

AN ASSESSMENT OF INTER COUNTRY ADOPTION LAWS, POLICIES AND PRACTICES IN LIBERIA



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A Joint Consultancy between
UNICEF and Holt International Children's Services

Final Report

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Prepared by:

Steve Hejna
Holt International Children's Services
1195 City View
Eugene, OR 97402
Phone: (541) 687-2202

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EXECUTIVE SUMMARY

This report presents the findings of an assessment conducted between 8 July and 22 August 2006 that gathered and analyzed information on inter-country adoption to support strengthening Liberia's adoption laws and develop operating guidelines for adoption agencies. The assessment is part of Liberia's obligation as a signatory to the United Nations' Convention on the Rights of the Child and was collaboration between the Liberian Ministry of Health and Social Welfare, UNICEF, and Holt International Children's Services.

The study found that Liberia's adoption law fails to address the specifics of inter-country adoption (ICA), especially guidelines for internationally recognized practices as outlined by the Convention on the Rights of the Child (CRC) and Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption (hereinafter referred to as the Hague Convention). The primary failings in this regard are the absence of a central governmental authority responsible for regulating ICA activities and a lack of oversight of adoption agency practices. In particular, agencies must be licensed and only those who also provide family preservation services and show dedication to placing children with special needs should be allowed to practice.

As a partial result of this lack of oversight, many children who are not legitimately eligible are suspected of entering the adoption system through fraudulent means, mostly through false promises designed to deceive birth parents into relinquishing them.

Another consequence is that adoption records are either poorly kept or do not exist, and those that do were largely inaccessible by legitimate means. No one interviewed conceded knowledge of private attorney adoptions or showed an interest in either regulating or learning more about them.

Support for the investigation was also difficult to find. Most of those approached in Liberia, including government employees, were either hostile to the assessment, reluctant to participate, or feigned support and avoided delivering useful information. Outside of UNICEF, the most helpful were those in law enforcement and investigation.

Many people interviewed, including those in civil social service, were ill-informed about the pertinent issues surrounding adoption, both pro and con. A widespread belief among all those interviewed is that the government colludes with adoption agencies for profit at the expense of family and children's rights. Further, regardless of their attitudes, many government employees lack the skills, administrative, and material support to be effective in their positions.

The study also found many individuals and some organizations, however, who were sincerely concerned about providing support for at-risk children and families and that even given limited resources the government has taken steps to meet its obligations under the CRC. Maintaining the integrity of the family as the best way to support children is one of the basic tenets of both the CRC and the Hague Convention. Domestic adoption and foster care are secondary solutions and ICA last. Absent official support, the individuals who act on these principles often take the initiative to provide the necessary services without promise of compensation. Thus was revealed a core of committed citizens whose national pride and concern for those without means the government can mobilize with the appropriate leadership and support drawn, if necessary, from the global community of nations that support children's rights.

Main Conclusions

The state of Liberia's social welfare laws and institutions for children without care is significantly short of the international standards and best practices outlined by the CRC and the Hague Convention.

Although Liberia may still have the ability to recover its equilibrium after the war and provide for its vulnerable citizens there is a great demand for all civil services and much competition for scarce re-

sources. And as in most countries, those with the least political influence, notably children without families, receive the least support. For this reason it is encouraging that Liberia has signed on to the CRC because in meeting its obligation to that treaty it will more clearly define and therefore have the best chance of addressing this problem.

In spite of difficult circumstances the government of Liberia is working to meet its CRC obligations and securing the rights of its children by creating. The following are some of the efforts made in this regard.

- National Plan of Action for Children: based in the National CRC Committee, the NPA promotes educating the public at all levels about CRC including the need for legal reform and coordinated action.
- Results-Focused Transition Framework: initiated by an internationally backed Joint Needs Assessment, among other things the RFTF supports child support issues such as health, education, compliance with international laws protecting children.

The national government has specifically identified several key areas of child welfare as priorities. Among these are ensuring children's protection and security and strengthening the Juvenile Justice system. Also listed are issues around education, health, political participation, and poverty reduction. Among the groups that have developed to support children's rights as directed by the CRC are

- The Ministry of Gender and Development (2001), to coordinate women's and children's issues.
- The National Child Rights Observatory Group (2002), for monitoring and reporting on protection issues.
- The National Commission on Disarmament, Demobilization, Rehabilitation, and Reintegration (2003), to manage those processes.
- The Children Parliament (2002), to assure the right of participation.
- The Governance Reform Commission (2003), to manage public sector governance reform.
- The Association of Female Lawyers, who has recommended legal reforms to bring Liberian law into compliance with the CRC regarding child protection.

Many factors influence the effective provision of child welfare so the concerted, consistent effort of all offices, the organizations listed here, and others, will be required for Liberia to take control of the desperate situation its children face. Part of the solution is for Liberia to elicit the support of its citizens by educating them about the needs of children at risk and some of the remedies to their plight, especially alternatives to institutional care. Liberia's laws must also be reformed to strengthen support for homeless children, and these two measure need to taken together.

Specific attention must also be paid to the laws and procedures for placing children into adoption. Although not a remedy of first resort, international adoption is a possible response to meeting the needs of some children but it is largely unknown or suffers from misinformation among the public. Liberia's legislators need to understand the importance of this solution and how best to use it but can only do that by honoring its treaty commitments and learning from other countries that have more experience with developing national systems in the best interest of children.

Lessons Learned

Two significant obstacles to this study were the lack of a central repository of adoption information and the resistance of most civil servants to provide what data they did have. Even with the backing of the Ministry of Health and Social Welfare and UNICEF, requests for support by the assessment team were more often denied than not.

These frustrations created by these obstacles were exacerbated by the misunderstanding about the roles of the MOH/SW and the courts regarding adoption. Although the legal venue for adoption is

probate court, popular understanding places it with the MOH/SW, and even some in government social services are unaware of the proper role each plays.

Of all the changes Liberia could benefit from the most significant would be to have effective government advocacy promoting statutory revisions that strongly and clearly support the rights of children, including but not limited to the laws governing adoption. Formal governmental support coupled with public education to promote the acceptance of adoption as a legitimate activity and help prevent the relinquishment of children ineligible for placement.

Goals of the Study

To improve the welfare of its citizens and satisfy the treaty obligations it assumed by becoming a signatory to the UNCRC, the Liberian government through the Ministry of Health and Social Welfare, with the support of UNICEF, seeks to improve the care of children and ensure that, when necessary, international adoptions are properly conducted.

The Recommendations of the Committee on the Rights of the Child notes with concern "...that there are no arrangements to regulate and monitor inter-country adoptions," and recommends, in reference to article 21 of the Convention that Liberia "take all necessary measures...to establish a system to regulate and monitor inter-country adoptions."

Because the Ministry is also responsible for ensuring that adoptions are done legally and in the best interests of children, the government of Liberia initiated this assessment of its child welfare system especially focusing on the laws and practices surrounding adoption.

The primary objective of this study was to gather and analyze information on intercountry adoption to strengthen Liberia's adoption laws and practices and develop guidelines to support the proper operation of adoption agencies. It is also intended to support Liberia's obligation to report in 2009 on the progress it has made in meeting the treaty provisions.

Finally, at the recommendation of the CRC, UNICEF has prepared a draft called the Guidelines for the Protection of Children Without Parental Care Help. The creation of this document reflects the international effort to improve care for vulnerable children and UNICEF wishes to help bring Liberia into this process. The findings of this study and the recommendations it makes for improving the protection of Liberia's children is part of that effort.

Assessment Framework

The information for this assessment was gathered from different sources. All those interviewed were told the purpose of the study, took part voluntarily, and were not compensated in any way for their participation. Please see the Appendix (pp. 56–60) for sample interview formats.

U.S. research consisted of personal and telephone interviews with adoption agencies that place Liberian children, adoptive parents, development experts, and members of the media. It was also supported by library and Internet research and consultations with international child welfare professionals. In addition to providing background about Liberia's social welfare system, and the effect its recent history has had on child welfare, this research also revealed a tone of frustration and sense of futility among those with direct experience in the country.

In Liberia, interviews were conducted with adoptive parents, adoption agency personnel, transit home staff and children, birth families, Liberian and U.S. government officials, experts in international child welfare and international development, law, and law enforcement officials, and missionary workers.

All field work in Liberia was supported by two social workers seconded to the study from the Ministry of Health and Social Welfare, for whose invaluable participation the study is extremely grateful.

FINDINGS

Research

To support the assessment, the consultant conducted a literature review that included UNICEF reports on Liberian orphanages, Liberian adoption law, paperwork, and legal documents, files from the Ministry of Health and Social Welfare and the National Bureau of Investigations, and other relevant sources. In Liberia, interviews were conducted with 10 Liberian government ministries, agencies, and others; six families who relinquished children for adoption; all six adoption agencies; orphanage and transit home staff; the U.S. Consular office; and UNICEF staff. Interview formats are included in the Appendix (pp. 56–60).

Interviews and other research in the United States gathered information from six adoption agencies, four adoptive parents, the media, and international child welfare experts. Interview formats are included in the Appendix (pp. 56–60). Holt International provided a comparative fee analysis of adoption costs from 12 different countries; a review and assessment of Liberian adoption documents; and a synopsis of the Hague Convention with recommendations for best practice.

Fieldwork: Liberia

Finding 1. Liberia’s adoption law inadequately regulates intercountry adoption (ICA).

Written in 1956 before ICA became common, Liberia’s adoption law does not address international placements. Current ICA practices are based on the law for domestic adoption; no legal guidance for internationally recognized procedures such establishing a central government authority for ICA as directed by the Hague Convention in Chapter III, Article 6, sub-paragraph (1):

A Contracting State shall designate a Central Authority to discharge the duties which are imposed by the Convention upon such authorities.

prohibiting illicit gain, as directed by Article 8:

Central Authorities shall take, directly or through public authorities, all appropriate measures to prevent improper financial gain in connection with an adoption and to deter all practices contrary to the objects of the Convention

or permitting only non-profit activities as expressed in Article 11, sub-paragraph a):

An accredited body shall –

a) pursue only non-profit objectives according to such conditions and within such limits as may be established by the competent authorities of the State of accreditation.

Because of the law’s weakness, Liberia is in a reactive rather than proactive stance regarding ICA. Procedures are largely defined by private adoption agencies, attorneys, and adoptive families rather than the government. As a result there are few protections for children’s and birth parent’s rights. This absence enables the corruption and other abuses reported by many assessment participants including law enforcement personnel, children’s rights advocates, and orphanage and adoption agency representatives.

Finding 2. Many children in the ICA system are ineligible for placement

Formal and informal interviews for the study regularly revealed the practice of fabricating fieldwork reports to verify a child’s eligibility for adoption and of inducing birth parents to release children for ICA by deception. The most common scenario is adoption agency representatives

who recruit children by telling birth families that their child will return or send for them from America when the child reaches 18. The study could not find guidelines for standards or any controls for the relinquishment counseling.

Finding 3. The adoption law as written is inadequately enforced

The law provides for a qualified disinterested third party to determine a child’s eligibility for adoption but not guidelines for this agent’s suitability. It also requires that adoption investigations indicate the factors determining the child’s eligibility for adoption, including an informed relinquishment, but does not ensure that birth parents are not deceived into giving their children for ICA. At the time this study was conducted, the National Bureau of Investigation reported investigating at least 50 cases of fraudulent adoptions based on relinquishments given under false pretenses or otherwise questionable procedures.

Finding 4. The public’s understanding about ICA is lacking

As is common in probably all countries that participate in ICA, many people, even those in government social services professions, equate adoption with child trafficking, a misunderstanding that can create suspicion and hostility towards adoption and adoptive parents. Although this study did not specifically investigate trafficking and no evidence of it was revealed, even if they do not suspect trafficking people are often mis- or uninformed about the true nature of adoption. Many people interviewed for this study questioned the motives of adoptive parents and were skeptical about the veracity of post-placement reports that show adopted children prospering in their new families. Few recognized ICA as a legitimate service which may be in the child’s best interest under certain circumstances.

Another belief is that adoption agencies make substantial and unreasonable profits from ICA. To a population with an average annual income of US \$100, the approximate total cost of just over US \$12,000 is a significant sum but is the second lowest cost of 12 countries Holt studied in 2005 (see table below). Although financial disclosure was not asked of agencies and actual profits are unknown, the Liberian public displays a basic ignorance of the costs required to do ICA, which leads to a presumption of profiteering by agencies.

Note: The fees listed for Liberia in the table below were calculated using adoption agency websites and or by phone consultation in July 2006. No specific figures for home studies were available from the agencies so an average of \$1,190 was assigned to each based on research conducted by Holt in 2005. All fees except Liberia were compiled during a survey conducted by Holt in 2005.

Country	Average	High	Low
Philippines	\$11,872	\$14,730	\$6,400
Liberia	\$12,335	\$15,695	\$9,910
Thailand	\$12,997	\$14,810	\$9,185
Haiti	\$13,477	\$16,390	\$9,300
China	\$13,698	\$17,567	\$9,600
India	\$15,047	\$22,090	\$11,950
Mongolia	\$16,268	\$17,695	\$14,840
Korea	\$19,069	\$22,985	\$16,040
Ukraine	\$19,615	\$26,430	\$12,390
Bulgaria	\$21,187	\$27,380	\$15,530
Kazakhstan	\$21,973	\$25,170	\$17,300
Russia	\$23,046	\$31,995	\$14,980
Guatemala	\$26,364	\$33,610	\$15,215

Finding 5. No officials revealed knowledge of Liberia's participation in the CRC

During this assessment no government official or social services professional mentioned Liberia's involvement with the CRC or evinced knowledge of The Hague Convention or the existence of international guidelines for child welfare. It remains unclear whether anyone knows that the CRC mandates the recent evaluation of orphanages and this assessment of adoption practices. This lack awareness of and familiarity with alternative models to study or experts to consult when considering changes can hinder reforms.

Part of the CRC's response to Liberia's 2004 progress report on meeting the Convention's obligations was to suggest creating a regulatory system for adoption, ratify the Hague Convention, and educate the public about formal adoption. With the current widespread ignorance of Liberia's obligations these reforms will be impossible.

Finding 6. The government has inadequate control over child welfare activities

Adoption related records are poorly kept or nonexistent at the Ministry of Health and Social Welfare (MOH/SW), the Probate Court, the Bureau of Immigration, and the Passport Agency. Those records that do exist were largely inaccessible by legitimate means.

Branches of government either do not communicate about adoption matters or would not reveal their partnership. In interviews they passed responsibility for ICA procedures to absent parties and were either hostile to inquiry about adoption matters or refused cooperation. The most helpful were those in law enforcement and investigation.

No government officials admitted to knowing the details of private attorney adoptions or showed an interest in either regulating or learning more about them. Neither government officials nor adoption agency staff could identify attorneys who do adoptions or provide information about the procedures, how many were done, what are the fees, or what records existed for them. The significant difference between the number of adoptions reported by the MOH/SW and projected by the U.S. consulate point to a large number of placements that are unregulated, invisible by fault or design, and therefore not within the reach of review or control.

Finding 7. Adoption Statistics

The primary sources of adoption data are the Ministry of Health and Social Welfare; Bureau of Immigration and Naturalization; Ministry of Justice Probate Court; Passport Agency; and the U.S. Embassy but because reliable statistics were unavailable the following data are incomplete and unsubstantiated. These data were unavailable either because of the weaknesses of the civil administrative system or a refusal to support the assessment.

Although neither Liberia nor the United States have ratified The Hague Treaty, freely sharing this kind of information is the object of the Convention's purpose as stated in Article 7:

- (1) Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their States to protect children and to achieve the other objects of the Convention.
- (2) They shall take directly all appropriate measure to –
 - a)* provide information as to the laws of the States concerning adoption and other general information, such as statistics and standard forms;
 - b)* keep on another informed about the operation of the Convention and, as far as possible, eliminate any obstacles to its application.

Data Requested

The study requested records that would reveal the total number of children adopted internationally during the first six months of 2006, including age, sex, country of adoption, and health and developmental status. The following is the information made available:

Ministry of Health and Social Welfare

A report entitled *The Bureau of Social Welfare, Ministry of Health, One Hundred and Fifty (150) Days Report* lists the number of "Adoption Cases Written" from 1 January to 30 May 2006 as 135, as follows:

Acres of Hope	34
African Christian Fellowship International	32
Americans for African Adoption	16
Angel Heavens (sic)	5
Plan for the Children	13
West African Children Support Network	35
Total	135

After repeated attempts to get specific adoption data, the Ministry of Social Work provided a document listing the total number of adoptions stated for the period from 1 January to 31 July 2006 as follows:

Acres of Hope	22
Americans for African Adoption	4
Angel's Haven Outreach	6
Independent	17
Plan for the Children	8
West African Children Support Network	11
Total	68

Bureau of Immigration and Naturalization

A response to the study's third request for statistics from this Bureau was pending at the time the field work ended.

Judiciary Branch, Temple of Justice, Montserrado Probate Court

Repeated requests from this assessment for information from the Probate Court resulted in an offer to sell data from the public record. The study elected not to pursue this option.

U.S. Embassy

The U.S. Consul's office was unable to release statistics on immigrant visas but estimated the number of adoption visas issued to be between 30 and 40 per month. If this estimate is accurate and the trend sustained, based on an average of 35 visas per month there will be 420 issued in 2006. According to the U.S. State Department website, 344 immigrant visas were issued to orphans coming to the U.S. from Liberia between 1996 and 2005. Data for the last ten years are as follows:

Year	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996
Visas	182	86	0	0	51	7	3	4	8	3

Subsequent to the research for this report the U.S. Department of State reported issuing 353 immigrant orphan visas in Liberia in 2006.

Adoption Agencies

In response to a request for the number of adoptions completed during the first six months of 2006 the study received the following data:

Acres of Hope	22
African Christian Fellowship International	6
Americans for African Adoption	7
Angel's Haven Outreach	0
PLAN	0
West African Children Support Network	No information provided

Canadian Adoptions

The Canadian High Commission Immigration Program Officer reports a total of 28 visa applications received from 28 August 2005 to 28 August 2006, 26 of which have been issued, with two pending. From August 2000 to August 2005 only 10 applications were received and processed.

Finding 8. The government workforce is inadequate to the task of ICA reform

Liberian society is suffering intellectual and capital resource flight, a partial result of which is a poorly trained and equipped civil service. If paid, most civil servants earn extremely small wages which leaves them vulnerable to corruption and an erosion of morale. Skill and education levels for government workers are generally low; material support is severely lacking and often nonexistent. The government's 2004 budget designated only .03% of its budget to the Ministry of Gender and Development to support women's and children's issues, which includes one staff member for these services. Some employees sincerely wish to see improvements and be part of positive change but are hampered by uninterested, incapable, or oppositional managers.

Among the most often heard comments during the assessment is that adoption in Liberia is a business and a standard if informal source of revenue for government employees. Many people asserted that it is common knowledge that officials make money in cooperating with adoption agencies to expedite procedures, falsify paperwork, or stall investigations like this assessment. Because change threatens those with influence little prospect for innovation among government personnel was seen.

Finding 9. Adoption agencies are not regulated

The practices of adoption agencies are not regulated by statute or agreement with the government but one tenet of ICA is that there be a strong central monitoring body to provide oversight for adoption activities. The government requires that agencies be licensed but licensing entails no review or adherence to guidelines or controls, only the payment of a fee. The fee was reported to be US\$150 by the MOH/SW but US\$1,000 by agencies. One government official asserted that agency regulations were being created and nearly complete but no other employees knew of the project.

Finding 10. Eligibility fieldwork is often fraudulent

Ethical adoption law requires a disinterested third party to ascertain a child's eligibility for adoption. Government social workers are often assigned this duty by the MOH/SW but because the ministry does not reimburse staff for the expense of these trips it is understood that many if not most investigations are fabricated. To seemingly address this problem, field investigations are sometimes funded by adoption agencies and in the company of their staff, or done by a social worker on the agency's staff, both of which compromise the validity of the findings.

Finding 11. Liberian orphanages and adoption

The role that orphanages play in Liberian adoptions has changed during the last several years following the recent assessment directed by requirements of the CRC and local controversy about trafficking. Research for this report on adoption procedures includes a meeting with the Rev. Alexander Stemm and other members of the Union of Orphanages once as a group and at other times individually. The following summary is based on those meetings.

Prior to the CRC assessment and subsequent closure of facilities more orphanages were involved in adoption, either by making placements or referring children to adoption agencies. Many feel the assessment was biased and the closures were unfair, arbitrarily enforced, and reduced care options for some children. They acknowledged that some orphanages were substandard but said they were opposed to closing them because the MOH/SW had no plan for how to care for the children the closure would displace.

According to the directors present, the Union represents the concerns of the orphanages to the Deputy Minister of the MOH/SW but no longer has a relationship with adoptions. The controversies surrounding adoption, and their belief that many are done fraudulently, caused the orphanages to shift their focus to providing services to children in need, including reuniting those still separated from their families because of the war. Union members believe that adoption laws need to be strengthened and would consider participating in adoptions if a reliable system existed.

In response to a request for records, Union members offered orphanage intake data but said they had none on adoptions or the ability to locate families to interview who had relinquished children for adoption.

Because, as stated in the preamble to the Hague Treaty, "...the child...should grow up in a family environment..." reliance on orphanages should be temporary if unavoidable, and along the course those in Liberia have elected. Once the need to reunite children separated from their families is eliminated, and in Liberia it appears to have diminished significantly already, providing short term support or directing children to foster placements is more desirable than long-term orphanage care. This will require a significant change in current procedures but to provide stronger oversight of functions and better quality of adoption services to children, it is better to have fewer agents involved.

Finding 12. Legal Procedures for Adoption in Liberia

Under Liberian law all adoption petitions must be adjudicated by the Probate Court. The required adoption petition contains the:

- petitioners' name, age, residence, and marital status
- child's name, date, and place of birth
- date and method by which the petitioners acquired custody of the child
- facts that render consent of either parent unnecessary, if any
- petitioners' stated desire to adopt the child, and
- child's new name, if applicable.

The court requires consent to the adoption in writing by the biological parents. If the child was born in wedlock both parents must consent to the adoption. If the child was born out of wedlock the mother's consent is all that is required. Parental consent is waived if:

- the parents abandoned the child
- parental rights have been legally terminated
- the parents are deceased, or
- the court has appointed a legal guardian for the child.

If the biological parents wish to withdraw consent during the proceedings the court must permit it but once granted the order of adoption is irrevocable.

If the child is over 16 years of age, he or she only needs to consent to the adoption.

After receiving a petition for adoption the court schedules a public hearing and notifies all interested parties. The petitioners or their legal representative and the child's parent, parents, guardian, or guardians must attend but the court can excuse the child for good cause. If excused, the waiver must be stated in the order of adoption. The adoption can only be ordered if the court is satisfied that it serves the "moral and temporal interests" of the child.

The Role of the Ministry of Health and Social Welfare

Most adoptive parents work with an adoption agency affiliated with a representative in Liberia, either an orphanage or other organization. The Ministry of Health and Social Welfare requires these agencies to be registered before they can process adoptions.

In addition to the legal requirements mandated by the Probate court, beginning in October 2004 the Liberian Ministry of Health began requiring that all adoptive families get a letter from the Ministry approving the adoption. The Ministry will issue the letter only after an investigation concludes that adoption is in the best interest of the child and the Ministry has reviewed all of the legal paperwork.

Private Attorneys

Liberian law allows private attorneys to process adoptions without partnership with a adoption agency or other organization. No regulations or procedures were discovered or revealed that provide oversight of independent private attorneys and no one consulted in government outside of law enforcement showed interest in or saw the need for them.

Fieldwork: U.S.

Finding 1. Misinformation about ICA

All persons the assessment contacted were sensitive about trafficking and most, including those with experience in Liberia and ICA, were suspicious of UNICEF and its motives for investigating adoption, several of whom assumed that UNICEF was going to impose an adoption law on the country. None of the contacts indicated they knew that Liberia was signatory of the Convention on the Rights of the Child which obligates it to conduct investigations into child welfare practices or how UNICEF functioned as an advisory body in support of the government.

All families and U.S.-based adoption agency staff contacted know the Liberian adoption system has problems but each asserted that their agency follows proper procedures. Of the six adoption agencies who work in Liberia, one has been doing adoptions for ten years but not all provide other family and child welfare services. Adoption is commonly seen as a "stand-alone" service contrary to the standards of practice outlined by the Hague Convention.

CONCLUSIONS AND RECOMMENDATIONS

Strengthening Child and Family Welfare

Liberia is working hard to restore a healthy civil society and though the challenges are great the country can support a respected, sustainable child and family welfare system. Civil war has depleted the country of vital resources and left many people disillusioned but Liberia still has a motivated, capable work force that values education and strong community identities. Independent of formal support many individuals and community groups have already assumed responsibility for the welfare of at-risk children. Although likely without a formal introduction to the CRC, these efforts demonstrate its basic principles, that the best interest of the child is to stay with birth families, in local foster care or domestic adoption, and only if without local alternatives placed for ICA. Improvements in child welfare can be based in the strong tradition of representative government and political involvement which many assessment participants referred to as the best mechanism for positive change.

A vital aspect of change in Liberia's ICA practices is to see adoption as part of a group of services instead of an end in itself. **A social services system in which adoption is one part of a continuum of services supports family preservation and offers ICA as an option, not a sole solution.** Adoption is valid and important but continued emphasis on it absent other options, especially if it is not managed properly, can turn public sentiment against it and potentially deprive some children of its benefits when alternatives are unavailable.

An effective and well regarded ICA system will benefit children and families and establish Liberia as a positive model for these practices in West Africa. Failure to do so could result in negative consequences at least as difficult to reverse as establishing proper procedures. For example, a successful legal challenge to fraudulent adoption resulting in repatriation would create significant emotional harm to the child, birth, and adoptive families and severe damage to Liberia's reputation.

Adoptive families are well informed, cautious, and will avoid risky placements in favor of those from countries whose practices are above reproach. In addition, child welfare agencies that can deliver essential services will be less inclined to begin operations in at-risk countries, thereby depriving many families and children of services. An example of this is Sierra Leone. In March 2006 Holt did an assessment of ICA potential in Sierra Leone but decided not to pursue programs there because of widespread irregularities with visa applications. In addition, two other U.S. child welfare agencies have suspended operations there because of fraudulent practices and an unreliable legal system.

Finally, the responsibility for creating an efficient ICA program lies with the government of Liberia. Absent the political will to provide leadership Liberia's vulnerable populations are in jeopardy of losing the benefits that a respected, internationally recognized child welfare system can offer. The government may assume responsibility for the work of ICA, delegate it to a qualified welfare agency, or work in partnership, but policy decisions must be made exclusively by the government influenced only by the best considerations of child welfare.

The following recommendations are intended to be enacted chronologically by the agents identified. Some of these steps may cases be taken simultaneously and the principle agents may identify others to assume or assist with the task.

1. Representatives from key stakeholders in child welfare reform such as the MOH/SW, Ministry of Justice, UNICEF, and others should identify a legislator to back statutory reforms that benefit children. Liberia's adoption law should include guidelines for intercountry adoption reflecting the standards outlined by the CRC and Hague Convention as these provide comprehensive guidelines for best practice and ethical standards in family and child welfare. Accomplishing this will require legislative action initiated by a sponsor familiar with these instruments. A committee should also be formed that studies these instruments, other countries' practices, and recommends legislative

changes. Many of this assessment's recommendations are based on standards established in the Hague treaty but can be enacted before becoming a signatory.

2. The MOH/SW should strengthen the Bureau within the MOH/SW responsible for family and child welfare. The Bureau's responsibility must be to manage all aspects of adoption including matching children with approved adoptive parents, regulating child welfare organizations, ensuring ethical relinquishments, and collecting and maintaining all available information about adopted children and birth families.

The Bureau could study successful models of such programs in other countries (see page 31 for an orientation to these countries), identify staff and the skills and or training needed, ascertain available funding and material resources, and work with other government offices to establish procedures. A basic agreement with other government offices is that only adoption cases that have been supervised and approved by this office should be permitted to proceed.

3. The MOH/SW or the agent it identifies should create a public education campaign to reduce the number of children inappropriately offered for ICA. The public must understand relinquishment and foreign adoption so birth parents can make informed choices about care options for their children. This program would begin by assessing the understanding of government officials, including especially social work professionals, about the nature and procedures of ICA, then provide information to compensate for any lack of or misinformation. The same education would be offered to formal and informal local community leaders, then the general public. Public education could be several months of radio promotions written in and for different ethnic groups followed by community dramas that demonstrate the key principles. People should be strongly encouraged to verify with local leaders any information they learn about adoption from agency recruiters or others before relinquishing children.
4. The Bureau should promote government and public knowledge about the CRC. As a signatory to the CRC Liberia is required to act in the best interests of the child by legislating basic rights, including being raised by birth parents or others in a family setting. Because meeting the CRC's obligation will require a revision of Liberia's law, or new ways to work within the law, it is essential that knowledge of this commitment and its benefits be more widespread in Liberia.
5. The MOH/SW in cooperation with UNICEF should develop adoption agency guidelines, including minimum standards to meet, then license and regulate agencies. Issue licenses only to child welfare organizations that at minimum provide family preservation services in addition to adoption, have a proven commitment to placing children with special needs; comply with post-placement reporting requirements; have a history of ethical practice in other countries; and have been practicing for a pre-determined minimum length of time. Licensing renewal should be based on satisfactory periodic assessments that the agencies meet the government's minimum standards. Qualified agencies already licensed that do not meet the new standards could be given time to meet the new guidelines; failure to do so would result in licensing forfeiture. Depending on the scope of the shortfall, agencies that do not meet minimum standard may be permitted to make tiered adjustments. This allows qualified agencies to make changes while showing progress and good faith effort.
6. The Bureau should require that adoption agencies be accredited by a recognized independent regulatory body. Working with a limited number of accredited agencies gives the best assurance that practices are ethical, staff is qualified, and administration is professional. In the U.S., for example, the premier accrediting body is the Council on Accreditation.
7. The Bureau should charge adoptive parents reasonable, transparent, consistent fees adequate to cover all adoption procedures. All fees must be fully disclosed in advance, standard and receipted, and all recipients identified. A good example of this is the People's Republic of China, which charges an orphanage fee for each placement. This money has been effectively used to fund adop-

tion oversight activities, improve care facilities, and expand services provided to at-risk children. Prohibit adoption agency staff from funding, participating in, or accompanying field investigations. Regulate and ensure the qualifications of all parties who conduct field investigations.

8. The Bureau should allow only the government and non-profit, licensed child welfare organizations to provide services. Best practice recommendations exclude independent facilitators or for-profit agencies, including attorneys, from doing adoptions. If such agents are permitted they must also meet the standards of practice transparency and accountability imposed on non-profit agencies. Whoever is permitted, limit the child welfare providers to a number the government can monitor effectively. For other country examples of ICA policy see Tables 1 – 8.
9. The Bureau should establish a model adoption program (See Appendix I). Model child welfare programs, of which adoption is but one component, have inspired reform in countries such as China, Viet Nam, and Romania; Holt is currently developing new models in Uganda and Cambodia in cooperation with local government. Without a model, recommended reforms remain theoretical to lawmakers unfamiliar with the procedures and challenges of ICA. A successful demonstration gives substance to proposed changes, illustrating the benefits and challenges they must meet. A good demonstration model identifies achievable goals for reform and helps sustain the optimism among legislators and the public needed to achieve them.

ADOPTION CASES STUDIES

See Appendices beginning on page 51 for complete studies

Summary

The most common reason cited for a child's relinquishment from their birth family was poverty. Adoptive families received little information about the children's circumstances prior to the adoption and little or no personal information about the child. All adoptive families had low expectations for the quantity, type, and veracity of any information they received regardless of the source.

One of the families we spoke to was still in process and intended to travel to Liberia to complete the adoption but none of the others traveled. Each family said the fees they paid for the adoption were stable, fair, and clearly identified at the beginning of the process.

The adoptive placements were all to U.S. families and geographically concentrated in the upper Midwest. The main reason for this is that the adoption agencies that work in Liberia are small and do not do extensive promotion so information is often gotten through personal reference.

One of the placements resulted in a disruption or failed adoption and the second family who adopted the children from this placement was having a very difficult experience with them. Another placement was going well and the last had yet to be completed when we spoke to the family.

APPENDIX I. ESTABLISH A MODEL ADOPTION PROGRAM

A model program could be defined by a Memorandum of Agreement (MOA) as negotiated between a Liberian government agency, likely the Ministry of Health and Social Welfare, and an adoption agency licensed in Liberia, and preferably one with extensive professional experience delivering child and family welfare services and has professional accreditation.

The goal of the MOA is to establish a partnership that articulates and demonstrates best practice for determining the eligibility of children entering the adoption system, transparent procedures, and provides accountability for all fees. The following are some suggested components of an MOA that would serve this purpose:

The agency's responsibilities:

- Recommends qualified children to the MOH/SW for placement.
- Provides complete, thorough child information to the MOH/SW and adoptive parents
- Recommends qualified adoptive families to the MOH/SW as a match for qualified families
- Provide fees to pay for legitimate eligibility research by MOH/SW staff without the undue influence of agency personnel.
- Manages all processing through the appropriate legal venues
- Facilitates adoptive family travel or child escorting

The MOH/SW's responsibilities:

- Define and verify the qualifications for social work staff, regulate and supervise field investigations, and provide qualified investigators to conduct the work.
- Establish a fee schedule to cover
 - the child's eligibility field investigation
 - the cost of supervising the program
- Identify in advance to whom, when, and how each fee is paid, and provide receipts for each payment.

Shared responsibilities:

- Document how children come into care by establishing:
- Procedures for documenting child and birth family history
- Methods of determining a child's eligibility for adoption
- Procedures for birth family search for abandoned children
- Standard recordkeeping formats and procedures
- Establishing permanency planning for the child:
- Determine methods of relinquishment counseling for birth parents
- Document efforts to keep child with birth family and or relinquishment counseling

APPENDIX II. ADOPTION AGENCY GUIDELINES

The report evaluating Liberia's progress in meeting its obligations under the Convention on the Rights of the Child listed ratification of the Hague Treaty and one remedy for strengthening Liberia's intercountry adoption practices: Adoption, 1. b) Ratify and implement the 1993 Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption.

Also known as the Hague Treaty on Intercountry Adoption, in 1993 the Convention's purpose is to protect the children, birth parents, and adoptive parents involved in intercountry adoption and prevent child trafficking and other abuses. It provides the first formal international recognition of ICA and asserts that a child should grow up in a family environment. The Convention establishes the following placement priorities for children:

- Enable the child to remain with the family of origin
- Adoption in a child's birth country
- Intercountry adoption (ICA)

Although not a solution of first resort the Convention identifies intercountry procedures so they are carried out in the best interest of the child.

Establishing and adhering to recognized guidelines is the key principle to creating a reputable adoption program based in the best interests of children. Article 10 of the Hague Treaty states:

Accreditation shall only be granted to and maintained by bodies demonstrating their competence to carry out properly the tasks with which they may be entrusted.

The following guidelines are based on the principles of the Hague Treaty. Following each recommendation is an example of the documentation required to substantiate adherence to the principle, along with references from the Treaty.

1. Accept only Non-Profit Adoption Agencies

Strict standards of financial accountability are essential and can be met by accrediting only non-profit agencies. Non-profit agencies are permitted to charge fees covering operating costs but profit from adoption activities above a predetermined standard is prohibited.

Documentation

All US non-profit organizations, for example, are required to obtain and be able to produce the 501(C)3 determination letter from the US Internal Revenue Service.

Hague Treaty Reference

Article 11

An accredited body shall –

- a) pursue only non-profit objectives according to such conditions and within such limits as may be established by the competent authorities of the State of accreditation;

2. Accept Only Licensed and Accredited Agencies

All agencies working in Liberia should be accredited by a relevant body of government or other private sector peer professionals.

For example, US adoption agencies accredited in Liberia should be licensed by the state child welfare agency in which their headquarters is located and certified by an accrediting body. In the US, the Council on Accreditation for Services for Family and Children (COA) is the most esteemed agency for accrediting public and private child welfare agencies. Information about COA can be obtained from their website, www.coanet.org.

The advantages to the sending country of allowing on an accrediting body such as the COA to screen agencies in the receiving country are the assurance that

- the agencies' practices follow established ethical standards;
- the agencies require specific professional staff qualifications;
- the agencies assess and train adoptive applicants;
- provide post-placement reports and post-adoption services; and
- accreditation relieves the sending country from the cost of screening agencies.

Documentation

Each agency should produce a current valid state license and proof of accreditation from an accepted accrediting organization.

Hague Treaty References

Article 10

Accreditation shall only be granted to an maintained by goodies demonstrating their competence to carry out properly the tasks with which they may be entrusted.

and

Article 11

An accredited body shall –

- b) be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption; and
- c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.

3. Require Transparent And Consistent Adoption Fees

Fees charged to adoptive parents should be transparent, consistent with services provided, and clearly communicated to adopting parents before beginning the adoption process. Fees may differ among agencies depending on their level of services and funding structure, but all agencies must identify all fees charged to adoptive parents and explain how they support the services provided.

Documentation

Each agency should provide to Liberia's accrediting body a clear, annually updated list of fees charged to adoptive parents. Liberia should periodically confirm fees with adopting parents to see that the agency complies with this regulation and that fees are accurately levied.

Hague Treaty References

Article 11

c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.

and

Article 32

(1) No one shall derive improper financial or other gain from an activity related to an intercountry adoption.

(2) Only costs and expenses, including reasonable professional fees of persons involved in the adoption, may be charged or paid.

(3) The directors, administrators and employees of bodies involved in an adoption shall not receive remuneration which is unreasonably high in relation to services rendered.

4. Require a history of successful and ethical child welfare and or intercountry adoption practice of no less than five years

Accrediting only adoption agencies which can demonstrate a minimum of five years of successful child welfare and or adoption practice provides a minimal level of assurance that the agency is committed to providing long term services.

Documentation

Require agencies to demonstrate at least a five year history of successful child welfare and or international adoption practice through letters of recommendation from relevant government bodies in the countries where the agency works or has worked.

Hague Treaty Reference

Article 22

(2) Any Contracting State may declare to the depositary of the Convention that the function of the Central Authority under Articles 15 to 21 may be performed in that State, to the extent permitted by the law and subject to the supervision of the competent authorities of that State, also by bodies or persons who –

a) meet the requirements of integrity, professional competence, experience and accountability of that State; and

b) are qualified by their ethical standards and by training or experience to work in the field of intercountry adoption.

5. Require Multiple Services from Agencies

Requiring adoption agencies to provide birth family preservation, birth family reintegration, and domestic adoption as well as intercountry adoption services ensures that all placement options are available in the best interest of each child.

Documentation

Agencies should be able to demonstrate delivery of such services or work with other organizations in Liberia to ensure each child placed receives them. Liberia should require a detailed work plan and budget for the delivery of multiple services and periodically monitor their progress to document compliance.

Hague Treaty Reference

Article 4

An adoption within the scope of the Convention shall take place only if the competent Authorities of the State of origin –

c) have ensured that

(1) the persons, institutions and authorities whose consent is necessary for adoption, have been counseled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin,

and

Article 5

An adoption within the scope of the Convention shall take place only if the competent authorities of the receiving State –

a) have determined that the prospective adoptive parents are eligible and suited to adopt;

b) have ensured that the prospective adoptive parents have been counseled as may be necessary; and

c) have determined that the child is or will be authorized to enter and reside permanently in that State.

6. Require Qualified Agency Staff

Professional child welfare services must be delivered by appropriately qualified staff commensurate with services to be delivered. Agency staff qualifications include such educational backgrounds as social work professionals, psychologists, administrative managers, and the like.

Documentation

Require resumes of key management and program personnel for both Liberia based staff and those in the agency's home country.

Hague Treaty Reference

Article 11

An accredited body shall –

b) be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption; and

c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.

7. Demonstrated Compliance with Post-Placement Reporting Requirements

Every agency should formally agree to and demonstrate compliance with Liberia's post-placement reporting requirements and be held accountable for compliance.

Documentation

Require a formal commitment to provide regular post-placement reports and cooperation with an annual review to ensure each agency meets Liberian quality and reporting standards.

Hague Treaty Reference

Article 9

Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to—

c) promote the development of adoption counseling and post-adoption services in their States;

d) provide each other with general evaluation reports about experience with inter-country adoption;

e) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation.

and

Article 20

The Central Authorities shall keep each other informed about the adoption process and the measures taken to complete it, as well as about the progress of the placement if a probationary period is required.

APPENDIX III. OPTIONS AND BEST PRACTICE FOR INTERCOUNTRY ADOPTION SYSTEMS

Hague Convention on Intercountry Adoption

(Approved in 1993 by 66 nations at the Hague. Forty six (46) countries are full parties to the convention and 13 countries have signed but not yet ratified the treaty. Full text of the treaty can be found beginning on page 43.)

Principles & Major Provisions

GOAL: Protect the children, birth parents and adoptive parents involved in intercountry adoption and prevent child trafficking and other abuses.

- Provides, for the first time, formal international and intergovernmental recognition of intercountry adoption.
- Recognizes that a child should grow up in a family environment.
- Establishes placement priorities for children:
- Countries should give priority to “appropriate measures to enable the child to remain in the care of his family of origin” (Preamble)
- Adoption in a child’s birth country
- Intercountry Adoption
- Establishes minimum standards and procedures for adoptions between member countries and safeguards to ensure that intercountry adoption is in the best interest of the child.
- **Each country** must designate a Central Authority to discharge the duties required by the Convention and to be the point of contact within that country Articles 6-9.
- **Sending countries** have responsibility for determining which children are “adoptable” and appropriately separated from their birth parents. They must ensure all necessary consents have been obtained and “have not been induced by payment of any kind.” Article 4 (b) (3)
- **Receiving countries** must ensure that adoptive parents have been counseled and determined to be “eligible and suited to adopt” Article 5 (a) and (b)
- Prohibits contact between prospective adoptive parents and any parent or other person who cares for the child until Article 4 and Article 5 (above) have been met and the contact complies with conditions established by the Central Authority.
- Requires the Central Authority of the **sending country** to
 1. Prepare a report containing information about the child’s origins (“identity, adoptability, background, social environment, family history, medical history, including that of the child’s family and special needs of the child”)

2. Preserve information on the child's origin, particularly the birth parent's identity and medical information to ensure the child will have access to this information as permitted by law.
- Both *sending and receiving countries* are to take "all appropriate measure to prevent improper financial gain in connection with adoption and to deter all practices contrary to the Convention." Article 8
 - Adoption agencies and individual providers of services may be authorized to process individual cases provided they have become accredited or approved by the Central Authority or the accrediting body named by the Central Authority.
 - Adoptions granted in the decree granting country must be recognized in other convention countries. Re-adoption in receiving country should no longer be necessary.

Hague Convention—Questions & Answers

Does the Convention apply when only one of the countries has ratified?

No. The Hague Convention only applies when *both the sending and receiving* country has ratified it.

Are countries that have ratified the Hague Convention permitted to work with countries that have not done so?

Yes

How can a *sending country* that wants to work with a country that has not ratified the Hague, be assured of the ethical practice of agencies from that country?

The *sending* country can require confirmation of the agency's status from the *receiving* country's Central Authority.

With the absence of a Central Authority:

The *sending* country can require that the agency be accredited by an accrediting body in the *receiving* country. For example in the United States, the Council on Accreditation for Services for Family and Children (COA) is the premier agency with the longest history of accrediting public and private child welfare agencies.

Information about COA can be obtained from their website: www.coanet.org

Advantages of relying upon an accrediting body, such as COA, in the *receiving* country to screen agencies are:

- Assurance that the agency's practice complies with ethical standards
- Identifies and ensures compliance with specific practices: Examples: qualifications required of staff; assessment of and training provided to adoptive applicants; provision of post placement reports and post adoption services.
- Relieves the sending country from the costs associated with screening agencies.

Or the *sending* country can develop its own standards. Russia and the Philippines are examples of countries that accredit child welfare organizations that work in their countries.

Recommended accrediting requirements:

- Family preservation services to children and families at risk of separation
- Demonstrated commitment to domestic adoption
- History (number of years to be determined) of ethical child welfare practice in other countries
- History and commitment to placement of children with special needs
- Qualifications of staff
- Compliance with post placement reporting requirements

Advantage to the *sending* country if they screen and accredit agencies:

- Control and oversight of the process is retained
- Control over the number of agencies that work in the country

Note: It is possible for the sending country to both rely upon an accrediting body in the receiving country and to develop their own accrediting requirements.

Does the Convention limit those who arrange intercountry adoptions to non profit agencies?

No. The Convention does not prohibit for-profit adoption facilitators or agencies. They will be permitted to arrange adoptions if they are approved by the Central Authority on the basis of their ethical standards and their training or experience. While the U.S. Intercountry Adoption Act of 2000 requires facilitators to meet the same professional standards as accredited non-profit agencies (or other approved persons) it is not clear how effective the regulations will be in preventing unlicensed facilitators from continuing to operate without any accountability to the accrediting entity or to adoptive families.

Does the Convention permit countries to mandate that adoptions of its children take place ONLY through public authorities or accredited agencies?

Yes. The Convention specifically permits sending countries to do so. Article 22 (4).

Does the Convention prohibit “private” intercountry adoption initiated by adoptive parents acting on their own behalf to locate an adopted child?

No, but countries can prohibit this kind of adoption.

Will the Convention simplify the process?

It was the vision of the Convention that it would greatly simplify the process. It does eliminate some of the duplicative requirements typical of current procedures. One example of such current duplication is completion of a legal adoption in the sending country and a re-adoption in the receiving country. It does not, however, provide directives about how to streamline processes that are in the best interest of children.

It leaves to countries to create regulations that will ensure more efficient and simplified processes.

Will an intercountry adoption between Convention countries cost less than the typical cost of current adoptions?

The Convention does not specify what an adoption should cost or how the cost should be calculated. The cost is not likely to be less than the current cost. It is likely that costs may increase slightly as governments work to make their processes more ethical, efficient and child-friendly.

Does the Hague Convention eliminate all risk and solve the problems with intercountry adoption?

The Hague will help. It outlines general principles and practices that are in the best interest of children.

It is not, however, a complete solution to the problems of intercountry adoption. First of all, for-profit agencies and facilitators may continue to work in Hague and non-Hague countries. Also, since it is a treaty of cooperation, there is no active enforcement by outside entities. It is left to the member countries to license, to monitor, and to discipline adoption service providers. The regulations will only be as strong as the people charged with enforcing them.

Recommended Elements of an Intercountry Adoption Law

The Hague Convention on Intercountry Adoption outlines practice that is in the best interest of children. Holt International Children's Services has historically supported international adoption reform as well as the principles and provisions of the Hague. We have identified recommended elements of an intercountry adoption law and compared the processes from several different countries from our perspective as an international child welfare organization. We recognize that what we are proposing benefits international child welfare organizations, like ourselves, and that there appears to be a conflict of interest. However, what we are proposing is best practice and in the best interests of children.

PRINCIPLES

Intercountry adoption services are a part of a continuum of child welfare services. This continuum includes a broad range of community-based, family-centered services necessary to assure that children have a safe, permanent family.

Qualified domestic and foreign child welfare organizations are recognized and allowed to offer a full range of services to children to maximize the human and financial resources and expertise of both the organizations and the government.

Government processes and time frames are streamlined the time a child must spend in care outside a permanent family.

Establishment of a strong monitoring body to ensure ethical and child-centered practice.

PROVISIONS

I. Regulatory body:

Establishment of a regulatory body that:

- Is responsible and accountable for oversight of ICA

- Licenses child welfare organizations and monitors them to ensure practice that meets established standards for child welfare services and is consistent with the laws of the country and the treaties the country subscribes to.

II. Licensing:

Only governments and non-profit, licensed child welfare organizations are permitted to provide services to children and process adoptions. Independent facilitators and for-profit agencies are prohibited from working in ICA.

The number of child welfare organizations that are licensed should be limited to a number that is reasonable for the regulatory body to adequately monitor.

Licensing requirements and conditions required of foreign child welfare organizations:

- Family preservation services (such as nutritional support, counseling, micro-credit lending) to families and children at risk of separation
- Demonstrated commitment and ability to increase domestic adoption at a rate to be determined by the country
- History (number of years to be determined) of ethical child welfare practice in other countries
- History and commitment to placement of children with special needs
- Compliance with post placement reporting requirements

III. Fees:

Permission for governments to charge reasonable fees (contribution to the child caring facility and for administrative costs).

Full advance disclosure of all adoption-related fees. Fees should be standardized and receipted, including charges for expediting service in the best interest of the child.

Specific persons, governments or providers that are to be paid fees should be identified.

Fees and payments should be structured and scheduled so that they do not induce release of child for adoption.

To guard against unethical activities to secure release of children for adoption, adoption agencies and facilitators should not be compensated in ways that create profit motivation in their work. Compensation based strictly on numbers of children placed into intercountry adoption is not recommended unless there is effective monitoring by authorities to prevent profiteering.

IV. Relinquishments:

Processes that ensure relinquishments occur ethically and are not induced by payment or compensation of any kind.

V. Information about child:

Central Authority or designated child caring facilities required to collect and maintain all available information about a child and their birth family.

VI. Efficiency of process:

Steps in process are only those necessary to protect the interests of the child. Examples of such are the review and approval of relinquishment, abandonment or termination of parental rights processes; approval or review of the match of child and family and final approval of the adoption.

Authorities at each step in the process have necessary skills and resources and are monitored to ensure efficiency.

VII. Monitoring and final approval of adoption vested in the government.

Comparison of Intercountry Adoption Processes

Statement regarding Conflict of Interest:

The Hague Convention on Intercountry Adoption outlines practice that is in the best interest of children. Holt International Children's Services supports the principles and provisions of the Hague. We have compared the intercountry adoption processes of several different countries in the questions and answers below and in the charts that follow from the perspective of The Hague Convention and from our perspective as an international child welfare organization. We recognize that our assessments of good processes benefits international child welfare organizations, like ourselves, and that there appears to be a conflict of interest. However, what we are proposing is best practice and in the best interests of children.

What are the basic questions that governments must grapple with as they consider intercountry adoption (ICA)?

1. How will the government prioritize birth family preservation as the first best alternative for children at risk?
2. What processes will be used to determine which children are appropriately separated from birth parents and, thus adoptable?
3. How will the government prioritize domestic adoption as the second best alternative for children?
4. Will the government handle all of the adoption processes or share these responsibilities with domestic and/or foreign child welfare organizations?
5. If the responsibilities are shared, how will the government hold the child welfare organizations accountable for good practice and provide effective oversight?
6. Will independent facilitators and for-profit agencies be prohibited from working in ICA?
7. Will the government limit the number of child welfare organizations involved in ICA and on what basis?
8. Will the government charge fees for administrative costs related to ICA?
9. Will the government regulate the fees of domestic child welfare organizations involved in ICA?
10. Do foreign child welfare organizations involved in ICA have a responsibility to provide or support comprehensive child welfare services to other vulnerable children?

11. How to best use the skills and capacities of the government and child welfare organizations and how to build who does what best into the system?

How do governments prioritize birth family preservation?

- By searching for the families of lost or abandoned children (All countries reviewed)
- By offering counseling and services to resolve problems to birth parents who wish to relinquish or who have abandoned (Colombia, India, Korea, Philippines, Thailand)
- By providing a full range of social services to eligible families, such as feeding programs, day care for working parents, unmarried mothers' homes, domestic violence and substance abuse programs, microfinance programs, parenting classes and other social supports. (Colombia, Korea)

How do governments determine which children are appropriately separated from birth parents and, thus adoptable?

Must be determined on a case by case basis by the government or a child welfare organization:

- By attempting to find the birth families of abandoned or lost children (All countries reviewed)
- By counseling birth parents who wish to relinquish or who have abandoned and by offering help to solve the problems that led to the abandonment or the wish to relinquish (Colombia, India, Korea, Philippines, Thailand)
- By requiring a court process for the termination of parental rights, if a child has been neglected or abused (All countries reviewed)
- By monitoring these processes administratively or through the courts (Most countries)

How do governments prioritize domestic adoption?

- By tying the numbers of children that may be placed in intercountry adoption to the numbers that a child welfare organization has placed in domestic adoption (Korea), or
- By requiring that a child welfare organization develop a domestic adoption program for a specified number of years before developing an intercountry adoption program (India), or
- By requiring a child to wait for a specified period for a domestic adoptive family before being released for intercountry adoption (Russia), or
- By requiring that a child be turned down by a specified number of domestic families prior to being released for intercountry adoption (India)
- By requiring that children be routed through the regional and then the national database of waiting domestic families prior to being considered for ICA (Colombia, the Philippines)

Which of these options for prioritizing domestic adoption demonstrate efficiency?

1. Routing a child's paperwork through a regional and then a national database of domestic adoptive parents can be done efficiently and quickly without holding a child at either level **or** for a specified number of domestic families to turn him or her down. (Colombia, the Philippines)

2. Tying the numbers of children that may be placed in intercountry adoption to the numbers that a child welfare organization has placed in domestic adoption offers the advantage of being able to increase expectations for placements as the nation's working and middle classes develop. It also does not have the disadvantage of holding a child for a specified time period whether or not a domestic family is available for him or her. (Korea)

Do governments share providing comprehensive child welfare services to children with child welfare organizations?

Yes, most governments do. These governments include Colombia, Ecuador, Guatemala, Haiti, India, Korea, the Philippines, Russia, and Thailand. Holt International founded domestic child welfare organizations in India, Korea, the Philippines, and Thailand to provide these services.

China and Vietnam do not have domestic child welfare organizations and do not permit foreign child welfare organizations to provide comprehensive child welfare services. They do permit foreign child welfare organizations to provide foster care and other child care under the auspices of the government.

How do governments provide effective oversight of child welfare organizations?

- Licensing domestic child welfare organizations to practice in the field of child welfare
- Approving or licensing foreign child welfare organizations
- Monitoring programs and services
- Auditing financial statements
- Regulating fees charged to foreign child welfare organizations for intercountry adoption and tying revenue to the costs of providing services to children

Why should independent facilitators be prohibited from working in intercountry adoption (ICA)?

Many countries prohibit independent facilitators from working in intercountry adoption. These countries include China, Colombia, India, Korea, the Philippines, Thailand and Vietnam. The Philippines banned independent facilitators in 1980 due to financial profiteering. Russia currently permits such facilitators to work but is planning to ban them due to their inability to follow through on the required post placement reports. Independent facilitators also typically do not invest any of the profit they made from ICA in child welfare programs in the country that they are managing adoptions from.

Guatemala permits independent facilitators. It is the largest ICA sending country per capita in the world, and ICA fees in Guatemala are also highest in the world. UNICEF has been highly critical of Guatemala for the treatment of children as a commodity and the commercialization of ICA that has resulted from the practice of the independent facilitators.

Why should the government limit the number of child welfare organizations involved in intercountry adoption (ICA)?

- In order to be able to provide effective oversight of these organizations
- In order to allow the child welfare organizations to be involved in a sufficient number of adoptions and, as a result, to develop enough resources to provide comprehensive child welfare services to other children in the same country

Why should the government charge fees for their services related to intercountry adoption (ICA)?

- In order to cover their administrative costs and the costs of direct child care and to support services to other children.
- Expedite processing in the child's best interest.

Why should the government regulate the fees charged by domestic child welfare organizations or individuals?

- In order "to prevent improper financial or other gain," as required by the Hague convention
- In order to be able to hold the domestic child welfare agencies accountable

Do foreign child welfare organizations involved in intercountry adoption (ICA) have a responsibility to provide or support comprehensive child welfare services to vulnerable children in-country?

Holt International Children's Services believes that foreign child welfare organizations do have a responsibility to provide or to support comprehensive child welfare services to vulnerable children in-country.

The first priority for every child is to remain with his birth family and a second priority is to remain in his country with a domestic adoptive family. The third best option for children is intercountry adoption. Families or best-care care environments are provided for those children that cannot be placed with an adoptive family. These placements priorities are universally believed in the international professional child welfare community to be in the best interests of children. They are inscribed in the Hague Convention on Intercountry Adoption.

Often, governments and domestic child welfare organizations do not have the capacity to develop family preservation or domestic adoption programs. This is something that can be developed over time. Foreign child welfare organizations should invest both their expertise and their revenue to develop these programs and to help them grow because to do so is acting in the best interest of children.

What additional questions must governments grapple with as they consider intercountry adoption (ICA)?

1. What governmental body will license, register, or accredit child welfare organizations interested in ICA? What will be the licensing requirements? How will the child welfare organizations be monitored following the initial licensing? How will their financial statements be audited?
2. What will the eligibility requirement for adoptive parents be?
3. How will information about the child be gathered and transmitted to potential adoptive parents?
4. Who will have responsibility for matching children with adoptive parents?
5. Will parents be required to make a trip to the child's birth country as part of the adoption process? Or, can all of the necessary work be handled without travel of the adoptive parents?
6. Will the government require post placement reports about how the child is doing in his new family?
7. How will guardianship of the child be handled?

What type of criteria do governments use to license child welfare organizations?

- Demonstrated commitment to the best interests of the child, as outlined in the Hague Convention on Intercountry Adoption
- History of ethical child welfare practice in other countries
- Accreditation by a well-known body in their own country
- Staff qualifications
- History of commitment to family preservation services for families and children at risk of separation
- History of commitment to domestic adoption
- History of commitment to the placement of special needs children
- Ability to comply with the requirement to provide timely post placement reports

How do governments demonstrate a commitment to the placement of special needs children in families?

- By flexibility in adoptive family eligibility requirements
- By expediting the child's adoption process
- By reducing the processing fee
- By providing a list of all special needs children available for adoption to child welfare organizations on a regular basis
- By permitting photolisting of children on the internet under specified guidelines.

How is guardianship of the child handled?

1. Some governments transfer guardianship to the domestic child welfare organization who retains it until the adoption is legally finalized.
2. Some governments transfer guardianship to the domestic child welfare organization who transfers it to the international child welfare organization until the adoption is legally finalized.
3. Some governments retain guardianship themselves until the adoption is legally finalized.
4. Some governments transfer guardianship to the adoptive parents even prior to the finalization of the adoption.

Which of these options for guardianship does Holt International favor?

Any of these options, except the last, permits effective oversight of the child in his new adoptive family until the adoption is finalized.

Comparison of Intercountry Adoption Processes and Child Welfare Systems

Table 1. People's Republic of China

	Strengths	Weaknesses
Role of government in child welfare	Handles abandonment and involuntary termination of parental rights; establishes eligibility criteria for parents for adoption; registers and monitors foreign child welfare organizations to participate in ICA; efficiently matches children with foreign families; requires post placement reports for one year.	Many children in orphanages rather than family based care.
Role of domestic child welfare organizations in child welfare		Registered charitable organizations function under the auspices of the government. They are not yet free of government oversight. Lack of effective laws that govern child welfare organizations.
Role of foreign child welfare organizations in child welfare	Assessing families for ICA; providing post placement reports; see below.	
Collaboration between child welfare organizations and government for the best interests of children	Foreign child welfare organizations partner with the government to improve the condition of children through model projects, such as foster care, educational and medical programs for children, and providing funding for orphanages.	
Role of independent facilitators in ICA	None permitted.	
Social work knowledge and skill		Social work as a professional field is just beginning to emerge in China.
Transparent system for the use of money that ICA generates	The government requires a small administrative fee and a larger specified amount to paid to the orphanages. ICA has resulted in markedly better facilities and care for children.	
Provides family preservation services to birth parents and counseling regarding relinquishment		China's laws do not permit relinquishment, and there are no services to birth parents.
Provides domestic adoption services for children	New initiatives are being planned. Refer to: Future Child Welfare Services (below)	
	Both unofficial and official domestic adoption takes place. Procedures vary by province. Little assessment or preparation of domestic adoptive parents. Little follow up.	
Provides information about the child's origins to adoptive families		Very limited information is available about children due to abandonment, lack of contact with birth parents and limitations to obtain monthly medical reports for children in orphanages.

	Strengths	Weaknesses
Has efficient processes that assures timely placement of children for ICA	The government has committed staff and resources to assure that children are matched quickly and do not linger in orphanages. The central government makes the match and the local government finalizes the adoption in an administrative procedures. Average age of a child who is matched is 12 mos. Children arrive home 7 to 9 weeks after match.	
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees		Post adoption services are not yet officially provided by China.
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption		China has been unable to limit the number of child welfare organizations with whom they work to a reasonable number.
Demonstrates a commitment to the placement of special needs children into families	The adoption process for special needs children is expedited. The government is committed to matching international money for medical procedures for children in orphanage care.	
Future plans for child welfare services	In the next 20 years China plans to remove all children from orphanages, except for the most severely disabled. The Center for Adoption Affairs has been assigned responsibility for domestic adoption and is in the process of establishing policies and regulations that will encourage and govern this process.	

Table 2. Colombia

	Strengths	Weaknesses
Role of government in child welfare	Licenses 8 domestic child welfare organizations to do adoption; licenses foreign child welfare organizations to do ICA; provides comprehensive child welfare services, including foster care for children in ICA.	Children continue to be cared for in both private and government orphanages rather than family based care.
Role of domestic child welfare organizations in child welfare	Manage unwed mother's shelters.	Manages orphanages.
Role of foreign child welfare organizations in child welfare	May present foreign families to one of the eight domestic child welfare organizations or to the government to be considered for children. May be licensed to run child care facilities.	Manages orphanages.
Collaboration between child welfare organizations and government for the best interests of children	Government is currently requiring all foreign child welfare organizations to receive an additional license so that it will be easier to be involved in humanitarian projects in Colombia.	
Role of independent facilitators in ICA	Not permitted.	

	Strengths	Weaknesses
Social work knowledge and skill	Many schools of social work and Master's level social workers.	
Transparent system for the use of money that ICA generates	Annual agreement between domestic child welfare organizations and the foreign agencies regarding the amount of the grant to support the work of the domestic agency. Fees attorneys charge for assisting with adoption are regulated by the government.	Government does not charge a fee for its services. Fees could provide revenue that would improve services to children. For example, timely discovery and processing of legal status of children in orphanages.
Provides family preservation services to birth parents and counseling regarding relinquishment	Government provides feeding programs, day care for working parents, domestic violence and substance abuse programs, microfinance programs, parenting classes and other social supports to families. Domestic child welfare organizations provide relinquishment counseling.	
Provides domestic adoption services for children	Half of all Colombian children placed in adoption are placed domestically. Colombians are given preference in the adoption process, both those who live in Colombia and those who have emigrated. Domestic adoption program is about 25 years old.	
Provides information about the child's origins to adoptive families	Accurate and comprehensive information is provided about children. All that is known or suspected about the child is conveyed.	
Has efficient processes that assures timely placement of children for ICA	Colombia prohibits any person from holding up an adoption for longer than 30 days and fines can be imposed on those that do.	Inadequate resources prevent timely discovery and processing of the legal status of children in orphanages.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees		No formal post adoption services are provided by the government. Searches for birth parents are done without government involvement or knowledge, because the government currently disapproves of such activity.
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption	Only 8 domestic child welfare organizations are licensed to work in ICA. Only a limited number of foreign child welfare organizations have been approved to work in ICA.	
Demonstrates a commitment to the placement of special needs children into families	Demonstrates flexibility in the eligibility requirements for adoptive parents to adopt special needs children.	
Future plans for child welfare services	Hope to reduce the time that children are in government care by reallocating priorities.	No expectation from government or foreign child welfare organizations of additional resources for child welfare services.

Table 3. Guatemala

	Strengths	Weaknesses
Role of government in child welfare	Handles abandonment process and involuntary termination of parental rights; licenses domestic child welfare organizations involved in child welfare.	Manages two orphanages. Intercountry adoption: Government has little role in the 98% of intercountry adoptions managed by independent facilitators (attorneys). Government does heavily manage the abandonment process and termination of parental rights through court processes but these account for only 2% of intercountry adoptions. Guatemala is the largest ICA sending country per capita in the world.
Role of domestic child welfare organizations in child welfare	Provide family preservation services, foster care, group homes, intercountry adoption services, collaborates with foreign child welfare organizations to match children with adoptive parents.	
Role of foreign child welfare organizations in child welfare	Supports the work of the domestic child welfare organization; assesses adoptive families for ICA; collaborates with domestic child welfare organization to match children with adoptive parents; provides post placement reports.	
Collaboration between child welfare organizations and government for the best interests of children	The government permits domestic child welfare organizations to provide child welfare services and licenses them.	The government does not monitor or audit the licensed agencies.
Role of independent facilitators in ICA		Attorneys in Guatemala are permitted to take direct relinquishments from birth parents. Some have “finders” who canvass the country seeking children. They are suspected of giving financial incentives to parents to relinquish.
Social work knowledge and skill	Several social work schools and many social workers. Primary focus is community development and social action. Child welfare is also a focus of study.	
Transparent system for the use of money that ICA generates		Fees being charged to foreign adoptive families by independent facilitators are the highest ICA fees in the world. There is no system of accountability for the money generated by ICA.
Provides family preservation services to birth parents and counseling regarding relinquishment	Family preservation is offered by domestic child welfare organizations.	Attorneys who take relinquishments are not also required to provide family preservation services or counseling regarding relinquishment.
Provides domestic adoption services for children		There is little formal domestic adoption. It takes place easily informally.

	Strengths	Weaknesses
Provides information about the child's origins to adoptive families	Information about children who have come through the court abandonment or involuntary termination process is extensive.	Information regarding children who have been relinquished varies based upon the skill and ethics of the particular attorney who took the relinquishment.
Has efficient processes that assures timely placement of children for ICA		Relinquishments by birth parents to independent facilitators and placements for ICA are swift and ignore the rights of birth families to family preservation services and counseling regarding relinquishment. Abandonment processes and termination of parental rights are handled in a lengthy and burdensome court process.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees	Domestic child welfare organizations provide these services.	Attorneys generally do not provide these social services.
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption		The government sets no limits.
Demonstrates a commitment to the placement of special needs children into families		No special treatment for special needs children.
Future plans for child welfare services	Child welfare reform is the priority of some members of the Congress in Guatemala.	The Hague Convention on Intercountry Adoption was declared unconstitutional by the Supreme Court in a highly political process. Any efforts to reform this highly lucrative and commercial child welfare system will be met with great resistance by those who benefit from it.

Table 4. India

	Strengths	Weaknesses
Role of government in child welfare	Handles the abandonment process and involuntary termination of parental rights; establishes eligibility criteria for parents for adoption; licenses domestic child welfare organizations and foreign child welfare organizations.	Maintenance of licensing for domestic child welfare organizations is not based on standards. No standards for foreign child welfare organizations. Inadequate monitoring of services provided by child welfare organizations. Large number of homeless children in orphanage care.
Role of domestic child welfare organizations in child welfare	Must be multi-service agencies providing complete range of child welfare services. May recommend matches of families for approval by regional committee of government authorities and child welfare professionals.	

	Strengths	Weaknesses
Role of foreign child welfare organizations in child welfare	May not directly provide any child welfare services in India. Must work with domestic child welfare organizations. Provide expertise and funding to domestic child welfare organizations. Holt International founded two of the domestic child welfare organizations in India, now providing comprehensive services to children, including ICA.	
Collaboration between child welfare organizations and government for the best interests of children	Government has devolved much responsibility for child welfare to child welfare organizations. Voluntary Coordinating Agencies (associations of regulated agencies) at local level are mandated to approve children for ICA. They also approve domestic families and some Indian families living outside India.	
Role of independent facilitators in ICA	Not permitted.	
Social work knowledge and skill	Many social work schools in India. Community development is emphasized.	Human behavior and development courses are relatively underdeveloped.
Transparent system for the use of money that ICA generates		There have been instances of corruption of officials.
Provides family preservation services to birth parents and counseling regarding relinquishment	If a child is abandoned, s/he cannot be adopted for 3 months as agency searches for birth parents.	
Provides domestic adoption services for children	Child welfare organizations in India are required to have a domestic adoption program for three years prior to initiating an ICA adoption program. Child must be turned down by at least 3 domestic families before being referred for intercountry adoption.	
Provides information about the child's origins to adoptive families		Quality and credibility of information varies by region and agency.
Has efficient processes that assures timely placement of children for ICA		Placement of children is often delayed by a cumbersome bureaucratic process, a complicated set of laws, subjective court decisions, and political pressures. The government certifies that the child is available for intercountry adoption and later endorses the match. The local court then approves the adoption. The government indicates its final approval with the issuance of the passport.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees	Some domestic child welfare organizations do provide services.	Not required by the government.

	Strengths	Weaknesses
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption		No prescribed limit.
Demonstrates a commitment to the placement of special needs children into families	Process is expedited for special needs children; and the requirement that three domestic families must turn down a child is eliminated.	
Future plans for child welfare services	Lessening of historical resistance to foster care and movement to develop these services for children.	

Table 5. Korea

	Strengths	Weaknesses
Role of government in child welfare	Handles abandonment process and involuntary termination of parental rights. Accredits and monitors four (4) domestic child welfare organizations to work in ICA; approves the foreign child welfare organizations that the domestic child welfare organizations work with.	Children continue to be cared for in a few orphanages.
Role of domestic child welfare organizations in child welfare	Provide family preservation and relinquishment counseling services; foster care for homeless children; domestic adoption and intercountry adoption, and matches children with domestic and foreign families.	
Role of foreign child welfare organizations in child welfare	Support the work of the domestic child welfare organization with which they are affiliated to improve the condition of children; assess adoptive families for ICA; provide post placement reports. Holt International founded one of the domestic child welfare organizations providing comprehensive child welfare services, including ICA.	
Collaboration between child welfare organizations and government for the best interests of children	The government of Korea permits domestic child welfare organizations to provide comprehensive child welfare services and monitors the services provided. Foreign child welfare organizations provide expertise and funding, as needed, to the domestic child welfare organizations.	Arbitrary quota on number of intercountry adoptions limits options for children, particularly those with special needs and opportunities for Korean Americans to adopt.
Role of independent facilitators in ICA	Not permitted.	
Social work knowledge and skill	Many schools of social work in Korea. Many Master's level social workers. Government licenses social workers.	

	Strengths	Weaknesses
Transparent system for the use of money that ICA generates	Payment is to the domestic child welfare organization and has resulted in better services to families at risk and to children. Government approves any increases in cost of adoptions and carefully audits the Korean child welfare organizations yearly. Salaries of professionals in the child welfare organizations are consistent with the social services sector in Korea.	
Provides family preservation services to birth parents and counseling regarding relinquishment	Yes, for all parents who relinquish to child welfare organizations facilitating ICA. Government social services, including family preservation, are available to all citizens.	
Provides domestic adoption services for children	The government ties the number of children permitted to be released for intercountry adoption by each Korean child welfare organization to the number of children that each placed in domestic adoption. The government has set a goal of increasing domestic adoption by 5% each year. Laws have been changed so that domestic adoptees have all the rights of birth children. May 11 has been designated Adoption Day in Korea.	
Provides information about the child's origins to adoptive families	Provides all the information required by the Hague.	
Has efficient processes that assures timely placement of children for ICA	Approval of relinquishments and transfer of guardianship to the domestic child welfare organization is managed by the court and a local government office in a smooth, timely way. ICA adoptions are approved by the central government in an administrative process as the emigration visa is issued, also in a timely way.	Children who are not directly relinquished to the 4 designated Korean child welfare organizations cannot be placed for ICA and may remain institutionalized. They do not have available the full range of child welfare placement options.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees	Multiple staff members in the child welfare organizations are dedicated to providing post adoption services. Intercountry adoptees can receive an special visa that entitles them to almost all of the rights of Korean citizens. The government funds child welfare organizations that are providing services to adoptees and has also given intercountry adoptees honorary citizenship.	
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption	The government of Korea has limited the number of domestic child welfare organizations who may place children internationally to 4 and must approve the foreign child welfare organizations that work with them.	
Demonstrates a commitment to the placement of special needs children into families	Eligibility requirements are loosened and the adoption process is expedited for special needs children.	

	Strengths	Weaknesses
Future plans for child welfare services	Korea has already closed most orphanages and plans to close all of them. They are in the process of considering how to implement long-term foster care, managed by domestic child welfare organizations. They plan to minimize ICA through their domestic adoption program. Recent legislation permits single mothers to register child on their family registry.	

Table 6. Philippines

	Strengths	Weaknesses
Role of government in child welfare	Central government licenses all child welfare organizations in child welfare; regional government manages all child welfare issues; a national office handles ICA. Good at bringing providers together via the bi-annual Global Conference.	Manages orphanages.
Role of domestic child welfare organizations in child welfare	Licensed by the government to provide a full range of child welfare services; some are licensed to provide only temporary or permanent child care.	
Role of foreign child welfare organizations in child welfare	Government accredits foreign child welfare organizations to provide ICA.	
Collaboration between child welfare organizations and government for the best interests of children	Extensive collaboration between domestic child welfare organizations and government on regional boards, in writing laws, and in pilot projects, such as the child welfare organizations working with government orphanages to free children for adoption and to place them domestically and internationally.	
Role of independent facilitators in ICA	None permitted since 1980 due to improprieties.	
Social work knowledge and skill	Many schools of social work; many Master's level social workers; national licensing for social workers.	
Transparent system for the use of money that ICA generates	Central government sets the processing fee and the fee to be paid to the orphanage. Domestic child welfare organizations specially licensed as liaison offices may also charge an unregulated fee.	
Provides family preservation services to birth parents and counseling regarding relinquishment	Government and child welfare organizations provide a broad range of services to families in crisis.	No requirement for family preservation services. These services are provided by only a few child caring agencies.
Provides domestic adoption services for children	Smoothly operating program that places many children. Domestic families are sought for children at the regional level and then the national level with no arbitrary wait times.	
Provides information about the child's origins to adoptive families	A lot of background information is available. Answers to medical questions are usually available.	Information about a child's development is not updated regularly and is limited in some cases.

	Strengths	Weaknesses
Has efficient processes that assures timely placement of children for ICA		The efficiency of the abandonment process in the courts varies from court to court. Redundant and bureaucratic process for matching children with families for ICA.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees	Policies and procedures for Post Adoption Services are developing at the national level. Some domestic child welfare organizations have been providing them for some time. Child welfare organizations and the government collaborate on a conference for ICA families every 2 years.	
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption		Does not limit the numbers of child welfare organizations who can be involved in ICA. The government has been overwhelmed with dossiers from ICA families as a result.
Demonstrates a commitment to the placement of special needs children into families	Eligibility requirements to adopt a special needs child are flexible, and the process is expedited for special needs children. Central list of all children with special needs eligible for ICA is provided to foreign agencies. Older adoptable children have been sent to a “summer camp” overseas where they live with potential adoptive families. This program resulted in its first year in an 85% placement rate.	
Future plans for child welfare services		

Table 7. Russia

	Strengths	Weaknesses
Role of government in child welfare	Handles abandonment and involuntary termination of parental rights; manages entire ICA process, including matching of children with families; accredits and reaccredits foreign child welfare organizations yearly; requires post placement reports for 3 years.	Accreditation of child welfare organizations is a political process as well as being based on standards. Majority of children in orphanages rather than in family care.
Role of domestic child welfare organizations in child welfare	Well respected organizations such as Christian Solidarity, Early Intervention Institute and parent groups are providing a broad range of excellent services.	Domestic child welfare organizations are just emerging in Russia. They are in the initial stages of establishing child care programs, such as day care, foster care, and rehabilitation, and family preservation programs.
Role of foreign child welfare organizations in child welfare	Represent foreign families to the government. Provide funding and consult to emerging domestic child welfare organizations.	The use of foreign child welfare organizations varies by region. Their strengths are often underutilized.

	Strengths	Weaknesses
Collaboration between child welfare organizations and government for the best interests of children	Foreign child welfare organizations work with the government to develop and replicate model child assistance programs.	The government does not yet know how to make the best use of the domestic child welfare organizations that are emerging.
Role of independent facilitators in ICA	Russia plans to eliminate independent facilitators.	Currently represent foreign families to the government.
Social work knowledge and skill		Social work is an emerging profession. Few social work positions, usually part-time and poorly paid.
Transparent system for the use of money that ICA generates	The government does outline how to make contributions on a region by region basis.	No money is paid to the government itself. The government has no standard procedure for payment for ICA. Corruption is still an issue in Russia.
Provides family preservation services to birth parents and counseling regarding relinquishment		The emerging child welfare organizations are attempting to create family preservation programs.
Provides domestic adoption services for children	Russian law does not permit adoption of a child by an international family until that child has been on the federal data base for eight months. Domestic adoption is prioritized by permitting Russian families to adopt a child <i>during and after</i> this eight month period.	Artificial time frame for all children, whether or not there is a domestic family available, lengthens time children are not in a family. No assessment or preparation of domestic families for adoption.
Provides information about the child's origins to adoptive families	The amount of information available varies based on the child's history. Medical questions about a child in care can usually be answered.	
Has efficient processes that assures timely placement of children for ICA		Artificial time frame that child must be available for domestic adoption lengthens time children are not in a family.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees		These services have not yet been developed.
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption		No formal limit on the numbers of foreign child welfare organizations, but many are weeded out through the reaccreditation process.
Demonstrates a commitment to the placement of special needs children into families	One of the criteria for reaccreditation of foreign child welfare organizations is the number of special needs children placed during the prior 12 months.	
Future plans for child welfare services	Russia plans to eliminate independent facilitators because they cannot follow through on the required post placements reports. The government is also encouraging the development of foster care and considering government benefits for foster parents.	The need for vocational training for children who are aging out of orphanages is a problem that has not been addressed.

Table 8. Thailand

	Strengths	Weaknesses
Role of government in child welfare	Licenses all child welfare organizations for both child care and for adoption placement; manages abandonment and relinquishment processes administratively; manages almost all domestic adoption; matches children with adoptive families for intercountry adoption.	Manages large orphanages, including several for special needs children rather than family-based care systems.
Role of domestic child welfare organizations in child welfare	Comprehensive child welfare services.	
Role of foreign child welfare organizations in child welfare	Support the domestic child welfare agencies through grants; provide some specialized child care, e.g. HIV+ children; assess families and provide post placement reports for children in ICA	
Collaboration between child welfare organizations and government for the best interests of children	Extensive collaboration in pilot projects in family preservation and foster care.	
Role of independent facilitators in ICA	Not permitted.	
Social work knowledge and skill	Schools of social work are available; some Master's level social workers.	
Transparent system for the use of money that ICA generates	Foreign child welfare agencies provide grants to domestic agencies for multiple services.	The government does not charge fees.
Provides family preservation services to birth parents and counseling regarding relinquishment		The government does not require that family preservation be provided. There are limited resources for social services for families.
Provides domestic adoption services for children	Government provides these services.	
Provides information about the child's origins to adoptive families	Excellent information about a child is available from Thailand depending upon who holds guardianship of the child and is responsible for collecting that information.	
Has efficient processes that assures timely placement of children for ICA		The process is repetitive. The government both reviews an adoptive parents' paperwork and also requires an in-person interview every time a family adopts.
Provides post adoption services (such as search and reunion, counseling, education) to adoptive families and to adult adoptees	Department of Social Welfare organizes a native land visit for internationally adopted children and their parents every other year. Some domestic child welfare organizations provide services (counseling, search and reunion) to adopted children and their families after placement.	
Limits the numbers of domestic or foreign child welfare organizations who can be involved in intercountry adoption	Although the numbers of child welfare organizations are not limited, the accreditation process effectively limits the number.	
Demonstrates a commitment to the placement of special needs children into families	The government relaxes eligibility requirements for adoptive parents who are interested in adopting special needs children.	
Future plans for child welfare services		

APPENDIX IV. TREATY: THE HAGUE CONVENTION ON INTERCOUNTRY ADOPTION

CONVENTION ON PROTECTION OF CHILDREN AND CO-OPERATION IN RESPECT OF INTERCOUNTRY ADOPTION

(Concluded 29 May 1993)

(Entered into force 1 May 1995)

The States signatory to the present Convention,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Recalling that each State should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family of origin,

Recognizing that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin,

Convinced of the necessity to take measures to ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, the sale of, or traffic in children,

Desiring to establish common provisions to this effect, taking into account the principles set forth in international instruments, in particular the United Nations Convention on the Rights of the Child, of 20 November 1989, and the United Nations Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (General Assembly Resolution 41/85, of 3 December 1986),

Have agreed upon the following provisions –

CHAPTER I – SCOPE OF THE CONVENTION

Article 1

The objects of the present Convention are –

- a)* to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognized in international law;
- b)* to establish a system of co-operation amongst Contracting States to ensure that those safeguards are respected and thereby prevent the abduction, the sale of, or traffic in children;
- c)* to secure the recognition in Contracting States of adoptions made in accordance with the Convention.

Article 2

(1) The Convention shall apply where a child habitually resident in one Contracting State ("the State of origin") has been, is being, or is to be moved to another Contracting State ("the receiving State") either after his or her adoption in the State of origin by spouses or a person habitually resident in the receiving State, or for the purposes of such an adoption in the receiving State or in the State of origin.

(2) The Convention covers only adoptions which create a permanent parent-child relationship.

Article 3

The Convention ceases to apply if the agreements mentioned in Article 17, sub-paragraph *c*, have not been given before the child attains the age of eighteen years.

CHAPTER II – REQUIREMENTS FOR INTERCOUNTRY ADOPTIONS

Article 4

An adoption within the scope of the Convention shall take place only if the competent authorities of the State of origin –

- a)* have established that the child is adoptable;

b) have determined, after possibilities for placement of the child within the State of origin have been given due consideration, that an intercountry adoption is in the child's best interests;

c) have ensured that

(1) the persons, institutions and authorities whose consent is necessary for adoption, have been counselled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin,

(2) such persons, institutions and authorities have given their consent freely, in the required legal form, and expressed or evidenced in writing,

(3) the consents have not been induced by payment or compensation of any kind and have not been withdrawn, and

(4) the consent of the mother, where required, has been given only after the birth of the child; and

d) have ensured, having regard to the age and degree of maturity of the child, that

(1) he or she has been counselled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required,

(2) consideration has been given to the child's wishes and opinions,

(3) the child's consent to the adoption, where such consent is required, has been given freely, in the required legal form, and expressed or evidenced in writing, and

(4) such consent has not been induced by payment or compensation of any kind.

Article 5

An adoption within the scope of the Convention shall take place only if the competent authorities of the receiving State –

a) have determined that the prospective adoptive parents are eligible and suited to adopt;

b) have ensured that the prospective adoptive parents have been counselled as may be necessary; and

c) have determined that the child is or will be authorized to enter and reside permanently in that State.

CHAPTER III – CENTRAL AUTHORITIES AND ACCREDITED BODIES

Article 6

(1) A Contracting State shall designate a Central Authority to discharge the duties which are imposed by the Convention upon such authorities.

(2) Federal States, States with more than one system of law or States having autonomous territorial units shall be free to appoint more than one Central Authority and to specify the territorial or personal extent of their functions. Where a State has appointed more than one Central Authority, it shall designate the Central Authority to which any communication may be addressed for transmission to the appropriate Central Authority within that State.

Article 7

(1) Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their States to protect children and to achieve the other objects of the Convention.

(2) They shall take directly all appropriate measures to –

a) provide information as to the laws of their States concerning adoption and other general information, such as statistics and standard forms;

b) keep one another informed about the operation of the Convention and, as far as possible, eliminate any obstacles to its application.

Article 8

Central Authorities shall take, directly or through public authorities, all appropriate measures to prevent improper financial or other gain in connection with an adoption and to deter all practices contrary to the objects of the Convention.

Article 9

Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to –

- a) collect, preserve and exchange information about the situation of the child and the prospective adoptive parents, so far as is necessary to complete the adoption;
- b) facilitate, follow and expedite proceedings with a view to obtaining the adoption;
- c) promote the development of adoption counselling and post-adoption services in their States;
- d) provide each other with general evaluation reports about experience with intercountry adoption;
- e) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation.

Article 10

Accreditation shall only be granted to and maintained by bodies demonstrating their competence to carry out properly the tasks with which they may be entrusted.

Article 11

An accredited body shall –

- a) pursue only non-profit objectives according to such conditions and within such limits as may be established by the competent authorities of the State of accreditation;
- b) be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption; and
- c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.

Article 12

A body accredited in one Contracting State may act in another Contracting State only if the competent authorities of both States have authorized it to do so.

Article 13

The designation of the Central Authorities and, where appropriate, the extent of their functions, as well as the names and addresses of the accredited bodies shall be communicated by each Contracting State to the Permanent Bureau of the Hague Conference on Private International Law.

CHAPTER IV – PROCEDURAL REQUIREMENTS IN INTERCOUNTRY ADOPTION

Article 14

Persons habitually resident in a Contracting State, who wish to adopt a child habitually resident in another Contracting State, shall apply to the Central Authority in the State of their habitual residence.

Article 15

(1) If the Central Authority of the receiving State is satisfied that the applicants are eligible and suited to adopt, it shall prepare a report including information about their identity, eligibility and suitability to adopt, background, family and medical history, social environment, reasons for adoption, ability to undertake an intercountry adoption, as well as the characteristics of the children for whom they would be qualified to care.

(2) It shall transmit the report to the Central Authority of the State of origin.

Article 16

(1) If the Central Authority of the State of origin is satisfied that the child is adoptable, it shall –

- a) prepare a report including information about his or her identity, adoptability, background, social environment, family history, medical history including that of the child's family, and any special needs of the child;
- b) give due consideration to the child's upbringing and to his or her ethnic, religious and cultural background;
- c) ensure that consents have been obtained in accordance with Article 4; and

d) determine, on the basis in particular of the reports relating to the child and the prospective adoptive parents, whether the envisaged placement is in the best interests of the child.

(2) It shall transmit to the Central Authority of the receiving State its report on the child, proof that the necessary consents have been obtained and the reasons for its determination on the placement, taking care not to reveal the identity of the mother and the father if, in the State of origin, these identities may not be disclosed.

Article 17

Any decision in the State of origin that a child should be entrusted to prospective adoptive parents may only be made if –

a) the Central Authority of that State has ensured that the prospective adoptive parents agree;

b) the Central Authority of the receiving State has approved such decision, where such approval is required by the law of that State or by the Central Authority of the State of origin;

c) the Central Authorities of both States have agreed that the adoption may proceed; and

d) it has been determined, in accordance with Article 5, that the prospective adoptive parents are eligible and suited to adopt and that the child is or will be authorized to enter and reside permanently in the receiving State.

Article 18

The Central Authorities of both States shall take all necessary steps to obtain permission for the child to leave the State of origin and to enter and reside permanently in the receiving State.

Article 19

(1) The transfer of the child to the receiving State may only be carried out if the requirements of Article 17 have been satisfied.

(2) The Central Authorities of both States shall ensure that this transfer takes place in secure and appropriate circumstances and, if possible, in the company of the adoptive or prospective adoptive parents.

(3) If the transfer of the child does not take place, the reports referred to in Articles 15 and 16 are to be sent back to the authorities who forwarded them.

Article 20

The Central Authorities shall keep each other informed about the adoption process and the measures taken to complete it, as well as about the progress of the placement if a probationary period is required.

Article 21

(1) Where the adoption is to take place after the transfer of the child to the receiving State and it appears to the Central Authority of that State that the continued placement of the child with the prospective adoptive parents is not in the child's best interests, such Central Authority shall take the measures necessary to protect the child, in particular –

a) to cause the child to be withdrawn from the prospective adoptive parents and to arrange temporary care;

b) in consultation with the Central Authority of the State of origin, to arrange without delay a new placement of the child with a view to adoption or, if this is not appropriate, to arrange alternative long-term care; an adoption shall not take place until the Central Authority of the State of origin has been duly informed concerning the new prospective adoptive parents;

c) as a last resort, to arrange the return of the child, if his or her interests so require.

(2) Having regard in particular to the age and degree of maturity of the child, he or she shall be consulted and, where appropriate, his or her consent obtained in relation to measures to be taken under this Article.

Article 22

(1) The functions of a Central Authority under this Chapter may be performed by public authorities or by bodies accredited under Chapter III, to the extent permitted by the law of its State.

(2) Any Contracting State may declare to the depositary of the Convention that the functions of the Central Authority under Articles 15 to 21 may be performed in that State, to the extent permitted by the law and subject to the supervision of the competent authorities of that State, also by bodies or persons who –

a) meet the requirements of integrity, professional competence, experience and accountability of that State; and

b) are qualified by their ethical standards and by training or experience to work in the field of intercountry adoption.

(3) A Contracting State which makes the declaration provided for in paragraph 2 shall keep the Permanent Bureau of the Hague Conference on Private International Law informed of the names and addresses of these bodies and persons.

(4) Any Contracting State may declare to the depositary of the Convention that adoptions of children habitually resident in its territory may only take place if the functions of the Central Authorities are performed in accordance with paragraph 1.

(5) Notwithstanding any declaration made under paragraph 2, the reports provided for in Articles 15 and 16 shall, in every case, be prepared under the responsibility of the Central Authority or other authorities or bodies in accordance with paragraph 1.

CHAPTER V – RECOGNITION AND EFFECTS OF THE ADOPTION

Article 23

(1) An adoption certified by the competent authority of the State of the adoption as having been made in accordance with the Convention shall be recognized by operation of law in the other Contracting States. The certificate shall specify when and by whom the agreements under Article 17, sub-paragraph *c*), were given.

(2) Each Contracting State shall, at the time of signature, ratification, acceptance, approval or accession, notify the depositary of the Convention of the identity and the functions of the authority or the authorities which, in that State, are competent to make the certification. It shall also notify the depositary of any modification in the designation of these authorities.

Article 24

The recognition of an adoption may be refused in a Contracting State only if the adoption is manifestly contrary to its public policy, taking into account the best interests of the child.

Article 25

Any Contracting State may declare to the depositary of the Convention that it will not be bound under this Convention to recognize adoptions made in accordance with an agreement concluded by application of Article 39, paragraph 2.

Article 26

(1) The recognition of an adoption includes recognition of

a) the legal parent-child relationship between the child and his or her adoptive parents;

b) parental responsibility of the adoptive parents for the child;

c) the termination of a pre-existing legal relationship between the child and his or her mother and father, if the adoption has this effect in the Contracting State where it was made.

(2) In the case of an adoption having the effect of terminating a pre-existing legal parent-child relationship, the child shall enjoy in the receiving State, and in any other Contracting State where the adoption is recognized, rights equivalent to those resulting from adoptions having this effect in each such State.

(3) The preceding paragraphs shall not prejudice the application of any provision more favourable for the child, in force in the Contracting State which recognizes the adoption.

Article 27

(1) Where an adoption granted in the State of origin does not have the effect of terminating a pre-existing legal parent-child relationship, it may, in the receiving State which recognizes the adoption under the Convention, be converted into an adoption having such an effect –

a) if the law of the receiving State so permits; and

b) if the consents referred to in Article 4, sub-paragraphs *c* and *d*, have been or are given for the purpose of such an adoption.

(2) Article 23 applies to the decision converting the adoption.

CHAPTER VI – GENERAL PROVISIONS

Article 28

The Convention does not affect any law of a State of origin which requires that the adoption of a child habitually resident within that State take place in that State or which prohibits the child's placement in, or transfer to, the receiving State prior to adoption.

Article 29

There shall be no contact between the prospective adoptive parents and the child's parents or any other person who has care of the child until the requirements of Article 4, sub-paragraphs *a*) to *c*), and Article 5, sub-paragraph *a*), have been met, unless the adoption takes place within a family or unless the contact is in compliance with the conditions established by the competent authority of the State of origin.

Article 30

(1) The competent authorities of a Contracting State shall ensure that information held by them concerning the child's origin, in particular information concerning the identity of his or her parents, as well as the medical history, is preserved.

(2) They shall ensure that the child or his or her representative has access to such information, under appropriate guidance, in so far as is permitted by the law of that State.

Article 31

Without prejudice to Article 30, personal data gathered or transmitted under the Convention, especially data referred to in Articles 15 and 16, shall be used only for the purposes for which they were gathered or transmitted.

Article 32

(1) No one shall derive improper financial or other gain from an activity related to an intercountry adoption.

(2) Only costs and expenses, including reasonable professional fees of persons involved in the adoption, may be charged or paid.

(3) The directors, administrators and employees of bodies involved in an adoption shall not receive remuneration which is unreasonably high in relation to services rendered.

Article 33

A competent authority which finds that any provision of the Convention has not been respected or that there is a serious risk that it may not be respected, shall immediately inform the Central Authority of its State. This Central Authority shall be responsible for ensuring that appropriate measures are taken.

Article 34

If the competent authority of the State of destination of a document so requests, a translation certified as being in conformity with the original must be furnished. Unless otherwise provided, the costs of such translation are to be borne by the prospective adoptive parents.

Article 35

The competent authorities of the Contracting States shall act expeditiously in the process of adoption.

Article 36

In relation to a State which has two or more systems of law with regard to adoption applicable in different territorial units –

a) any reference to habitual residence in that State shall be construed as referring to habitual residence in a territorial unit of that State;

b) any reference to the law of that State shall be construed as referring to the law in force in the relevant territorial unit;

c) any reference to the competent authorities or to the public authorities of that State shall be construed as referring to those authorized to act in the relevant territorial unit;

d) any reference to the accredited bodies of that State shall be construed as referring to bodies accredited in the relevant territorial unit.

Article 37

In relation to a State which with regard to adoption has two or more systems of law applicable to different categories of persons, any reference to the law of that State shall be construed as referring to the legal system specified by the law of that State.

Article 38

A State within which different territorial units have their own rules of law in respect of adoption shall not be bound to apply the Convention where a State with a unified system of law would not be bound to do so.

Article 39

(1) The Convention does not affect any international instrument to which Contracting States are Parties and which contains provisions on matters governed by the Convention, unless a contrary declaration is made by the States Parties to such instrument.

(2) Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Articles 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention.

Article 40

No reservation to the Convention shall be permitted.

Article 41

The Convention shall apply in every case where an application pursuant to Article 14 has been received after the Convention has entered into force in the receiving State and the State of origin.

Article 42

The Secretary General of the Hague Conference on Private International Law shall at regular intervals convene a Special Commission in order to review the practical operation of the Convention.

CHAPTER VII – FINAL CLAUSES

Article 43

(1) The Convention shall be open for signature by the States which were Members of the Hague Conference on Private International Law at the time of its Seventeenth Session and by the other States which participated in that Session.

(2) It shall be ratified, accepted or approved and the instruments of ratification, acceptance or approval shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands, depositary of the Convention.

Article 44

(1) Any other State may accede to the Convention after it has entered into force in accordance with Article 46, paragraph 1.

(2) The instrument of accession shall be deposited with the depositary.

(3) Such accession shall have effect only as regards the relations between the acceding State and those Contracting States which have not raised an objection to its accession in the six months after the receipt of the notification referred to in sub-paragraph *b*) of Article 48. Such an objection may also be raised by States at the time when they ratify, accept or approve the Convention after an accession. Any such objection shall be notified to the depositary.

Article 45

(1) If a State has two or more territorial units in which different systems of law are applicable in relation to matters dealt with in the Convention, it may at the time of signature, ratification, acceptance, approval or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.

(2) Any such declaration shall be notified to the depositary and shall state expressly the territorial units to which the Convention applies.

(3) If a State makes no declaration under this Article, the Convention is to extend to all territorial units of that State.

Article 46

(1) The Convention shall enter into force on the first day of the month following the expiration of three months after the deposit of the third instrument of ratification, acceptance or approval referred to in Article 43.

(2) Thereafter the Convention shall enter into force –

a) for each State ratifying, accepting or approving it subsequently, or acceding to it, on the first day of the month following the expiration of three months after the deposit of its instrument of ratification, acceptance, approval or accession;

b) for a territorial unit to which the Convention has been extended in conformity with Article 45, on the first day of the month following the expiration of three months after the notification referred to in that Article.

Article 47

(1) A State Party to the Convention may denounce it by a notification in writing addressed to the depositary.

(2) The denunciation takes effect on the first day of the month following the expiration of twelve months after the notification is received by the depositary. Where a longer period for the denunciation to take effect is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the depositary.

Article 48

The depositary shall notify the States Members of the Hague Conference on Private International Law, the other States which participated in the Seventeenth Session and the States which have acceded in accordance with Article 44, of the following –

a) the signatures, ratifications, acceptances and approvals referred to in Article 43;

b) the accessions and objections raised to accessions referred to in Article 44;

c) the date on which the Convention enters into force in accordance with Article 46;

d) the declarations and designations referred to in Articles 22, 23, 25 and 45;

e) the agreements referred to in Article 39;

f) the denunciations referred to in Article 47.

In witness whereof the undersigned, being duly authorized thereto, have signed this Convention.

Done at The Hague, on the 29th day of May 1993, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Kingdom of the Netherlands, and of which a certified copy shall be sent, through diplomatic channels, to each of the States Members of the Hague Conference on Private International Law at the date of its Seventeenth Session and to each of the other States which participated in that Session.

APPENDIX V. LIBERIAN ADOPTION CASE STUDY 1

Person Interviewed: “K”, adoptive mother

Date of Contact: 15 June 2006

Background

Acres of Hope (AOH) orphanage presented this family with two male siblings, said to be approximately 7 and 8 years old, but who were in their early teens. K felt that AOH knew the boys were older because AOH was evasive with specific information but that the placement was mostly a “Bad judgment call on [AOH’s] part”. K believes that AOH delayed the boys’ trip several times while they arranged an escort for other children. The boys were made to escort young children while they were being escorted home.

Initial Information

The children’s father is deceased. AOH told K their mother brought the boys to the orphanage for help but K believes the birth family conned AOH into the adoption so the boys could get to the U.S. K said AOH told her they wouldn’t bring the boys into the orphanage until the family agreed to adopt them and that the boys had no beds or food. K believes she was told this just to elicit sympathy.

Documentation

The family received several adoption documents which they did not specify. The boys came to the U.S. in November 2004 and their birth certificate had been issued the same summer.

Medical Information

The boys had medical exams and records. They seemed to be in good health; the paperwork seemed to be accurate.

Travel

The children were escorted; the adoptive parents did not travel.

Agency Fees

The fees were stable but some of the costs were unclear, e.g. for visas. The family paid AOH “about \$15,000” total. The adopted boys each escorted a child to the U.S. while they were being escorted: one approximately 12 months old, one three or four months old. K paid escort fees to AOH as did the family of the infants who were escorted. She felt this was not right but that AOH “Did what [they] had to to get things done.”

Locating the Agency

K located the agency through a friend who had adopted more than five children from Africa.

Current Status of the Adoption

The adoption was disrupted because the boys had serious behavior problems. They are now with another U.S. family known to K. In K’s opinion, “The boys don’t want to be here or at their new home.” They are “Sweet to us now that they don’t live with us” but “I’m glad they’re not here.”

APPENDIX VI. LIBERIAN ADOPTION CASE STUDY 2

Person Interviewed: “C”, adoptive mother

Date of Contact: 16 June 2006

Background

This family has 14 children ages 2-22: six birth children, 1 U.S. adoption, 7 Liberian (3 female, 4 male). The Liberian children all arrived home since October 2003.

Three of the children from Liberia are from the Hannah B. Williams (HBW) orphanage, now closed. C heard from other parents that HBW operates an orphanage in Buchanan. C was connected with HBW by Angels Haven adoption agency. C heard from other families that HBW was a witch and Satanist and all the children from HBW were malnourished and abused. HBW kept food aide to sell. According to C Angel’s Haven ended her affiliation with HBW because of the abuses at her orphanage.

The other four of the family’s Liberian children are from Acres of Hope (AOH). C felt that AOH does good background checks on the children but did not say what they were or how they were conducted. The children from AOH got better care than other orphanages C knew of, and observation based on the condition of the children.

C was told by her agency that the father of her first child from Liberia lived at the orphanage, was married to HBW but had multiple wives and children, and that the child’s birth mother was behind rebel lines when the child was offered for adoption. The first two children from HBW were denied U.S. visas because of incomplete paperwork, especially relinquishment papers from the child’s birth mother. C said another child was presented to her as a sibling of the two she was adopting but because the child was so hurriedly identified and inconsistent information she believes the children were not related so she declined the child.

Initial Information

About her first child C received paperwork with a photo, a personal description of the child, and a case history which her agency later told her was false. She suspected all the documents.

Medical Information

C’s child received a medical exam at John F. Kennedy hospital but she doubted its validity.

Travel

C did not travel to Liberia; all the children were escorted to the U.S. C used AOH for the last adoption because she said the owner of AH refused to go back to Africa to bring C’s children home, saying she was too tired of making the trip so C would have to wait. C arranged with difficulty to have another adoptive parent who traveled bring her children home; another time she arranged to have one of the orphanage workers to do it.

Agency Fees

C said the AOH fees were clear and stable. AH changed their fees often and added new ones. C said documents had to be produced by the Min. of Health but the staff was gone “for weeks at a time”. Because the government was not paying salaries they had to pay bribes for the documents needed.

Locating the Agency

C's teenage birth daughter found the owner of AOH on the Internet in a Liberia adoptions chat room before she had opened her orphanage. The director participated as an adoptive parent and soon went to Liberia to start AOH.

Current Status of the Adoption

'We take baby steps but have come a long way.' Her children from HBW's were "like animals" when they arrived. For two years C's first daughter would scream for up to five hours if denied something or told what to do. One son attacked her daughter.

C said the two boys (adopted after a disruption) were 'the worst'. They came to the U.S. to get an education and send money back to birth mother. They were intolerant of rules, ungrateful, disrespectful, and threatened her husband and younger children's lives. C said both boys are waiting for state re-adoption.* "If my attorney every gets moving" but she also said that because they are not citizens (not true) her only control over them is to threaten to stop proceedings and send them back to Liberia when their visas expire. She said she told them she would not renew their visas if they were uncooperative. Adoptions are final in Liberia so C either does not understand that her children are citizens or is using this ploy to bluff them into obedience.

* Some states require that children adopted internationally be re-adopted in their state of residence to ensure compliance with local law.

APPENDIX VII. LIBERIAN ADOPTION CASE STUDY 3

Persons Interviewed: “G”, husband and wife

Date of Contact: 27 June 2006

Background

This family recently adopted a three-year-old girl from Liberia. They have five other children: two African-American boys adopted from Alabama, five and seven years old, adopted at six months and one year of age respectively. They also have three biological children: one boy, age 11 and two girls, ages eight and 13.

Documentation

The family was given little information about their child and didn't expect much. The referral paperwork said the child was relinquished to give her a chance at a better life but their agency told the family that the mother relinquished her simply because she couldn't feed her.

Initial Information

The child was born in a refugee camp of a 'young mother' who tried for two years to raise the child. The father left the mother after she got pregnant. She relinquished the child to the Ministry of Health and Social Work who assigned custody to the adoption agency. The child was in the agency's care for six months before placement.

Documentation

The family received an e-mailed picture of the child and gave the agency power of attorney as they did not travel. They said they have all paperwork including an original birth certificate.

Medical Information

The child's medical information was faulty. An immunization record and clinic test reported the child negative for malaria but she developed the disease shortly after coming home. She had no TB test but had a latent case that turned active. The child also falsely tested negative for parasites. Negative test results for HIV and Hepatitis have proved accurate.

Travel

The family declined travel because it was during the presidential election and they were concerned about civil unrest. The child was escorted to the U.S. in December 2005.

Agency Fees

The payment schedule was accurate and stable; their total cost was just under \$14,000.

Locating the Agency

This family learned of their agency from other parents and acquaintances.

Current Status of the Adoption

This placement is going "Great." The child is growing and adjusting well. The child initially had nightmares but now is bonding with the other children, which the family believes is because she came

from an orphanage and refugee camp. They believe she would have had a difficult time if she were an only child. Her speech is delayed about one year but developing quickly and her receptive language is good. She has no other delays, though toilet training is slow. Her motor skills, especially fine motor skills, are good. She is doing well but is “Still our ‘Velcro shadow.’”

APPENDIX VIII. SAMPLE SURVEY QUESTIONS

Adoption Agency Questions

Agency:

Address:

Date of visit:

Person interviewed:

Position:

Interviewed by:

1. How long has your agency worked in Liberia?
2. How many children have you placed since you began?
3. How many children have you placed during the first six months of 2006?
4. In which countries do you place the most children?
5. How do you ensure compliance with Liberian adoption law?
6. How is your agency funded?
7. How do you identify children for adoptive placement?
8. What kind of information do you provide to prospective parents?
9. How do you verify the information?
10. Does your agency maintain a transit home? If yes, where?
11. How many children does it house?
12. How long from identification to arrival in the transit home?
13. How long do children stay in the transit home before they are adopted?
14. What care services are provided the children in the transit home?
15. Describe how children come to be placed there.
16. May we have a tour of the transit home?

APPENDIX IX. AGENCY DATA

Name of Agency:

Contact person:

Phone number:

Position:

Total number of children adopted between 1 January and 31 June 2006: _____

Breakdown:

Boys

Age	# Healthy	# Special medical needs	# Normal Development	# Delayed Development	Country Adopted
0 – 6					
6 – 12					
Over 12					

Girls

Age	# Healthy	# Special medical needs	# Normal Development	# Delayed Development	Country Adopted
0 – 6					
6 – 12					
Over 12					

Please provide the complete names and addresses of three birth families in the Monrovia area who put up children for adoption during the last year we can contact:

1. Name:

Address:

Phone:

2. Name:

Address:

Phone:

3. Name:

Address:

Phone:

APPENDIX X. BIRTH FAMILY QUESTIONS

Name: _____ **Relationship to child:** _____

Address: _____

Date: _____

Interviewed by: _____

In the family: Before the child went to the orphanage

1. Before the adoption did the family know about alternatives to adoption?
2. If yes, from whom, how, and where?
3. Was the family asked to be involved in planning alternatives to adoption?
4. Why was child available for adoption?

In the orphanage: Services before the adoption

1. Was the child and family offered aide (medical, clothing, money, food or other) by anyone from the orphanage or an adoption agency?
2. Was the family counseled about the true nature of non-traditional adoption?

Services during orphanage care

1. Was the family given the option of taking back the child?
2. Describe what the orphanage did for the child (medical, food, clothing, educational, or other).

Services after the adoption

1. Was the family promised services, compensation, or contact with the child after the adoption? If so, what?
2. Describe the services received, if any (photographs, progress report, money, phone number).

APPENDIX XI. MINISTRY OF HEALTH AND SOCIAL WELFARE

Name of Ministry official:

Position:

Date:

1. What is the Ministry's role in adoptions?
2. How are orphanages regulated and licensed?
3. How are foreign adoption agencies regulated and licensed?
4. How much is the annual registration fee?
5. What is the money used for?
6. How are transit homes regulated?
7. Provide sample of adoption documents.
8. Adoption statistics for January – June 2006: inter-country and Liberia.
9. How are domestic and international adoptions regulated?
10. What is the profile of children adopted: age, gender, health and developmental status, birth and adoptive parent status.
11. How do families qualify for domestic adoption?
12. Are efforts made to reunite children with birth families?
13. If yes, how many children were reunited?
14. What adoption documents are available for review:

Relinquishment	Intake	Other
Referral	Abandonment decree	
Adoption decree	Visa process	
15. How are non-agency adoptions how monitored and regulated?
16. Sample Letter of Attestation

APPENDIX XII. UNION OF ORPHANAGES

Contact person:

Date:

1. What is the role of the Union of Orphanages?
2. What is the union's relationship with the MOH/SW
3. With adoption agencies?
4. How many members are there in the union?
5. How does the UO work with adoption?
6. Can you help us get copies of adoption records from orphanages?
7. Can you help us find local birth families to interview?
8. Why is the UO opposed to closing substandard orphanages?
9. Where does funding and support for orphanages come from?

APPENDIX XIII. SCOPE OF WORK FOR UNICEF LIBERIA:
“ASSESSMENT OF INTERCOUNTRY ADOPTION
PRACTICE AND PROCEDURES IN LIBERIA”



SCOPE OF WORK

for

UNICEF LIBERIA

**“Assessment of Intercountry Adoption Practice
and Procedures in Liberia”**

Holt International

1195 City View St.

Eugene, Oregon 97402



I. INTRODUCTION

The following Scope of Work (SOW) outlines the terms and conditions proposed by Holt International in response to the attached draft Terms of Reference (TOR) provided by UNICEF Liberia for Consultancy Assistance on Intercountry Adoption (ICA). This SOW also includes a detailed draft budget clarifying estimated costs for consultancy services provided by Holt International pending any further revisions or refinements to the terms and conditions of this SOW.

II. HOLT INTERNATIONAL:

For nearly 50 years, **Holt International Children's Services'** child welfare programs have worked to prevent child abandonment, reunify children with their birth or extended families, ensure that vulnerable children are cared for in safe and loving environments, and find permanent homes for the world's orphans.

Holt accomplishes its work through its international headquarters in Eugene, Oregon, six U. S. branch offices, collaborative efforts with over 200 U. S. based cooperating social service agencies, three overseas Holt offices and partner agencies in Bulgaria, China, Guatemala, Haiti, India, Mongolia, Philippines, Romania, South Korea, Thailand, Uganda, Ukraine, and Vietnam.

In each country where Holt has a presence, we work to strengthen government authorities, reform child welfare structures and build sustainability of services.

Holt is registered as a private voluntary organization with USAID and has successfully implemented USAID funded programs targeting orphans and vulnerable children in Vietnam (1992–98), Romania (1992–97, 1997–99, 1998–2002), Russia (1998–2002) and Ukraine (2005–2007). In 2004, Holt was selected by USAID to conduct a survey of all orphanages in Cambodia.

Holt is recognized as a world leader in child welfare and permanency planning, having provided technical assistance in many child welfare arenas and forums including the United Nations Task Force for the International Year of the Child, The Hague Convention on Private International Law in Respect of Intercountry Adoption and the Policy Committee of the Child Welfare League of America. Holt was instrumental in drafting the Code of Ethics of the U. S. Joint Council on International Children's Services. Holt also provides training and technical assistance to caregivers, orphanage directors and government officials around the world to encourage child welfare change at a systemic level. Holt International Children's Services qualifies as a tax-exempt, non-profit organization under IRS code 501(c)(3).

III. PURPOSE

As stated in the TOR, the purpose of this consultancy is to gather, collate and analyze information on adoptions in Liberia including ICA and how orphanages are involved in adoptions, to enhance the understanding of the nature and prevalence of ICA. The findings and recommendations of consultancy will then be used to strengthen adoption laws and policies and the development of operational guidelines for adoption agencies.

IV. STATEMENT OF WORK

The Holt International Assessment Consultant (Assessment Consultant) assigned to this project will address the specific tasks outlined in the TOR over a period of ten weeks answering specific assessment questions outlined below.

Deliverables anticipated from this consultancy will include an in country presentation and facilitated discussion of assessment findings and recommendations with UNICEF staff and relevant stakeholders based on analysis of data and information gathered. In addition, the Assessment Consultant will provide UNICEF and Holt with a written Final Assessment Report 30 days following in country field work.

The final assessment report will include an **Executive Summary** followed by the **Findings** of the assessment, **Conclusions** based on those findings and **Recommendations** addressing specific tasks, issues and assessment questions. In addition, the evaluation report will specifically highlight additional **Lessons Learned** that emerges from the analysis and process. In addition, the final report will include as attachments a minimum of 3 adoption case studies and adoption statistics for the past six months.

It is anticipated this ten week period will include two weeks of U. S. based literature review, assessment preparation and contact with U. S. based adoption agencies working in Liberia; seven weeks of in country field work to gather data and prepare a debriefing analysis and recommendations and one week of consultation time to complete the Final Assessment Report.

V. ASSESSMENT QUESTIONS

Final assessment questions will be determined by UNICEF and Holt jointly with refinement by the Assessment Consultant during the preparation stage. Assessment questions will be limited to ten to fifteen questions to ensure adequate depth of inquiry needed to answer fundamental issues and concerns highlighted in TOR. Examples of assessment questions below are illustrative of types of questions to be finalized:

Illustrative Questions - Final assessment questions will be finalized before in-country field work collaboratively between UNICEF and Holt.

Adoption Agencies/Adoption Facilitators

- a. Are U.S. agencies providing best practice services to the children and families they serve? What are the gaps in service being provided by adoption agencies?*
- b. Are adoption fees being charged for placements from Liberia reasonable compared to level of service and international standards?*
- c. Are adoption fees resulting in inappropriate adoption decisions?*

Relinquishment/Child Intake:

- a. How is a parent wanting to relinquish their child identified and by whom?*
- b. What services, if any, are provided to birth parents during relinquishment process? (By whom, quality of services.*
- c. Are their financial incentives provided to birth parents to relinquish their children?*
- d. Do relinquishment services and documentation adequately protect the rights of the birth family and the child?*

Role of Orphanages in Adoption Process

- a. What role do local orphanages play in the adoption process?*
- b. What motivates orphanages to be involved in ICA?*

c. *Are orphanages receiving financial compensation for adoption processing and at what level?*

VI. METHODS AND PROCEDURES

Preparation Prior to Incountry Field Work

- ***Literature Review***

Data collection prior to incountry field work will include literature review of available documentation on ICA, transit homes and orphanages in Liberia. This will include, but not be limited to:

- UNICEF Liberia's – Concept Note On Intercountry Adoption
- Consultancy Report by Sophie T. Parwon, dated February 2006
- Report of the Assessment of Welfare Institutions in Montserrado and Lower Marigibi Counties, dated April 27, 2004
- Relevant Liberian legislation pertaining to adoption and child welfare
- Any additional literature provided by UNICEF or discovered by the consultant.

- ***U. S. Base Adoption Agencies***

The Assessment Consultant will attempt to contact and discuss adoption processing and procedures with U. S. based adoption agencies currently working in Liberia to learn as much as possible about their programs, relationships with Liberian partners, and attempt to discern their current practice and procedures related to ICA placements from Liberia. Efforts will be made to identify three to five adoptions cases through these agencies for potential inclusion as non-identifying child case studies.

- ***Scheduling***

Prior to field work, the Holt Assessment Consultant will work with assigned UNICEF Liberia staff to establish initial contacts, site visits and interviews for the first week to ten days. It is anticipated that initial contacts, site visits and interviews will lead to subsequent contacts.

In Country Field Work

- ***Relevant Stakeholders***

Assessment Consultant will interview all relevant stakeholders including UNICEF, relevant Liberian government officials, U. S. Consulate and Embassy staff responsible for processing adoption visas to the U. S. A detailed list of relevant stakeholders will be finalized between Holt International and UNICEF before arrival of Assessment Consultant and initial interviews scheduled.

- ***Orphanage Visits***

Assessment Consultant will visit as many orphanages as possible during the field visit with a concentration on those orphanages currently participating in ICA placements. Emphasis of orphanage visits will be to assess level of practice and procedures of orphanages in the adoption process in Liberia, practices regarding intake of children for adoption, identification of children appropriate for adoption and related issues.

- ***Adoption Facilitators***

Assessment Consultant will attempt to visit as many adoption facilitators (individuals facilitating adoptions and/or representing adoption agencies) as can be identified to assess their practice, relationships and levels of compensation.

- ***Birth Family Contact***

As appropriate, the Assessment Consultant will make contact with and interview birth families of children placed in adoption to document the practices and services provided to them prior to, during, and after their child's adoption.

- ***Adoption Documentation Review***

Assessment Consultant will review all relevant adoption documents of children to measure adequacy and accuracy of current practice compared to best practice standards. Documents to be reviewed, but not limited to, include: relinquishment documents, child intake documents, child referral documents, abandonment decrees, adoption decrees/documents, and visa processing documentation. Due to confidentiality issues of legal records and adoption documentation, assistance by UNICEF in accessing adoption documentation through relevant Liberian government offices, courts is anticipated. Holt will make every effort to make connections with U.S. Consular staff prior to field work to facilitate access to information.

- ***Adoption Case Studies***

Assessment Consultant will make every reasonable effort to document a minimum of three adoption case studies of children placed from Liberia including two international adoptions and one domestic placement if possible. Case studies will include information about birth family history, relinquishment or abandonment circumstances, child's movement through adoption process including care locations, and current situation with adoptive family. Case studies will be attached to the final report as attachments.

- ***Adoption Statistics***

Assessment Consultant will make every reasonable effort to document adoption statistics for six month period prior to consultancy including intercountry and domestic placements, child profile of children adopted including gender, age, health and developmental status, as well as birth parent and adoptive parent status. Adoption statistics will included in the final report as an attachment.

Post Field Work

- ***Comment and Input***

UNICEF, relevant stakeholders and Holt International will have 15 days following the end of the field work to provide input and comment on the in country presentation, facilitated discussion and draft of the assessment report prior to finalization of the Final Assessment Report.

- ***Final Assessment Report***

The Final Assessment Report will be due 30 days following conclusion of the field work period. The Final Assessment Report will be submitted electronically with hard copies including relevant attachments to Holt International who will forward it onto UNICEF Liberia. Further distribution of the Final Assessment Report will be made at the discretion of UNICEF and Holt respectively.

CONSULTANCY OVERSIGHT

HOLT

Holt's Senior Executive for Latin America, Europe, Africa and Haiti will supervise the work of the Assessment Consultant from Holt's headquarters in Eugene, Oregon USA. Supervision will include initial orientation and overview of consultancy needs and expectations, support in contact with relevant U. S. adoption agencies working in Liberia, periodic consultation with the Assessment Consultant during field work via telephone and e-mail as well as review and comment on the Final Assessment Report.

UNICEF

Assigned UNICEF staff will provide reasonable logistical support and content direction to the Assessment Consultant during in country field work through periodic updates and debriefing times to be scheduled not less than every 10 days during the field work period. UNICEF will also brief Assessment Consultant upon arrival to Liberia regarding security and safety issues and outline what support UNICEF can provide related to security and safety.

VII. DELIVERABLES

Periodic Updates to UNICEF

Assessment Consultant will provide assigned UNICEF staff and Holt International with periodic updates at a minimum of every 10 days during field work to include the progress made in assessment to date, any significant findings relevant to the assessment to date and challenges facing the assessment process.

Presentation and Facilitated Discussion

During the final week of field work, the Assessment Consultant will prepare and deliver an assessment presentation and facilitate discussion of their findings and preliminary recommendations with UNICEF staff and relevant stakeholders. This presentation and discussion is anticipated to be one full day.

Draft Assessment Report

A draft of the Final Assessment Report will be delivered to UNICEF and Holt International by the end of the field work period for review and comment by UNICEF and Holt within 15 days after receipt of the draft report.

Final Assessment Report

The Final Assessment Report will be due 30 days following departure of the Assessment Consultant including consideration of comments and input provided by UNICEF and Holt International to draft report. The Final Assessment Report will include the format and attachments outlined above.

VIII. BUDGET

Consultant	\$ 15,000
50 working days at \$300/day	
Communication	\$ 350
Estimated at \$50/week in country	
Hotel/Food	\$ 9,065
Based on USAID Per Diem Rate \$185/day	
Local Travel	\$ 1,000
Estimate for local taxi/ car and driver	
International Travel	\$ 4,500
U. S. to Liberia Round Trip	
Direct Project Supervision	\$ 1,552
1 Week payroll for D. Lauer	
Indirect cost (16.8%)	\$ 5,287
TOTAL	\$ 36,754

IX. BUDGET NARRATIVE

Consultant – Daily rate of Consultant will be based on previous salary history up to a maximum of \$300.00 per day.

Communication – Estimated for telephone and internet communications.

Hotel/Food – Based on USAID daily rate for Monrovia. UNICEF may substitute its own approved daily rate which can be used in lieu of USAID rate.

Local Travel – Estimated cost for taxis and/or local car and driver over life of consultancy.

International Travel – Based on current airfares. Actual may vary.

Direct Holt Supervision – Salary cost for 5 days of input and supervision of Assessment Consultant by Holt's Senior Executive for Latin America, Europe and Africa.

Indirect – Based on Holt's current calculated USAID indirect rate.