

ADOPTION

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**QUESTIONNAIRE ON THE PRACTICAL OPERATION
OF THE 1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION**

drawn up by the Permanent Bureau

*Preliminary Document No 2 of October 2014 for the attention of the
Special Commission of June 2015 on the practical operation of the
Hague Convention of 29 May 1993 on Protection of Children and
Co-operation in Respect of Intercountry Adoption*

*Document préliminaire No 2 de octobre 2014 à l'intention de la
Commission spéciale de juin 2015 sur le fonctionnement pratique de la
Convention de La Haye du 29 mai 1993 sur la protection des enfants et
la coopération en matière d'adoption internationale*

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INTRODUCTION

This Questionnaire is the second and last to be prepared for the purposes of the upcoming meeting of the Special Commission on the practical operation of the 1993 Hague Convention.¹ The first Questionnaire (Prel. Doc. No 1 of July 2014) requested information from Contracting States concerning the impact which implementation of the 1993 Convention has had on laws and practices relating to intercountry adoption and child protection systems more generally over the past 20 years. That information was sought in order to inform the first day of the Special Commission meeting which will be dedicated to "20 years of the 1993 Convention". This second Questionnaire is the more usual questionnaire on the practical operation of the 1993 Convention. It seeks to elicit information from States concerning their current practices and any problems and / or challenges they may have faced in relation to the implementation and operation of the Convention.

This Questionnaire is addressed to Contracting States to the 1993 Convention. As a result, non-Contracting States (whether Members of the Hague Conference on Private International Law or not) should not feel bound to respond but may provide a response or any comment should they so wish. In addition, please note that questions are addressed to both States of origin and receiving States, save where a heading expressly provides otherwise.

Please send your response to this Questionnaire to secretariat@hcch.net, for the attention of Laura Martínez-Mora (Principal Legal Officer) and Hannah Baker (Senior Legal Officer) **by no later than 22 December 2014**. The Permanent Bureau will place all replies to this Questionnaire on the Hague Conference website < www.hcch.net > unless expressly asked not to do so.

Please note: if information provided by your State in response to the first Questionnaire (Prel. Doc. No 1) or your State's Country Profile for the 1993 Hague Convention assists with your answer to any question herein, please cross-refer to these other responses. There is no need to repeat information.

Thank you for your kind co-operation as the Permanent Bureau prepares for the next Special Commission meeting in June 2015.

¹ This Fourth Meeting of the Special Commission will take place in June 2015. Full title: *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* (hereinafter, "1993 Hague Intercountry Adoption Convention", "1993 Hague Convention", "1993 Convention" or simply "the Convention").

Name of State:	Norway-
Date of entry into force of 1993 Hague Convention in your State:	1 January 1998
<u>Information for follow-up purposes</u>	
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I. ADOPTABLE CHILDREN, ADOPTees AND PROSPECTIVE ADOPTIVE PARENTS²

A. Adoptable children and adoptees

The profile of children in need of intercountry adoption

States of origin only

1. Please explain any *challenges* your State has encountered, and any *good practices*³ it has developed, in relation to the compilation and provision of information to receiving States regarding the:
 - (a) characteristics and needs of adoptable children in your State;⁴ and
 - (b) approximate number of children in need of intercountry adoption in your State.

- Please insert text here -

Receiving States only

2. Please explain any challenges your State has encountered in ensuring that:
 - (a) the *nature* and *number* of applications for intercountry adoption which your State sends to States of origin appropriately match the profile of children in need of intercountry adoption in those States;⁵ and

² Part I of this Questionnaire has been prepared in light of Conclusion and Recommendation No 10 from the 2010 Special Commission meeting which states: "The Special Commission recommended that the Permanent Bureau, in consultation with Contracting States and non-governmental organisations, collect information on the selection, counselling and preparation of prospective adoptive parents, with a view to the possible development of the Guide to Good Practice No 3. This may include a discussion on good practices in dealing with failed adoptions and the period of validity of the 'home study' report." Please note: hereinafter, Conclusions and Recommendations from past Special Commission meetings are referred to as "SC 20XX C&R No X". All Conclusions and Recommendations are available on the Hague Conference website < www.hcch.net > under "Intercountry Adoption Section" then "Special Commissions".

³ In this Questionnaire, "good practices" should be given a broad meaning and should be taken to include any legislative reform, procedures or practices which your State might have implemented regarding the particular topic.

⁴ See SC 2005 C&R No 12 which states: "[t]he Special Commission recognises the importance of States of origin sending information to receiving States on the needs of children to better identify prospective adoptive parents". Please note that the Country Profile for States of origin requests that States of origin provide information concerning the profile of adoptable children (at question 9) and thus it may be that your State has encountered challenges in responding to this question which you wish to describe here.

⁵ See para. 553 of *Guide to Good Practice No 2 "Accreditation and Adoption Accredited Bodies: General Principles and Guide to Good Practice"* ("GGP No 2") which states that receiving States should respect "the requirements of States of origin regarding the profile and number of adoptable children, as well as the desired profile of prospective adoptive parents".

- (b) the information provided by States of origin concerning the characteristics, needs and number of adoptable children is adequately taken into account in the counselling and preparation of prospective adoptive parents (“PAPs”).⁶ Please also share any good practices your State has developed in this regard.

Scarce information about the children is a problem in some countries we work with. The profile of adoptable children in these countries are often unknown and the problem is also that no more information is given upon request, e.g. because of difficulties to get in contact with the local institution/orphanage to which the application has been forwarded.

An example of good practice is in our opinion that we do not allow PAPs to present their application in more than one country at the time. The Norwegian accredited bodies (AB) give recommendation to the PAPs to which country the application should be sent, and sometimes advise against adoption from certain countries, e.g. because of long waiting time or other reasons. Sometimes the ABs decide themselves to stop sending files to a country even if they have an authorisation.

Adoptability

Both States of origin and receiving States

3. (a) Please briefly describe any difficulties your State has encountered in relation to the decision regarding a child’s adoptability, including the transparency of any such decision and the independence of the body taking this decision.⁷

In some states of origin there is a very long process to decide whether a child can be declared adoptable or not. The Article 35 is not respected.

- (b) Has your State encountered any particular difficulties with adoptability decisions in the context of *intra-family* intercountry adoptions? If so, please explain.

These adoptions are not handled by the ABs, but by the Eastern regional office (c.f. answer to question 5 in the Country Profile) as the first instance. The CA/Bufdir is appellate instance. We have experienced some difficulties in establishing a cooperation with states of origin in these cases and long procedures to decide if the child should be declared adoptable or not. Often very complex cases.

Reports on children

Both States of origin and receiving States

4. Please explain any challenges your State has encountered in preparing (States of origin) or obtaining (receiving States) full, accurate and up-to-date reports, including medical reports, on adoptable children in accordance with Article 16(1) a).⁸ Please specify any particular difficulties encountered in the case of children with “special needs”.⁹

There are some problems with the information on China's online system. The information can

⁶ See SC 2005 C&R No 13: “[t]he Special Commission recognises that as a matter of good practice, authorities in receiving States should co-operate with authorities in States of origin in order to better understand the needs of children in States of origin”, and SC 2010 C&R No 8: “States of origin may assist receiving States in establishing their criteria for the selection of prospective adoptive parents by providing information about the characteristics and needs of adoptable children. This information will also contribute to the development of preparation materials on intercountry adoption directed to prospective adoptive parents, and to the management of their expectations.”

⁷ See SC 2010 C&R No 1 b).

⁸ *E.g.*, concerning children’s physical and psychological health, identity or social situation.

⁹ You may wish to cross-refer to your State’s Country Profile at question 13 (States of origin) and question 11 (receiving States) concerning your State’s definition of children with “special needs”.

be incorrect, insufficient or out-dated. In some cases, the most recent information about the child is given 2 years ago. Updated information is not given when requested, or received very delayed. The ABs have in a few cases experienced that information about a child's diseases or serious health problems have not been disclosed.

In some countries, the ABs pay for additional costs when they ask for more medical information or testing.

Receiving States only

5. (a) If reports on children appear deficient or incomplete, what measures, if any, does your State take to remedy or ameliorate the situation?

The ABs ask for additional information and in some cases cover the costs for tests or extra health checks.

- (b) Please specify how, in your State's view, reports on children provided in accordance with Article 16(1) a) could be improved in general.

The reports should contain recent information. Encourage all states to use the recommended model forms on medical report on the child which are in the Guide to Good Practice no 1.

Matching

Both States of origin and receiving States

6. Has your State had any experience of cases in which PAPs are declared eligible and suited to adopt a particular profile of child(ren) but are subsequently matched with a child or children with different needs? (*E.g.*, PAPs are declared eligible and suited to adopt a child under the age of 5 but are subsequently matched with siblings aged 7 and 9.) If so, please explain, in your State's experience, the reasons for this and how your State has dealt with such cases.

Yes, the ABs have experienced this, but not often. One reason can be that there is information from the PAPs themselves in the social report that makes the state of origin assume that an older child can be proposed. Another reason can be that only one family is found suitable and eligible for this specific child.

In Norway, an advance approval can not be granted for adoption of a child older than 5 years. In files sent to e.g. Chile, the PAPs are recommended to indicate if they are willing to adopt a child older than 5. The matching must then be approved by our Professional Board for Adoption, see answer to question 14.1 c) in the Country Profile.

In some countries the PAP's documents have been sent to an institution or orphanage where there are no children available for adoption in the age frame recommended by Norwegian authorities.

Preparation and counselling of children

Both States of origin and receiving States

7. Please share (a) any *challenges* encountered in your State or in other Contracting States, and (b) any *good practices* implemented in your State or in other Contracting States, regarding the preparation of children for intercountry adoption, including counselling and informing children and ensuring that, having regard to their age and degree of maturity, their wishes and opinions have been adequately heard and taken into account.

The ABs impression is that the children are fairly well prepared for the adoption. In Chile, a children's psychologist explains the adoption for the child, and the PAPs skype with the child before they travel to meet him/her. In some countries where the children live in fosterhomes (for example

Hungary) there may be variations regarding how well the fosterparents prepare the children.

B. Prospective adoptive parents (“PAPs”)

Selection of PAPs: eligibility and suitability to adopt intercountry

Both States of origin and receiving States

8. Please explain any challenges your State has encountered, and any good practices it has developed, in relation to preparing (receiving States) or obtaining (States of origin) full, accurate and up-to-date reports on PAPs, as required by Article 15, including eligibility and suitability assessments of PAPs.

One challenge is the increasing demand from states of origin for extensive psychological testing of PAPs. In most cases, these tests are not designed to detect suitability and eligibility to adopt. Another challenge is additional requirements from e.g. a judge at a very late stage in the adoption process.

Examples of good practice are the adoption preparation courses arranged by the CA and courses by the AB in Spanish language, culture and how to communicate with children, see answers to question 15 in the Country Profile.

States of origin only

9. (a) If reports on PAPs appear deficient or incomplete, what measures if any does your State take to remedy or ameliorate the situation?
- Please insert text here -
- (b) Please specify how, in your State’s view, reports on PAPs provided by receiving States in accordance with Article 15 could be improved in general.
- Please insert text here -

Counselling and preparation of PAPs

States of origin only

10. (a) Has your State encountered any difficulties resulting from inadequate counselling and preparation of PAPs by receiving States? If so, please provide examples and explain what measures your State takes to remedy or ameliorate the situation in these cases.
- Please insert text here -
- (b) In your State’s experience, what could be done to improve the counselling and preparation of PAPs in general?
- Please insert text here -

Receiving States only

11. What are the main challenges your State encounters when counselling and preparing

PAPs for an intercountry adoption?¹⁰ Please share any good practices your State has developed to address these challenges.

It can be a challenge to explain why there are so few adoptable children when there are so many children in orphanages. A small number of PAPs might have challenges to really understand the child's situation and needs, and have too high expectations regarding the child. In these rare cases the ABs emphasize the need to give them realistic expectations.

Examples of good practice are counselling and guidance given by the ABs and the adoption preparation courses as described in our answer to question 8 and question 15 in the Country Profile.

12. The Special Commission has previously emphasised "the need for country specific preparation and for prospective adoptive parents to have some knowledge of the culture of the child and his or her language in order to communicate with the child from the matching stage".¹¹ How does your State ensure that this recommendation is complied with? Does your State have any good practices to recommend in this regard?

The ABs encourage the PAPs to learn as much as possible about the country they are going to adopt from during the waiting period. They also give them country specific information, prepare the PAPs for the travel and tell them about the culture, traditions, how to behave etc. Normally PAPs learn some words and simple phrases of the language spoken by the child. Especially when adopting an older child, the ABs encourage and emphasize the need for the PAPs to do this.

We also refer to our answers to question 8 above and question 15 in the Country Profile.

13. How does your State deal with the waiting time between:

- (a) the eligibility and suitability assessment of PAPs and the transmission of their application to the State of origin?

No specific problems. Most states of origin require some additional documents which have to be collected by the PAPs, but the application is sent as soon as it is complete and translated, normally 3-4 months after the advance approval is granted.

and

- (b) the transmission of the PAPs' application to the State of origin and the receipt of the proposed match from the State of origin?¹² (*E.g.*, does your State routinely update the reports on PAPs in this period?¹³ Does your State, or the relevant adoption accredited body, engage in regular communication with the State of origin on this issue?)

The report on the PAPs is updated if this is required by the state of origin, see also answer to question 17 c) and d) in the Country Profile. The ABs have regular communication with the state of origin, which sometimes have quotas on the number of applications or periods of full stop in receiving new applications.

C. Intercountry adoptions involving children with special needs¹⁴

Both States of origin and receiving States

14. (a) In your State's experience, what are the most common "special needs" of children adopted intercountry?

¹⁰ You may wish to refer to your State's response to the Country Profile at question 15. *E.g.*, managing their expectations concerning the profile of adoptable children or waiting times, ensuring preparation materials / courses adequately prepare PAPs for the specific needs of an adoptable child.

¹¹ See SC 2010 C&R No 9.

¹² Your State may engage in a "reversal of the flow of files" with States of origin or other procedures such that waiting times are minimised: see further *Guide to Good Practice No 1 "The Implementation and Operation of the 1993 Intercountry Adoption Convention"* ("GGP No 1") at Chapter 7.3.3, para. 394.

¹³ You may wish to refer to your State's response to the Country Profile at question 17 d).

¹⁴ See note 9 above regarding your State's definition of "special needs".

The special needs (SN) differs from one country to another. Most common special needs are left-lip palate, orthopedic challenges, problems related to vision or challenges related to genitalia, premature children, children with delayed development due to the situation and lack of stimuli in the child's environment.

Children more than 5 years old are considered special needs children in Norway, c.f. our definition in answer to question 11 in Country Profile.

- (b) If possible, please specify approximately what percentage of children adopted intercountry from or to your State¹⁵ have "special needs" (as defined by your State)?

In 2010 - 23%, 2013 - 37%.

- (c) What measures, if any, has your State taken to adapt intercountry adoption procedures in light of the needs of these children?

All matchings of special needs children must be approved by a Professional Board for Adoption in relation to a specific child. Special resources and motivation for the PAPs are required. The Board consists of a medical doctor (general practitioner), a psychiatrist and a clinical psychologist. The Board is an independent Government body authorised to perform the Article 17 c function in these cases.

- (d) What are the main challenges which your State encounters in relation to the intercountry adoption of children with special needs? How does your State address those challenges?

The time limits to accept a child with special needs are in some states of origin so short, that neither the PAPs, the ABs nor the competent authority have time needed for preparation and to decide if the matching should be accepted or not. Sometimes more time is given when requested by the Norwegian ABs, but this is not always accepted, with the result that the child is adopted to another country or not adopted at all.

Receiving States only

15. In relation to the intercountry adoption of children with special needs, how does your State ensure that:

- (a) the parenting abilities of PAPs and their ability to cope with the particular special needs are appropriately assessed?

We refer to our answer to question 14 c above.

- (b) any PAPs selected are suitably prepared for such adoptions and for the specific needs of each child?

As mentioned above, the proposed matching must be approved by the Professional Board for Adoption in these cases. The PAPs must also forward an application to the Board explaining their motivation and how they are prepared and why they consider themselves suited to adopt the child. The ABs also give information and arrange meetings for PAPs.

- (c) adoptive families are provided with appropriate post-adoption support in light of the child's special needs?

Adoptive children benefit from the same health care services as all other children in Norway. These services are free of charge in Norway.

D. Post-adoption services for adoptees and adoptive parents

Both States of origin and receiving States

16. How, if at all, has your State implemented the recommendation of the 2010 Special

¹⁵ Depending upon whether your State is a State of origin or a receiving State.

Commission meeting that States should “provide different forms of assistance and counselling for different stages of the child’s development to adulthood, including preparation for origin searches and reunions of the adoptees with members of their biological families”?¹⁶

The CA keeps adoption files for all adoptees and a national adoption register, and is responsible for giving information and adoption documents when requested from an adoptee that has reached 18 years of age.

The ABs offer different services, e.g. adoption-counselor available for members which is not limited to office hours and several "resourcecontacts" - adoptive parents with special skills on different topics relevant to adoptees. Some of the ABs arrange travels to states of origin and assist in search for roots, but these services are not free of charge.

Receiving States only

17. Please specify any challenges your State has encountered in ensuring that adequate support is in place for adoptive parents and adoptees following an intercountry adoption, including where parents have adopted a child with special needs.¹⁷ Please also share any good practices your State has developed to overcome these challenges.

We refer to our answer to question 15 c.

E. Breakdown of intercountry adoptions

Both States of origin and receiving States

18. If your State has had experience of intercountry adoptions which have broken down subsequent to the adoption (sometimes referred to as “failed” or “disrupted” adoptions), please explain, in general terms:
- (a) what have been the main causes of the breakdowns in these cases (e.g., deficient reports on the child, including failure to identify specific physical or psychological health needs in the report, inadequate preparation of the child or PAPs, inadequate post-adoption support).

The main cause for breakdowns is that the parents were not sufficiently prepared for the challenges involved in parenting, and did not have realistic expectations.

- (b) how your State has *addressed* these situations. Does your State have any good practices to share in this regard?

In general, PAPs should be given enough time to decide whether they can accept a proposed matching. A well prepared family is best. The ABs ask for additional medical information if necessary and a matching involving a child with special needs must be approved by the Professional Board for Adoption. The CA arrange adoption preparation courses and the ABs make a great effort to prepare the PAPs as best as possible ahead of the adoption. They give the PAPs information, both verbal and written, about childrens needs and reactions after an adoption.

- (c) what steps, if any, your State has taken to try to *prevent* these situations occurring in future.

We refer to our answer to 18 b above. In addition, the CA in co-operation with the regional offices works continuously to improve the Art. 15 report on the PAPs.

¹⁶ SC 2010 C&R No 29.

¹⁷ E.g., difficulties coping with an increased demand for post-adoption services or with a need for more specialised services, or difficulties in determining how services should be funded. You may wish to cross-refer to your State’s response to the Country Profile at Part IX concerning the services and support which your State provides.

F. Open adoption

Both States of origin and receiving States

19. Does the term "open adoption" (or similar) exist in your State's domestic legislation or rules? If so, please explain how it is defined. If not, please explain what is understood in your State by the term "open adoption" or "openness in adoption".

The term "open adoption" does not exist in the Norwegian Adoption Act. An open adoption could as we understand it be when the identity of biological parents is known for the adoptive parents, or if there is contact between the two families after the adoption.

20. Please specify what type of openness in intercountry adoption is: (a) permitted according to your State's domestic *legislation or rules*; and (b) promoted *in practice* in your State.¹⁸

The legislation in the state of origin is decisive, c.f. Art. 16 (2). When the adoptee has reached 18 years of age, he or she is entitled according to the Norwegian Adoption Act to have all information in the adoption file which is kept by the CA, including information about identity of biological parents if it exists.

21. If possible, please specify approximately what percentage of intercountry adoptions involving your State include some element of openness. Has this number increased in recent years and, if so, what, in your State's view, are the reasons for this? What challenges have arisen as a result and how has your State sought to address these challenges?

In approximately 50% of the intercountry adoptions, the the state of origin has disclosed or made available the identity of the biological parents for the adoptive families.

G. Discussion at the upcoming Special Commission meeting

Both States of origin and receiving States

22. Which topics / issues does your State consider are the most important to discuss at the Special Commission in relation to the counselling and preparation of children and the selection,¹⁹ counselling and preparation of PAPs for intercountry adoption?

- that some receiving states allow the accredited bodies to decide whether the PAPs are suited and eligible to adopt

- that some receiving states allow PAPs to send their application to more than one country at the time

- that independent or private adoptions are allowed in some countries

23. Does your State consider that there is any merit in developing a Guide to Good Practice on the selection, counselling and preparation of PAPs for intercountry adoption, as recommended by the last meeting of the Special Commission in 2010, and on the preparation and counselling of children?²⁰ If so, which particular issues would your State wish to see addressed in such a Guide?

We strongly recommend such a Guide and think that relevant issues would be:

- a model form for the home study and the assessment of PAPs

- a consensus on the topics of the home study and which information and tests should be reasonable to demand or expect in order to decide if the PAPs are suitable and eligible for adoption

- reasonable time frames to accept a proposed matching because it is in the best interests of the

¹⁸ *E.g.*, disclosure of identities of biological and adoptive families, post-adoption contact.

¹⁹ The "selection" of PAPs in this context is taken to mean the assessment of the PAPs' eligibility and suitability to adopt intercountry.

²⁰ See SC 2010 C&R No 10 (*op. cit.* note 2).

child that the PAPs are well prepared. E.g. India has 45 days which is too short because of complex cases, Peru requires that acceptance must be received 8 days after the matching is made.

II. SOME SPECIFIC ISSUES ARISING IN THE INTERCOUNTRY ADOPTION PROCEDURE

A. Article 17 agreements

Both States of origin and receiving States

24. Please indicate any operational difficulties which your State has experienced, either in your State or in other Contracting States, in relation to obtaining the agreements required in Article 17 and, in particular, Article 17 c).²¹

The Article 17 c function is delegated to the ABs, see answer 6 c of the Country Profile. The time frames imposed by some states of origin to receive the consent from the receiving state can be too short, but no particular problems apart from that.

B. Recognition of adoptions made in accordance with the Convention (Chapter V)²²

Both States of origin and receiving States

25. (a) Previous Special Commission meetings²³ have repeatedly emphasised the importance of:
- clearly designating the authorities competent to issue Article 23 certificates and keeping this information updated;
 - promptly issuing such certificates without delay following an adoption decision made in accordance with the Convention;
 - providing parents with a copy of the Article 23 certificate before they come to take the child;
 - providing a copy of the certificate to the Central Authority in the receiving State;
 - using the "Model Form for the Certificate of Conformity of Intercountry Adoption"²⁴ to promote consistent practice; and
 - where an Article 23 certificate is incomplete or defective, co-operating to regularise the situation.

Despite the above recommendations, has your State continued to experience difficulties with the issuance or receipt of certificates of conformity under

²¹ *E.g.*, lack of clarity concerning the body which should provide the Art. 17 c) agreement, breakdown of State-to-State communications concerning the agreement, lack of clarity concerning which State should provide its agreement first.

²² When answering this section, you may wish to cross-refer to your State's response to question 13 of Questionnaire No 1.

²³ *E.g.*, see SC 2000 C&Rs Nos 17 to 19, SC 2005 C&R No 3 and SC 2010 C&Rs Nos 15 to 17.

²⁴ See GGP No 1, Annex 7.

Article 23?²⁵ If so, please explain the difficulties encountered, including how your State has sought to remedy or ameliorate the situation.

The recommended model form is unfortunately not used by all Convention states, but we do receive it from the states we co-operate with. Sometimes we have to ask for it.

In some cases, the receipt of the Article 23 certificate has been set as a condition in the authorisation.

- (b) Taking into account the previous recommendations made on this topic, does your State have any novel suggestions concerning how to improve practices regarding Article 23 certificates?²⁶

It should be a topic for the Special Commission.

C. Delays in intercountry adoption procedures

Both States of origin and receiving States

26. Does your State have any comments on the speed with which Convention adoptions are processed?²⁷ If your State has experienced any unnecessary delays, what has caused these delays and are they at a particular stage of the intercountry adoption procedure?

Delays may occur at many stages of the adoption process, but we would like to mention the amount of time in some states (e.g. India, Thailand, South Korea) needed to process the case from the accept of the matching till the travel to the receiving state with the adoptive parents. In some cases this can take more than one year. For a period, South Korea introduced quotas for exit permits for adopted children, which delayed the child's travel to the receiving state.

27. Does your State have any good practices to share or recommendations as to how delays in the intercountry adoption procedure might be minimised, whilst still ensuring that the safeguards of the Convention are respected?

We refer to our answer to question 26 above. When a child, legally free for intercountry adoption, is matched with a family and the matching is accepted in both states, it is in the best interests of the child that the adoption is finalised as soon as possible according to Article 35.

D. Co-operation issues

Both States of origin and receiving States

28. In your State's experience, is the day-to-day co-operation with other Contracting States working well (e.g., sending and receiving documents,²⁸ prompt responses to

²⁵ E.g., deficient or no certificates issued, delays in sending certificates, confusion concerning which authorities should issue the certificate, confusion concerning to whom the certificates should be sent.

²⁶ E.g., how to better promote the use of the Recommended Form, ensure designations under Art. 23.

²⁷ See SC 2005 C&R No 14: "[t]he Special Commission reminds States Parties to the Convention of their obligations under Article 35 to act expeditiously in the process of adoption, and notes in particular the need to avoid unnecessary delay in finding a permanent family for the child".

²⁸ E.g., has your State encountered any difficulties due to other Contracting States requesting documents / information which your State is not permitted to provide according to your domestic legislation, or due to your State requesting documents / information from other Contracting States which they are not permitted to

enquiries and questions, openness to discussing problems and finding solutions)? Please specify any difficulties and concerns.

There is a well functioning co-operation with most states we work with, but there are difficulties to get in contact with the CAs in India and Sri Lanka, where often no responses to e-mails etc. are given. Consequently there is a decrease in adoptions from these countries.

29. At the meeting of the Special Commission in 2000, "[t]he need for adequate resources and appropriately trained staff in Central Authorities was accepted, as well as the importance of ensuring a reasonable level of continuity in their operations."²⁹ Has your State continued to encounter difficulties in this regard, whether in your State or in other Contracting States?

There is a need for more resources in many states. Lack of social workers who can prepare the report on the child, has delayed the sending of the case to the court in some states. Lack of trained staff in the CA can in some countries delay the adoption process

30. Has your State made or received from other Central Authorities any "general evaluation reports" about experiences with intercountry adoption as specified in Article 9 d)?

If so, have these reports proved useful? Please explain to what use they have been put and the follow up undertaken.

If not, does your State consider that the preparation of such reports should be encouraged as helpful in promoting the regular review of practices and co-operation between States?

Yes, we receive CAs reports on travels to states of origin, mostly from the other Nordic states. These reports are useful in particular when we process applications for authorisation of the ABs.

III. SPECIFIC TOPICS FOR CONSIDERATION

A. The subsidiarity principle (Art. 4 b))

Both States of origin and receiving States

31. Please describe the laws, procedures and practices in your State which seek to ensure that an appropriate balance is struck between providing sufficient support to biological families to enable the family to be preserved or reunified where possible, while at the same time preventing excessive delay in declaring a child adoptable and finding a suitable alternative permanent family for the child if necessary.

States of origin only

32. What are the main challenges in implementing and applying the subsidiarity principle in intercountry adoption cases in your State?

- Please insert text here -

33. In your State, is the subsidiarity principle applied in the same manner to:

provide (such as identities of biological parents, statements of consent, judgments regarding the withdrawal of parental rights, medical reports on PAPs)?

²⁹ See SC 2000 C&R No 3.

- (i) *intra-family* intercountry adoptions; and
- (ii) intercountry adoptions concerning children with *special needs*?

If not, please describe any different procedures used and explain the reasons for the different procedures.

- Please insert text here -

Receiving States only

34. (a) In accordance with the principle of co-responsibility,³⁰ what information, if any, does your State routinely request *in each intercountry adoption case* to ensure that the subsidiarity principle has been respected in the State of origin?

The ABs ask for information on how the child is declared adoptable. The legislation and procedures in this respect are also considered before an authorisation is granted, but no request is normally made in each individual adoption case about how the subsidiarity principle has been respected.

- (b) Is it possible and / or common in your State for a proposed matching of child and PAPs to be rejected on the basis that the relevant competent authority / body is not satisfied that the subsidiarity principle has been respected in the particular case?

This is not common, no.

35. In some States of origin, the child protection infrastructure necessary to implement the subsidiarity principle does not exist or is severely deficient, making proper implementation of the Convention in this respect challenging. Does your State undertake any programmes to assist States of origin with the development of their child protection systems³¹ in order for them to better implement the subsidiarity principle either:

- (a) at State level (*e.g.*, in the form of development aid or technical assistance)?
No specific projects.

and / or

- (b) through other bodies such as non-governmental organisations (which are not adoption accredited bodies)?

Norway gives contributions to *e.g.* Unicef and other organisations working for children's rights, but no specific intercountry adoption programmes are initiated by the CA/Buudir. In some countries the ABs support the work to find solutions within the child's biological family, and programmes to promote domestic adoptions.

If so, please specify how it is ensured that any such programmes do not compromise the integrity of intercountry adoption procedures and / or result in a dependence upon these forms of assistance:

- Please insert text here -

B. Mobility and globalisation

Both States of origin and receiving States

³⁰ See, *e.g.*, Chapter 12 of GGP No 2.

³¹ See SC 2000 C&R No 10, which stated that "[r]eceiving countries are encouraged to support efforts in countries of origin to improve national child protection services... However, this support should not be offered or sought in a manner which compromises the integrity of the intercountry adoption process", as well as SC 2010 C&R No 6. See also para. 553 of GGP No 2 which states that receiving States have "an additional responsibility to assist States of origin to improve their child protection and adoption systems. This is essential if all of the Convention's safeguards are to be applied...".

36. How, if at all, does your State define "habitual residence" for the purposes of the Convention? What factors are considered when determining where persons are habitually resident for Convention purposes?

In most cases it is no problem to decide a person's residence for Convention purposes, but it can be a complex situation if PAPs are working/employed in another country. According to Section 17 in the Norwegian Adoption Act, an application to adopt shall be decided in Norway if the applicant is a resident of Norway. The main factors considered are to determine in which country the PAPs are actually living and most connected to, and where they intend to stay in the future.

37. What are the most common scenarios in which your State has encountered difficulties in determining the "habitual residence" of PAPs and / or a child?

Norwegian nationals living abroad for a long period e.g because of a long term work contract, but still for a limited period of time with the intention to return to Norway with the child.

38. Please describe any restriction that your State places on individuals' ability to adopt intercountry based on their:

- (a) nationality; and / or
- (b) immigration status (*i.e.*, permission to reside in your State).

The nationality of the PAPs is irrelevant. Immigration status is relevant, but has to be considered in each individual case, c.f. answer to question 40.

39. How does your State deal with situations in which PAPs, habitually resident in one State, move to another Contracting State after initiating intercountry adoption proceedings (in accordance with Art. 14) but *while the adoption process is ongoing*? Does your State's response vary if the move is instead to a non-Contracting State?

If the PAPs move permanently to another country in an ongoing adoption process, this country would have to be involved in the adoption process. The three states involved should try to reach an agreement on how the adoption process should continue and be finalised, no matter if the PAPs move to a Convention state or non-Convention state.

40. How does your State deal with situations in which PAPs are either non-nationals living in your State, or nationals of your State living in another State, and:

- (a) your State does not consider the PAPs to be habitually resident in your State and the other State also does not consider them to be habitually resident in their State (*i.e.*, the PAPs are in a situation where they cannot make an application to adopt intercountry)?

We would consider if Section 17 in the Norwegian Adoption Act is applicable. It says that an application to adopt shall be decided in Norway if the applicant is a resident of Norway, or if the Ministry approves of the case being dealt with in Norway. This means that approval to process the application in Norway can be given if Norwegian PAPs reside abroad and it is not possible for them to have the case processed there. The same applies for nationals of another state who lives in Norway, and it is not possible for them to have the case processed in the other state. Section 17 is used only in exceptional cases.

or

- (b) both your State and the other State consider the PAPs to be habitually resident in their State?

The ideal situation is that the two states involved reach a common agreement on how the application should be processed.

Example: PAPs are nationals of State A but, due to the nature of their work, have to move regularly to live in other countries for varying periods. Recently, they moved to State B for a one-year work contract. They now wish to adopt a child from State C.

(a) State A says these PAPs are not habitually resident in State A as they are not currently living there. State B also determines that they are not habitually resident in State B since they will leave the State at the end of one year.

OR

(b) State A says the PAPs are habitually resident in State A as they are abroad for a limited, finite period and State A is the only country in which they have the intention to reside long-term. State B also determines that these PAPs are habitually resident in State B as they are currently living in State B.

We refer to our answers to 40 a) and b) above.

41. How does your State deal with situations in which PAPs are nationals of your State, are habitually resident in another State and wish to adopt a child from a third State? What role, if any, does your State play in the intercountry adoption in this scenario (e.g., is your State involved in securing the nationality of your State for the child, any other role)?

If Norwegian nationals who are residing permanently in another country adopt a child from a third State, we are normally not involved in this adoption. The PAPs may apply for Norwegian nationality for the child when the adoption is finalised. This application is not handled by adoption authorities in Norway, but we are sometimes asked to confirm that the adoption is valid and can be recognised in Norway.

C. Use of modern technologies³² in intercountry adoption³³

In general

Both States of origin and receiving States

42. Please briefly describe any laws, regulations or policy guidelines which exist in your State concerning the use of modern technologies in the field of adoption.³⁴ Where possible, please provide a hyperlink to these laws, regulations or guidelines or provide a copy, with a translation into English or French.

<http://www.datatilsynet.no/English/Regulations/>

43. Does your State regularly use modern technologies in the field of intercountry adoption, both generally, as well as in individual intercountry adoption cases?³⁵

If so, please describe which technologies are used, at what stage(s) of the intercountry adoption procedure and how the use of these technologies affects your daily work.

If not, please explain the reasons for this (e.g., no access to modern technologies due to resource constraints, infrastructure problems or an absence of training).

Internet is used for general, public information - including webpage, press page and Facebook-page for the AB.

E-mail is used frequently for communications with PAPs, authorities, other relevant parties and representatives of the association for rapid communication. Some countries (for example China) have developed webmail where the information regarding matched children can be shared.

³² In this document "modern technologies" is taken to mean the Internet and modern communication methods, such as e-mail, video-conferencing and social media.

³³ If your State responded to the 2013 ISS/IRC Questionnaire on new technologies and adoption (ISS/IRC Circular No 118), you may wish to refer to this response in your answers to this section.

³⁴ E.g., legislation might concern data protection and rules concerning the online storage of data in adoption cases, the use of photo-listings, the use of the Internet in searching for origins or the use of DNA testing in adoption cases.

³⁵ E.g., Internet and websites, e-mail, video-conferencing facilities such as Skype, online posting of informational videos, social media, etc.

In addition Adopsjonsforum uses a closed internet platform where PAPs have direct access to relevant information, documents and templates for their adoption process. This platform requires username and password protection, and the users only get access to the country and the phase of the adoption process that is required for them.

44. In your State's experience, what (a) benefits³⁶ and (b) risks have modern technologies brought to the field of intercountry adoption? Please describe how your State attempts to manage any perceived risks.

The benefits are rapid communications, and saving of expensive and slow postage for some types of documents, since PAPs may download information directly from the public or closed internet platform.

The risks are missending of e-mails, risk of hacking and loosing data due to technical problems. The web-activities for all the ABs have an active firewall and the most sensitive parts have special protection systems and require passwords for access (one of the ABs).

45. Please briefly explain any specific courses, training or information which is / are provided on the use of modern technologies in the adoption process to:

- (a) the authorities and bodies involved in intercountry adoption in your State.³⁷

-

and / or

- (b) PAPs, biological families and adoptable children (or adoptees, if the information is provided subsequent to the adoption)³⁸ – *e.g.*, are the risks of the use of these technologies part of the programmes of counselling and preparation of PAPs, adoptable children or biological families and is any post-adoption support provided in relation to these issues?³⁹

Adopsjonsforum offers an online course in Spanish language for PAPs that want to adopt from Latin American countries. The course is made by an adoptee who is bilingual and is a web-based course based on a system made for traditional language courses with a teacher:

<https://www.youtube.com/watch?v=5R4lyhL8mXA>

<http://www.nooa.no/Kurskatalog/Nettkurs-for-bedrifter-og-organisasjoner/Spansk>

The PAPs are always informed by the ABs about the risks when they use modern technology, and are especially warned about risks when they share information on social media. Sharing information about a child before the adoption is finalized is not allowed.

In either case, where possible, please provide hyperlinks to or copies of any information or training material provided (*e.g.*, publications, leaflets, websites), along with a translation into English or French.

46. Does your State use and / or accept from other States scanned documents in intercountry adoption cases (*e.g.*, scanned and e-mailed Art. 17 c) agreements, Art. 23 certificates)?

The ABs in Norway are delegated the function to give the Art. 17 c agreements, and the practice vary in different countries. Sometimes only the scanned document is used and sometimes it is used in addition to the original document being sent later. The CA/Bufdir accepts only original Art. 23 certificates or a certified true copy.

³⁶ *E.g.*, websites for provision of information, fast sending of applications and reports, facilitation of contact between accredited bodies and PAPs during their stay abroad, facilitation of contact with representatives of accredited bodies, video-conferences to provide information concerning the health of children.

³⁷ *E.g.*, in relation to its use by adoptees or families to search for origins, or in relation to the use of online databases of adoptable children.

³⁸ Depending upon whether your State is a receiving State or a State of origin (or both).

³⁹ *E.g.*, concerning making contact via the Internet, posting confidential information on social media websites or using social media to search for origins.

If so:

- (a) Please specify which documents are sent or accepted in scanned format:
-
- (b) Are these scanned versions used or accepted *instead of* the original documents or *in addition to* the original versions (*i.e.*, the original documents follow later by post)?
-
- (c) Is any authentication of the scanned document required (*e.g.*, legalisation or apostillisation)?⁴⁰
No.
- (d) How are scanned documents stored and how is the security of the information guaranteed?
-

If not, please explain the reasons for this:

-

Using modern technologies to assist with finding a suitable family for a child

Both States of origin and receiving States

47. Does your State use, or permit others to create and use, online "photo-listings"⁴¹ of adoptable children?

The ABs are allowed to work with China's online program that use "photo-listings" of adoptable special needs children. Apart from this, they do not use any kind of such lists.

If so, please explain:

- (a) whether these listings include profiles of *all* adoptable children in your State or only certain categories of children (*e.g.*, children with special needs):
China: only special need children.
- (b) which authorities or bodies create / operate these online listings in your State (*i.e.*, is this under State control or the control of other adoption actors?):
China: China Center for Children`s Welfare and Adoption
- (c) who is permitted to access the listings:
States cooperating with China.
- (d) what safeguards have been implemented to protect the privacy of the children concerned (*e.g.* restricted access for Central Authorities and accredited bodies only):

Only the organisations have the access to operate on the online program. The program is only available for agencies that are permitted to this from CCCWA, and they receive a specific memory stick and code to get access.

- (e) how it is ensured that the use of such listings is in conformity with the matching process set forth in the Convention (*i.e.*, matching by the competent authority in the State of origin after the suitability and eligibility of the PAPs has been determined):
Applicants that are registered in China and that apply for a special need child are already

⁴⁰ See the *Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents* (the "Apostille Convention", concluded 5 October 1961).

⁴¹ In this document, "photo-listings" means databases which include photographs and descriptions of the background and characteristics of adoptable children. They often have limited, protected access (*e.g.*, for Central Authorities and accredited bodies only) and may be used to search for families for children who are hard to place.

considered suitable and eligible by CCCWA. CCCWA assesses the application for a specific child, do the matching and issue the referral letter. Applicants that are not registered in China but apply for a specific special need child, are required to send all the necessary documents to China to consider their suitability and eligibility, before CCCWA do the final matching and issue the referral letter.

Using modern technologies to search for origins

Both States of origin and receiving States

48. Do the relevant competent authorities in your State use social media (e.g., Facebook, Twitter) to help adoptees search for their origins? If so, are there any guidelines or good practices regarding the use of social media by authorities / bodies for this purpose?

No, social media is not used for this purpose.

49. Has your State had any cases in which PAPs / adoptees and birth families have contacted each other via social media or other modern methods of communication after an adoption and without the involvement of professionals? If so, please specify the situations which have arisen, the challenges faced and how these challenges have been overcome.

The ABs have on a few occasions experienced that both biological family members and adoptees in Norway has used Facebook and other internet based platforms in searching for each other. In one case the biological father found the web-page of a young adoptee and contacted the adoptee directly stating that he was the father. The adoptee was unprepared and uncomfortable with being approached directly in this manner. On other occasions the adoptee have used internet to search for family members (in particular mothers) when names and city of origin is known. The ABs always advise young adoptees to be very careful about how they use these tools, and in general do not recommend direct and unprepared contact since this could create potentially problematic situation for the other party.

D. Illicit practices⁴²

In general

Both States of origin and receiving States

50. Please describe the practices relating to the abduction, sale of or traffic in children or other illicit practices which your State has experienced most frequently in the context of intercountry adoption since the last Special Commission meeting (2010), regardless of whether these practices have taken place in your State or in another Contracting State.

We have not experienced cases of abduction, sale or trafficking.

51. Please provide details of any specific examples in which your State has worked either alone or in co-operation with other Contracting States in order to prevent and / or address practices relating to the abduction, sale of or traffic in children or other illicit

⁴² In this Questionnaire, the term "illicit practices" is used in the same sense as in the "Discussion Paper Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases" (October 2012), available on the specialised "Intercountry Adoption Section" of the Hague Conference website: *i.e.*, it "refers to situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child's origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)."

practices in the context of intercountry adoption. Was Article 33 ever relied upon in such cases? If so, please describe what measures were taken and the outcome.

We have no specific examples regarding this.

52. Has your State ever suspended or restricted its intercountry adoption programme (e.g., introducing a moratorium, refusing to work with a particular Contracting State) because of concerns about the risk of abduction, sale of or traffic in children or other illicit practices? If so, did the suspension or restriction assist with efforts to combat these practices? What challenges did your State encounter in seeking to resume intercountry adoptions or lift any restrictions once practices had been improved?

Not recently, but like many other states we suspended the co-operation with Guatemala and Nepal.

E. Other international placements of children which result in adoption

Kafala resulting in adoption

Receiving States only

53. Are persons, habitually resident in your State who have a child placed into their care under kafala in another State, permitted to subsequently adopt the child in your State?⁴³

Example: a child, habitually resident in State A, is placed into the care of a couple under the regime of kafala by the court in State A. The couple habitually resides in State B (your State) and the understanding is that they will return immediately to State B to live with the child. Under your State's laws, are the couple permitted to subsequently adopt the child in your State, State B?

Under certain conditions and in exceptional cases.

If so, please explain:

- (a) the reasons for this:

When adoption has been considered to be in the best alternative and in the best interests of the child.

- (b) the procedure, including any involvement of the State of origin:

The PAPs must be found eligible and suitable to adopt according to Norwegian law and regulations, the state of origin must not object to an adoption in Norway, the principle of subsidiarity must be respected.

and

- (c) whether this would be a "simple" or a "full" adoption:

It would be a full adoption in Norway.

Respite care abroad resulting in adoption⁴⁴

Both States of origin and receiving States

⁴³ **N.B. the provision of care by kafala falls within the scope of the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children* (the "1996 Convention") (Art. 3 e) of the 1996 Convention) and thus kafala placements benefit from its unified rules on jurisdiction, applicable law and the recognition and enforcement of measures between Contracting States. In addition, the 1996 Convention contains mandatory co-operation provisions with which Contracting States must comply when a cross-border kafala placement is contemplated between them (Art. 33 of the 1996 Convention). For further information concerning kafala and the 1996 Convention, see the [Practical Handbook on the 1996 Convention](#) available on the Hague Conference website < www.hcch.net >.**

⁴⁴ See GGP No 1 at paras 561 to 563.

54. If your State is involved in respite care programmes⁴⁵ for children, please explain:
- (a) whether such programmes specifically aim to be a precursor to adoption for some children (*e.g.*, for children with special needs):
Norway is not involved in respite care programmes.
 - (b) whether such programmes have, in fact, resulted in the adoption of children and, if so, approximately what percentage of children involved in the programmes are adopted:
-
and
 - (c) where a child is adopted following such a programme, how it is ensured that the safeguards of the Convention have been respected (bearing in mind that it is likely that the child remains “habitually resident” in his / her State of origin and thus the adoption falls within the scope of the Convention according to Art. 2):⁴⁶
-

Foster care resulting in adoption

Both States of origin and receiving States

55. Is your State aware of cases in which a domestic foster care placement has been used in order to circumvent Convention intercountry adoption procedures? If so, please provide details, including the challenges which these cases have presented and any good practices your State has developed to deal with such cases.

Example: a couple, usually resident in State A, travels to State B and applies to foster a child. They intend to apply to adopt this child in State B and to return shortly thereafter to live in State A.

We are not aware of any such cases.

F. Triangular adoptions⁴⁷

Both States of origin and receiving States

56. Does your State allow PAPs wishing to adopt intercountry to use an accredited body located in a *third* State to mediate the adoption (*i.e.*, an accredited body *not* located in the State of origin or in the receiving State)? If so, please briefly describe any conditions imposed by your State,⁴⁸ the procedure used and any challenges encountered. Please also share any good practices your State has developed in relation to such cases.

No, Norway does not allow PAPs to use other than Norwegian accredited bodies.

G. International surrogacy arrangements⁴⁹ and intercountry adoption⁵⁰

⁴⁵ *I.e.*, programmes in which children from certain States of origin, often children living in institutional or other non-family based alternative care, are hosted temporarily by families in other States for “holidays” to improve the child’s mental and physical well-being.

⁴⁶ *E.g.*, how it is ensured that: the child is legally and psycho-socially adoptable; the subsidiarity principle is respected; the eligibility and suitability of the PAPs is appropriately assessed; the Convention requirements concerning professional “matching” are met; and the child and parents are appropriately prepared, informed and counselled for the adoption.

⁴⁷ For a definition of “triangular adoption”, please see GGP No 1 at Chapter 8.8.7.

⁴⁸ See the good practices recommended at para. 555 of GGP No 1.

⁴⁹ The term “international surrogacy arrangement” is used in this Questionnaire to mean “a surrogacy arrangement entered into by intending parent(s) resident in one State and a surrogate resident (or sometimes merely present) in a different State”. (See further the Glossary attached to the “Report on the desirability and feasibility of further work on the Parentage / Surrogacy Project” (Prel. Doc. No 3B of March 2014).)

⁵⁰ Please note that the issue of international surrogacy arrangements is being studied separately by the Hague Conference in the context of its “Parentage / Surrogacy Project”: for further information on this Project, please see the specialised section of the Hague Conference website, under “Parentage / Surrogacy Project”. These questions therefore only relate to the use of the 1993 Convention and related bodies / authorities in these cases.

Both States of origin and receiving States

57. Following the recommendations of the 2010 Special Commission meeting,⁵¹ has your State experienced any cases of international surrogacy arrangements in which use of the 1993 Hague Convention has been sought in order to remedy the situation of the legal status of the child? If so, please explain the circumstances in which this occurred, how it was ensured that the safeguards of the Convention were respected, and the outcome for the child and family.

No, Norway has not experienced any such cases.

IV. SERVICES AND SUPPORT PROVIDED BY THE HAGUE CONFERENCE

Both States of origin and receiving States

58. Are the following documents used in your State as tools to assist with the operation of the Convention and / or to periodically review your State's intercountry adoption system and processes:

- (a) the Conclusions and Recommendations of previous Special Commission meetings:

Some have been referred to in the dialogue with states of origin when new requirements have been introduced which are not in accordance with the recommendation.

- (b) Guide to Good Practice No 1 *"The Implementation and Operation of the 1993 Intercountry Adoption Convention"*:

We use both Guides actively in our daily work.

- (c) Guide to Good Practice No 2 *"Accreditation and Adoption Accredited Bodies"*:

See answer above.

- (d) the tools⁵² developed by the Experts' Group on the Financial Aspects of Intercountry Adoption:

- (e) the "Discussion Paper on Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases":⁵³

Please explain how these tools are currently promoted in your State and how they could, in your State's view, be more effectively promoted at the regional and / or international level:

- Please insert text here -

59. In light of the fact that the importance of ICATAP (the "Intercountry Adoption Technical Assistance Programme" of the Hague Conference) to the proper implementation and operation of the 1993 Convention has been reiterated by Special Commission meetings and by meetings of the Council on General Affairs and Policy for many years, does your State have any suggestions as to how to secure more regular and consistent funding for this work at the Permanent Bureau, including for

⁵¹ See SC 2010 C&R Nos 25 to 26 in which it was stated that the Special Commission "viewed as inappropriate the use of the Convention in cases of international surrogacy".

⁵² See the tools developed by the "Experts' Group on the Financial Aspects of Intercountry Adoption", available on the Intercountry Adoption Section of the Hague Conference website, under "Expert and Working Groups": *i.e.*, the harmonised Terminology adopted by the Experts' Group on the financial aspects of intercountry adoption, the Note on the financial aspects of intercountry adoption, the Summary list of good practices on the financial aspects of intercountry adoption and the Tables on the costs associated with intercountry adoption.

⁵³ Available on the Intercountry Adoption Section of the Hague Conference website, under "Expert and Working Groups".

the key position of the ICATAP Co-ordinator?

- Please insert text here -

Is there any other comment your State wishes to make concerning the implementation and / or operation of the 1993 Convention?

- Please insert text here -