited bodies needed in order to present requests of prospective adoptive parents fitting the needs of the children – and not the contrary.
2. *This adequacy with the real needs of the inter-country adoptable children should be made a requirement for accreditation of the adoption bodies by receiving countries and for their authorization by countries of origin* (example: in relation with a country of origin having mostly older or handicapped inter-country adoptable children, receiving States should accredit, and States of origin authorize only adoption bodies who have the professional skills and experience to recruit, select and accompany prospective adoptive parents open to such children).
3. *If necessary, States of origin should limit the number of receiving countries and of foreign adoption accredited bodies with whom they cooperate*, in order to adjust (possibly by way of requirements additional to the Convention) and specialize their cooperation in line with the needs of their adoptable children.
4. A practical measure, in order to adjust to the needs of adoptable children, is the “reversing of the flow of the files”: *the despatch of the files of children in need of inter-country adoption by the States of origin to the potential receiving States and adoption accredited bodies*, and not the despatch by the receiving countries to the countries of origin of a great number of files of prospective adopters requesting children with profiles who do not necessarily need a foreign family. ISS is actually aware of such experiences of reversing the flow of files in 4 States of origin, 3 relating to the files of adoptable children with special needs and 1 to the files of every adoptable child.

All these measures stress *the joint responsibility of the Central Authorities of both countries of origin and receiving countries and of the adoption accredited bodies, and thus, their necessary strong cooperation*, in order to address, by priority, the needs of the children.