



# ISS Newsletter

No. 3 - March 2002



This Newsletter shows recent ISS activity, underway or planned, in forty countries. Much of this will bring with it an increased capacity in the ongoing world wide intercountry service. The dynamism in the developments is impressive, particularly given the variability in the financial resources of the ISS units.

Overall the branches have been very involved with developments in their countries relating to the Hague Convention on Intercountry Adoption and to other child care legislative changes. For those branches providing direct service to individuals, the changing needs of Refugees and Asylum Seekers are presenting a challenge. ISS Greece has suddenly had to deal with a much increased volume of service needs.

The importance the organisation gives to information exchange and national and international staff training is manifest. Training programmes are being developed in detail. Internationally, with the recent seminar for casework supervisors of the ISS units, greater conceptualisation of what is involved is taking place.

It is also encouraging to read that, consistent with the ISS Statutes, some branches have been very active in raising questions of migration and international child protection policy with their governments.

Readers should note in the text of the Newsletter that ISS branches, active in innovative development, are making more detailed information about their work available if contacted. Also our correspondent in Singapore will provide more information about changes in their child care legislation if needed.

Our thanks to all who have contributed to this bumper edition of the Newsletter. We have been particularly grateful to our two correspondent colleagues in Kenya and Singapore for providing details about the ground breaking child care legislation in their countries.

Eddy

# Migrants, Refugees and Asylum Seeking Adults

All our Branches which are providing direct help to migrant populations, have been very busy in the last six months.

## **Greece**

**ISS Greece** which provides the welfare and advice programme in the Lavrion Reception Centre for Refugees reports that post 11<sup>th</sup> September the Centre was suddenly dealing with an unprecedented influx of Refugees, mainly of Kurdish origin but also people from Afghanistan. The Centre has a capacity of 300 but it was suddenly asked to provide for 600. Afghani people are the largest group in Lavrion. The branch urged the Ministry of Public Order to transfer a number of the Refugees to two new Centres outside Athens.

The branch with other NGO's has submitted an application to the European Community for resources to improve the reception facilities at Lavrion and this has been agreed and is to be implemented. The branch has also submitted proposals to the Greek Ministry of Labour and the EC for three projects under the programme to combat Social Exclusion. The branch is well experienced to be able to initiate the programmes that aim to provide counselling and orientation of migrants, asylum seekers and refugees.

**ISS Greece** has been responsible for a Guide to Services for Asylum Seekers and Refugees, in 10 languages. An application to the European Refugee Fund of the EC to update and rewrite it has been successful. It is distributed by the Ministry of Public Order and the UNHCR to the police at entry points, and is for the use of the asylum seekers. It has been completed in Greek and it will again be available in the ten languages in August 2002.

## **Hong Kong**

**ISS Hong Kong** continues to develop its programme for preparing people from mainland China for settlement in Hong Kong. It held a press conference in celebration of the 2<sup>nd</sup> anniversary of the setting up of the Centre in Guangzhou on the mainland. It was attended by Mrs Betty Tung, patron of the branch and wife of the Chief Executive of the Hong Kong Special Administrative Region. Representatives of the Hong Kong Jockey Club, various government departments and other NGO's attended. It was given wide media coverage both in Hong Kong and Guangzhou.

As for the Centre itself a study has shown that the programme is giving greater self-confidence to women and children in adjusting to the demands of integrating in Hong Kong society. The participants are now helping other new arrivals and the children are doing well at school.

Another Centre for new arrivals, including the Welcome House Project, has been set up in Yuen Long district, sponsored by the Community Chest and Kadoorie Charitable Foundation. The after school service has been extended for new arrivals in Sham Shui Po.

An "Understanding Adolescent Programme" has begun in four of the secondary schools served by ISS Hong Kong. The object is to identify the developmental needs of Secondary One students. Emphasis is put on strengthening the resilience of the students to cope with change.

ISS Hong Kong hosted the 22<sup>nd</sup> Chinese Immigrant Service Agencies

Network International Annual Conference in October. Participants came from the USA and Canada. Following an in-house meeting on the first day the second day provided an open seminar organised with the Hong Kong Social Welfare Department on "Service Delivery Model for New Immigrants". Afterwards there was a study tour of ISS services in Hong Kong and Guangzhou and Panyu Districts in Mainland China.

Adrielle Panares of ISS Hong Kong presented a paper on "Social Safety Net and Migrant Labour" at the Asia and Pacific Regional Conference of the ICSW in **Korea**.

### **France**

As part of a European Refugee Fund programme concerned with the reception of asylum seekers, 5 senior social workers from **the SSAE - ISS in France**, investigated services in five other European countries. Xavier Barois went to **Belgium**, Claudine Vermauwet to **Greece**, Liza Vitturi to **Italy**, Camille Pain to **Switzerland**, and Marie-Paule Guntzburger to **the United Kingdom**. Contacts were arranged with the co-operation of **the local ISS offices**.

### **Portugal**

From **ISS Portugal**, Vera Fernandes Thomaz attended a commemorative meeting of the Portuguese Council for Refugees in which refugees themselves spoke about the regularisation of their legal status in the country.

### **France - Council of Europe**

In regard to the situation of clandestine migrants in Europe Catherine Bourgeade represented the SSAE in a meeting organised by the Commission for Migrants, Refugees and Demography of the Council of Europe. The meeting was held in December in Paris. This was an important group exchange in so far as there were

representatives of both sending and receiving countries participating. The Council of Europe is also a reference point for matters concerning Human Rights.

Catherine reports that the situation in 3 countries - **France, Poland** and the **United Kingdom** had been considered in some depth and a central question has emerged Against what is one opposing: the displacement of people who are victims of economic poverty? those who have been trafficked? or the trafficking of displaced people?

A report will be drawn up by the UK parliamentarian, Mr Wilkinson, and submitted to the Assembly of the Council of Europe at the end of this year. A large number of organisations attended the meeting including: Platform for the Provision of Information and Co-ordination for Migrants without Papers (Belgium), Group for the Care of Immigrant Workers (France), Movement against Racism and for Friendship Between People (France), Helsinki Foundation for Human Rights (Poland), Centre for Human Rights "Memorial" (Russia), Association of Young Lawyers (Georgia), Organisation for Aid to Refugees (Republic of Chechnya), Joint Council for the Welfare of Immigrants (UK), Association of Friends and Families of Victims of Clandestine Immigration (Morocco), European Civic Forum LINKS (United Kingdom), Danish Refugee Council, Federation of Associations of Care for Migrant workers (France).

The conference was followed by a round table discussion of the same NGO's focussing on priorities in regard to refugees and migration. The role of NGO's and the difficulties of intervening in the Caucasus and more particularly Chechnya were elaborated.

## **Canada**

ISS Canada participated in a round table discussion during the visit of the Mr. Rudd Lubbers, High Commissioner for Refugees

### **General Secretariat**

On behalf of ISS International, the **Secretary General, Damien Ngabonziza** attended the following **UNHCR** meetings in Geneva: the preparatory Session for the ministerial meeting, the PRE-Excom consultation with NGO's, and the Ministerial meeting of the States Parties to the 1951 Convention and the '67 Protocol on the Status of Refugees.

Of particular interest was a meeting organised by the UNHCR with the Swiss Government marking the 50<sup>th</sup> Anniversary of the Convention. It adopted a Commemorative Declaration that seeks to reinforce the role of the UNHCR while recognising the changes that have taken place including the new categories of refugees emerging and the possible violations of their human rights. The Declaration reinforced the need for a universal ratification of the Convention which was considered to be as valid today as it was fifty years ago.

It was a jubilee year! **The General Secretariat** took part in the 50<sup>th</sup> anniversary celebration of the IOM (International Organisation for Migration) with Anna Rosa Loiacono presenting a paper on the need of

considering psycho/social aspects in planning the migration of children.

An informal meeting took place in November between the GS and the ICMC Secretary General, William Canny. ISS and the ICMC are probably the only organisations that work cross-country for migrants and refugees on an individual basis. The ICMC has a memorandum of understanding with the IOM and they discussed their experience of the co-operation.

## **USA**

**ISS USA** informs us that:

*"The events of September 11<sup>th</sup> have brought significant changes to US immigration policies and procedures. A moratorium was imposed on all refugee admissions to the US, which was finally lifted in early December. Admissions have now being resumed, but are moving slowly due to new security procedures. Those who are being admitted now are mainly the 22,000 plus refugees who were already approved for resettlement prior to September 11<sup>th</sup>. **In general, all types of visa application are being scrutinised more carefully, and it is likely that visas of all sorts (visitor, student, refugee, etc) will be more difficult to obtain, and delays will probably grow.** This may prove a challenge in ISS cases where we are trying to place children or reunite family members in the US. The situation is likely to continue changing as world events unfold".*

## **CHILDREN SEPARATED FROM THEIR CLOSE FAMILIES**

This group of children has been of concern to many branches, either in their intercountry case load or because a number of ISS offices have been involved in national policy discussions

about them. In Europe a high proportion receiving ISS service are adolescents who are asylum seekers; others have been children sent abroad to a richer country in the hope that they

will receive a good education and contribute to the family economy.

## **Asylum seeking and unaccompanied young people**

### **Canada, USA**

**ISS Canada and ISS Unites States** along with the **UNHCR**, and the **Child Welfare League of Canada** took part in a national round table on "Separated Children Seeking Asylum in Canada". It brought together key representatives of immigration, child welfare authorities, other non governmental organisations, and advocacy groups from across the country. The presentations included questions about how they were identified, the scope of the issues, detention of children, tensions between the federal and provincial authorities relating to them and the resource needs. As in other countries there was a focus on the need for clear lines of communication. *A copy of the Report on the National Round table is available from ISS Canada.*

### **France, Italy, Switzerland**

Catherine Bourgeade from **the SSAE** took part in a seminar on Unaccompanied Children in Europe attended by representatives of NGO's from 28 countries along with the UNHCR. It was held in **Bratislava**. Colleagues from **Italy** and Thomas Elber from **ISS Switzerland** also attended the seminar. They report that the meetings were aimed at producing a statement of good practice with recommendations for handling the various complicated problems relating to this group of children. The first day was an exchange of information about the situation of the young people in each country, the services available and the relevant law. Catherine Bourgeade comments that the NGO's wished to enlarge the remit of the seminar to include unaccompanied young people who were not requesting

asylum but were numerous in certain countries in Southern Europe. On the subsequent days the NGO's and the UNHCR kept to the programme considering a study made by Wendy Ayotte of Save the Children on Separated Minors in Western Europe and in the Baltic countries, particularly young Somalis in Denmark. The participants worked also in groups considering: admission; determining the age of the asylum seekers; recognising refugee status; long term solutions and trafficking. More details about the *Programme can be found on the internet. SCA.gla.uk*

### **France**

**In France** the government has put down an amendment relative to the bill on parental authority, designating an ad hoc administrator for foreign unaccompanied minors held in Reception Centres.

The amendment has already had its first reading in the Senate and the National Assembly. It anticipates that the public prosecutor, after being informed of the placement of an unaccompanied minor in a Reception Centre, will immediately designate an ad hoc administrator with responsibility to assist and represent the young person in all administrative and legal procedures relating to his placement in the Centre. This indicates that the placement of the young people in the Centres is not questioned by government. The national Committees on Human Rights and for Child Protection, and other organisations want the immediate admission of the minors to France and their being cared for, to be under the regulations for the protection of minors.

### **Ireland**

The numbers of unaccompanied minors seeking asylum in **Ireland** has increased markedly in the last years - 98 in 1999, 517 in 2000 and in the first six months of 2001 there were 730

applications. From the report of the Social Service Inspectorate, sent to us by **Augusta McCabe**, our **ISS Correspondent**, there is concern about the availability of suitable accommodation for them. Mentioned particularly is concern about the accommodation available for younger adolescents - 14 and 15 year olds - some of whom have been placed in adult hostels. While social workers or project workers are assigned to each one and they are referred to appropriate services, such as schools, the children in hostels have to shop and cook for themselves.

The three Area Health Boards of the Eastern Regional Health Authority of Ireland, where the majority of the children are living, are re-appraising the needs. It is government policy to support the boards in developing services for all unaccompanied asylum seeking children.

### ***Italy–Romania***

As reported in the last newsletter **ISS Italy** has embarked on a complex intercountry programme related to adolescents who are in the country illegally and are being returned to their countries of origin. Thus ISS Italy is working with ISS correspondents in **Morocco, Moldova, Romania and Albania** who are taking responsibility for the reintegration of the returnees. The overall programme includes training seminars for the participants and the first has taken place in Romania with the co-operation of the **ISS Romanian correspondent Salvati Copiii (Save the Children)**. Representatives from 22 different Romanian local authorities with a significant number of returning young people were invited to the seminar. (Our Romanian correspondent reported in November last that they had already dealt with 74 new cases since the scheme began in July).

Representatives of the Italian Ministry of Labour, the Romanian Ministry of the

Interior and Minors Committee and the Italian Minors Committee took part with presentation being given by the representatives of the other three countries involved in the overall programme.

**Florence Fontana from the General Secretariat**, who attended the seminar, observed that it was a great opportunity to highlight the importance of a full social evaluation of the family situation from which the minors had come. There are difficulties for the family and the young person, when it becomes evident that their dreams have not been realised. The families need a lot of help. Another observation was that the governmental authorities in Romania are not yet ready to take on the responsibilities for the work ISS does in the country. But the need has been demonstrated.

Florence also remarked that it was very important for the practitioners from the different countries to be informed about each other's national welfare services, policies and the limitations with which they had to contend.

### ***Switzerland***

**ISS Switzerland** has been active in the developing network organised by Save the Children and the High Commission for Refugees concerned about "Separated Children" in Europe. The Director attended a meeting in **Sweden** and his colleague, Thomas Elber, from the re-established **ISS Swiss office in Zurich**, also participated in a meeting in Rome for training of trainers which has produced a training guide and programme to be transmitted to other professionals.

**The Swiss branch** is in contact with the **ISS office in Albania** in order to prepare a project for the care of unaccompanied Albanian minors being returned from Switzerland. The Swiss branch is in negotiation with key people in the federal office for refugees and other significant people and is waiting

for the green light to set the project in train. The Swiss branch is also in contact with **ISS Italy** regarding this matter.

### **Italy**

Melanie Tauber of **ISS Italy** presented information about the Italian programmes to a meeting in Rome organised by the International Voluntary Organisations for Development. Her report was entitled "Unaccompanied migrant minors: the Albanian case".

A research paper has been published by ISS Italy as part of the Agreement with the Italian government. The subject is unaccompanied minors and is available in Italian: "I minori albanesi non accompagnati - una ricerca coordinata fra Italia e Albania" (Unaccompanied Albanian minors – a co-ordinated study in Italy and Albania).

### **USA**

**ISS USA** has submitted its observations to the US Federal Authority concerned with Trafficking Regulation. Dana Naughton, Casework Supervisor, attended the North American regional Consultation on this subject. This was a sponsored consultation and held in conjunction with the 2<sup>nd</sup> World Congress in Tokyo.

According to researchers at the regional meeting, in the USA some 200,000 children are thought to be trafficked for sexual purposes each year. Of these 20,000 come from other continents, including Asia, Australia, Africa, Central and South America and the Caribbean. Children are also being trafficked from Canada. The consultation had widespread aims: to identify the nature and extent of commercial sexual exploitation of children in North America; to identify any regional patterns in the movement of children; and to develop strategies for combating it.

### **UK, South Africa, General Secretariat**

The sale and trafficking of children across borders is exciting much interest in a number of ISS branches which begin to receive referrals about them in their intercountry work. What ISS can do, collectively, to try to prevent trafficking will be determined by the financial and human resources it can obtain. **ISS UK** with the **General Secretariat** and the **ISS Affiliated Bureau in South Africa** are continuing to develop a proposal for funding for a service for children who have been sent abroad away from their customary carers. This includes children who have been trafficked. ***It is clear that if children who have been trafficked across borders are to be properly assisted there is a need for social service involvement in both the sending and receiving countries. International co-ordination is vitally important.***

### **UK, Australia, New Zealand, Canada**

**ISS UK** reports that it is in the final year of the programme for former child migrants who had been sent abroad and are now being assisted to visit the UK to take up contact with close relatives. This is only possible because of the co-operation of **ISS Australia, ISS New Zealand and ISS Canada**. It has been financed by the UK government. In order both to review the achievements of the scheme in Australia, where most of the migrants are, and to ensure that everyone who might be eligible for it knew about it, **Diana Carroll** carried out an impressive survey which has been sent to the UK and Australian governments.

In regard to achieving the aims of the scheme, Diana observes:

*"The vast majority of users of the UK Travel Fund have reported post travel that the reunion was an event that has changed their lives forever. They now have somewhere to belong. They know who they are. They feel more "whole"*

*as they know more about themselves and for the first time they feel at peace with themselves. It has also helped resolve the anger some feel about their experience. Conversely, those former child migrants who are unable to access the UK Travel Fund are not able to experience this measure of acknowledgement/healing. Support from the Australian government could expand the coverage of the UK Travel Fund significantly”.*

The programme has also been of particular importance to those ISS staff

and others who are making it work. These include the agencies in the UK, Australia, Canada and New Zealand **and the ISS staff directly involved: Diana Carroll, Bridget Forbes, Daryl Lightfoot and Anne Neilson in Australia, Stuart Young in New Zealand, Aggie Casselman in Canada and Chris Platt and Lesley Austen in the UK.**

Since the Fund began 340 approvals for travel have been agreed.

## **CHILDREN ABDUCTED ABROAD BY A PARENT**

### ***Germany, Netherlands, Switzerland***

**ISS Germany** held a one-day seminar to consider the Hague Convention on Child Abduction. Apart from local social workers, ISS colleagues **Hans van Hooff from the Netherlands** and **Verena Stettler from the newly opened Zurich office of ISS Switzerland** took part. It was a time for sharing experience.

While there has been discussion in International Family Law of the differential way in which the relevant Hague Convention is being applied in several countries, the fact that no other branch has mentioned working on such cases may mean that numerically they are not significant. **ISS UK** had six only such cases between April 2001 and February 2002. This would suggest that overall the intention of the convention is being realised and the appropriate legal mechanisms are being used.

### ***UK***

There is however an ongoing need for the establishment of treaties or

memoranda of understanding to embrace countries, which cannot sign the convention. **The UK** programme for separated British/Libyan families, which has been in existence for four years, continues to reveal the hurt and confusion which such abductions can produce. There is an ongoing need for a low key service aimed at establishing and maintaining contact between a child and an absent parent, particularly where there is no formal legal redress. ISS UK hopes to widen the programme to include other countries with legal systems derived from the Sharia. It is also hoping to develop and bring up to date its Foreign Marriage Advisory Service for people who are contemplating marriage to someone from a different tradition.

### ***Lebanon***

Our correspondent in the Lebanon, L'Union pour la Protection de l'Enfance au Liban writes to us that their organisation is occupied with this group indirectly due to its close relations with the protection of children with which it has been charged by law.



# INTERCOUNTRY ADOPTION

## International developments

### *Italy, International Resource Centre*

With the movement towards ratification of the Hague Convention on Intercountry Adoption, a number of the branches, as well as the Resource Centre for the Protection of Children in Intercountry Adoption, have been deeply involved in considering the implications for practice and principles in their own countries as well as at the level of international co-operation. Some ISS units are involved in the training of other agencies and **ISS Italy**, with the **Resource Centre**, is providing training for the Central Authorities of five countries which have recently signed the convention: **Ukraine, Bulgaria, Albania, Columbia and Peru**. *Copies of the training programme will be available in English from ISS UK and in Italian and English from ISS Italy.*

**Chantal Saclier of the Resource Centre** has been involved in discussion groups and giving lectures on ethical questions on this subject. She has been speaking to professionals, adoptive parents and potential adopters in **Italy, France and Switzerland**. She has co-chaired one of 12 modules in a training programme for the Virtual University, a Euro- American – Mexican French group - on the ethics of adoption.

Chantal has been working in **Ecuador** with Martha Caipa, an experienced staff member of the ISS correspondent in Colombia, - **the Institute for Family Welfare**. Both colleagues have been consulting with a team from the national government's office for the protection of children, elaborating appropriate criteria, methods and procedures for agreement between local adoption

agencies and for the authorisation of foreign adoption agencies. Another aim of the exercise has been to refocus national policy on adoption as part of an overall policy for children.

The Resource Centre has initiated a research project gathering statistics on aspects of adoption. Already a document, based on information collected, has been sent to the Branches and Affiliated Bureaux of ISS and to a certain number of correspondents.

In regard to the distribution of information an enquiry has been made into the circulation of the regular bulletins sent out by the Resource Centre in order to establish who, among the recipients, is making it more widely available and who is actually receiving it. At the same time the enquiry is seeking suggestions and observations from the respondents. These will be taken into consideration in developing the bulletin.

## Branch Developments

From the contributions to the Newsletter it is clear that, while the extent of the involvement differs from ISS branch to branch, all are working on the principle that the needs of the child have to be the first consideration. No ISS unit is now dependent on providing an intercountry adoption service for its survival.

### *Germany*

**ISS Germany** reports that the necessary legal provisions for the implementation of the Convention in the Federal Republic have been established. Of particular interest are the arrangements for the Central Authority. At the federal level the

Public Prosecutor General at the Federal Court of Justice will have a co-ordinating responsibility. But also the youth offices in the various states – länder - will be recognised as central authorities for the handling of the individual cases. The existing regulations for the accreditation and supervision of non-governmental adoption bodies have been revised in order to establish a legal basis for quality control.

### **Switzerland**

**The Swiss Branch** is developing a working document for the development of good practice and common standards in applying the Hague Convention in the 26 cantons of the Confederation. In co-operation with Terre des Hommes and the Swiss adoption agency, ISS has been elaborating a procedure, as well as evaluation criteria, for adoption agencies since these agencies will have to be authorised by the Swiss Central Authority, as soon as the Convention will be enforced.

### **UK**

With the intention to be able to ratify the Hague Convention and to enact the necessary legislation later this year, the Central Authority for **England and Wales**, the Department of Health, is producing draft standards and guidance for practice in handling intercountry adoption. Similar legislation will be enacted in **Northern Ireland and Scotland**. **ISS UK** has submitted its response and pointed to certain unresolved policy issues in the draft. It has also referred the Department to what is going on elsewhere in the ISS network which might help inform the development programme in the UK. Being a member of a working international organisation, is advantageous! There will be training workshops for those involved in intercountry adoption in the summer which will be practice based and interactive.

The general direction, coming from government, is that four voluntary agencies and all the local authorities are approved to provide the service. The service should be available for all those who need it. Expenses can be charged to the prospective adoptive parents. They should have access to post adoption back up.

### **USA**

**ISS USA** has endorsed a mandatory professional development programme for all parties involved. The branch has supported the recommendation that the Secretary or Central Authority's role should be expanded in order to develop separate regulating and enforcement provisions

**The US branch** is an active participant in the Advisory Council on Intercountry Adoption which has submitted draft regulations to the Department of State for a new federal regulation of the Hague Convention. Branch staff had conducted a survey of ISS Branches and Affiliated Bureaux on the adoption of US born infants and children abroad. On this basis the branch has contributed particularly to the draft regulations which are specific for the investigation and oversight of US citizen children adopted by foreign nationals. The survey results will provide a foundation for continuing advocacy with the U.S Department of State as it builds a system for tracking and monitoring outgoing adoptions.

### **Kenya**

Our **ISS correspondent in Kenya, the Child Welfare Society of Kenya**, has submitted a review of the new Children Act that collates pieces of legislation hitherto scattered through out 65 other acts of parliament. The CWSK provided technical input into the bill including the guiding principles on adoption developed by the **ISS Secretariat in Geneva**. The new Act, which was enacted in December last, now allows for intercountry adoption,

regardless of religious or racial background.

Foreign applicants will be required to have obtained the consent of the court of the competent jurisdiction, or a government authority in the country where one of the spouses is resident, permitting the spouse to adopt a child. They will have to satisfy the court that the country where the adoptive spouses reside will recognise the adoption order and will grant residence status to the child. An adoption order will not be granted to one person only.

### **South Africa**

Our **South African Affiliated Bureau, the Department of Social Development**, reports that they are involved in the preparatory work leading to the signing and ratification of the Hague Convention and the establishment of the South African Central Authority. This will be ground breaking legislation in the country. We are promised more information for the next Newsletter.

### **Important Articles on Adoption**

**The US and UK Branches** have together used their case experience to produce an article published in a special Issue of **CHILD WELFARE**, the Journal of the Child Welfare League of America. It is entitled "*Ensuring the Best Interests of the Child in Inter country Adoption Practice. Case studies from the United Kingdom and the United States.* **Copies are available from ISS USA.**

Two articles relating to **Adoption and Guatemala** are important:

**The International Children's Rights Monitor**, a publication of Defense for Children International with Kluwer Law International, have received an article on adoption practices in Guatemala, edited by **Chantal Saclier**. *You can see it on the ISS website in the chapter for the International Resource Centre.*

While on a study mission to Central America, the Director and Casework Supervisor of **ISS USA** received a copy of *Adoption and the Rights of the Child* by the **Latin-American Institute for Education and Communication, the ISS Guatemalan Correspondent**. The report was completed for UNICEF and provides evidence of abuses of children's rights in inter-country adoption practice. **ISS USA** is very concerned because out of a population of 11 million in Guatemala, 1,518 children were adopted by US parents in 2001. It is the fourth largest source of children for adoption in the USA. China with 5053 is first, Russia with 4269 is second and South Korea with 1,794 children is third. **The ISS USA** staff, on return from the study mission, briefed the Department of State's Office for Children's Issues which is the designated Central Authority for the Hague Convention on Intercountry Adoption.

**ISS Switzerland** is currently following the theme of the year for 2002 - *international adoption*. It is planning to publish a practice dossier with guidelines for the Swiss authorities which have the responsibility of bringing the Hague Convention into operation and also a brochure on search for roots. These will be related to a study day provided for the German speaking cantons in co-operation with the High School for Social studies in Lucerne.

**ISS Italy** has translated Cahier No.1 into Italian and it will be published under the title: "Il diritto dei minori nell'adozione nazionale e internazionale - Fondamenti giuridici-orientamenti pratici".

### **OTHER ADOPTION NEWS**

Beth Nelson from **ISS New Zealand** has been comparing and exchanging adoption and intercountry adoption experience with colleagues in ISS Hong Kong.

## OTHER DEVELOPMENTS IN CHILD CARE LAW

As illustrated in the Adoption section of this Newsletter above, the implementation at national level of international conventions usually requires legislative changes and the elaboration of procedures to ensure that they are properly operated. Two countries, Singapore and Kenya, have focussed their contributions on changes in their law concerning children.

### **Singapore**

Singapore signed the UN Convention on the Rights of the child in 1995. Consistent with the commitment to every child having a right to protection from abuse and neglect by parents and caregivers, and the provision of appropriate treatment for their recovery and integration in society, National Standards have been established. These were launched at the end of February.

Pauline Chua, of the Rehabilitation and Protection Division (Policy) of the Ministry of Community development and Sports, the ISS correspondent, explains:

“The standards provide us with a common understanding of the roles and responsibilities of the various constituents of the child protection system, and serve to guide child protection professionals in the discharge of their various functions. It aims to:

1. set clear requirements for case management which are understood by all concerned;
2. enable professional judgement to be exercised within a framework of transparency;
3. encourage the adoption of good practice including the

development of practice guidelines or manuals;

4. enhance public confidence that the management of child abuse will be prompt and will be handled with the child's interest as the main priority.

The national standards will serve as a useful guide for all professionals involved in child protection work. Topics of interest include:

1. Principles of child protection;
2. Referral of child abuse cases;
3. Management of child abuse cases by Child Protection and Welfare Services (CPSW);
4. Management of child abuse cases by the police;
5. Management of child abuse cases by schools;
6. Multi-disciplinary Case Conference (Child Abuse Protection Team Meeting)”.

You can obtain more details about the National Standards from: Nancy Ng, Deputy Director. Her fax is (65) 252 3976. E-mail [nancy\\_ng@mcds.gov.sg](mailto:nancy_ng@mcds.gov.sg).

### **Kenya**

The adoption requirements under the new Children Act have already been set out in the Adoption section of this Newsletter. Julius Kaberere, the Executive Director of the Child Welfare Society of Kenya, also gave us details about other sections of the Act. He indicates that the Children Act refers to the UN Convention on the Rights of the Child. The scope of the Act is widespread, and requires amendments to other pieces of legislation which touch on children - Education, Health, Marriage and Divorce, Succession and the Penal Code.

There are new provisions of particular relevance to ISS social workers handling intercountry cases with Kenya.

1. A child is defined as any person below 18 years;
2. A national council for children has been established to oversee all matters relating to them;
3. Free basic education is to be provided as is defined under Article 28 of the CRC;
4. A specific Children's Court is established;
5. Children are to be protected from customs or traditional practices that are likely to negatively affect their health, social welfare, dignity or psychological development. This includes protection from Female Genital Mutilation, drug and substance abuse, corporal punishment, child labour, commercial sexual exploitation and the sale and trafficking of young people.

### **European Community**

**ISS Germany** reports that at present the regulation on jurisdiction and the

recognition and enforcement of judgements in matters of parental responsibility – proposal presented by the Commission of the European Community 6th September 2001 is being discussed by the member states. It can be understood as an addition to the Brussels II –regulation, which came into force in March 2001. The German branch was asked for comments by the German Ministry of Justice. *The text of the draft regulation is available in English from the German branch.*

### **Council of Europe**

At the Council of Europe, the Draft – Convention on Contact concerning Children was adopted by the European Committee on Legal Co-operation at its meeting on the 4<sup>th</sup> to 7<sup>th</sup> December. The document (cdcj/doc2001/cdcj oj2 rev2 2 2001) is available on the website [www.legal.coe.int/cdcj](http://www.legal.coe.int/cdcj) under the 76<sup>th</sup> plenary meeting.

**ISS Italy** is now only taking on difficult intercountry adoption cases. Its national training programme in this work will continue.

## **ISS OTHER ACTIVITIES PROMOTION/TRAINING/VISITS**

### **Greece - France**

**Chris Kondoyanni, Director ISS Greece**, visited **SSAE in France** for discussion with the new **Director, Mrs Anne-Marie Narbot** and the intercountry team in Paris. The two branches are looking forward to exchange visits and shared training. Miguel Araujo Abreu, of APPASSI, the **ISS Affiliated Bureau in Portugal** participated in the international meeting in Lisbon organised by the Lisbon Social Action Department. The subject

was The City of the People-Autonomy and Participation.

### **USA**

**ISS USA** has been busy in promoting the potential of the service in a number of national symposia and conferences. Important among these exercises was a presentation at the national Conference of the Child Welfare League of America.

The Branch attended the Northeast Regional Training Conference of the

League and participated in the National Conference of the Lutheran Immigration and Refugee Service (the ISS Host agency). Staff also attended two conferences of the National Council of Juvenile and Family Court Judges. They participated in the National Conference on Child Abuse and Neglect, as well as meetings of Administrators of the Interstate Compact on the placement of Children. Colleagues participated in the World Forum Conference on the International Forum for Child Welfare, the Joint Council on International Children's Services and a conference on Commercial Sexual Exploitation of Children.

**ISS USA** presented the work of the agency at the University of Maryland "Careers in International Social Work".

These out of office promotions have led to an increase in requests for consultation.

## **UK**

**ISS UK** continues to provide teaching on the Masters Degree in International Child Welfare at the University of East Anglia. This is a two-semester programme and attracts students mainly from other countries and some from within the UK. The School of Social Work and Psychological Studies at the UEA has been rated as "excellent" by the Higher Education Funding Council for England. Anyone interested in the programme can visit it on the Website at: [www.uea.ac.uk/swk/teaching/welcome.htm](http://www.uea.ac.uk/swk/teaching/welcome.htm).

**General Secretariat - Belgium, Russia, Cameroon, Kenya, Philippines**

**The General Secretariat** was visited by Mr Fernand van Hoorick and two colleagues, Françoise Decourty and André Houbart from "Accueil et Formation" in the Ministry of Social Affairs, Public Health and Environment,

which has been an **ISS Correspondent in Belgium** for many years. Also present at the meeting was Mr Mauro Sbolgi and Pascale Vanderespt from the "Service International de Recherche, d'Education et d'Action Sociale (SIREAS), the second correspondent in the country. It was a packed but productive meeting. Mechanisms for co-operation, procedures for working with the other units of ISS and roles and responsibilities were all agreed.

During their visit to Geneva the delegation visited the **Swiss Branch** to explore further working with the network of ISS. The Swiss branch, in their meeting also demonstrated how the branch fitted into the professional services of the country and the benefits that followed.

Michael Nekhoroshev from the **ISS Correspondent in Russia** – Soprichasnost- joined the staff at the **General Secretariat**, Jeanette Conradi from **ISS Germany** who is Russian speaking, and Anna Libri from **ISS Italy** for an orientation and training session over three days. Michael also took the opportunity to visit **ISS Switzerland** to learn about their work and particular expertise.

**Damien Ngabonziza** participated in a seminar on Children and War organised by the Institute for the Rights of the Child which is based at Sion. He presented a paper on "rehabilitation measures for war affected children" with a special emphasis on child soldiers.

Contacts are being maintained by the **General Secretariat, ISS Hong Kong** and interested parties in the Philippines, regarding the establishment of an ISS branch.

**Mrs Corazon de Leon**, former Minister of Social Welfare, visited the GS in October to discuss developments. It is anticipated that a branch office will be set up in the coming two years.

**Mrs Françoise Ze**, the Director of Family and Child Welfare, in the Ministry of Social Affairs, the **ISS Correspondent in Cameroon**, visited the GS to discuss how the ISS service is provided in her country. She explained about the structure of the welfare services in the country's ten provinces and the training being given to social workers. There was discussion about the methods and procedures for working internationally and Mrs Ze made it clear that her interest is to work towards the establishment of an affiliated bureau.

Damien Ngabonziza visited the **ISS Correspondent in Kenya**, the Child Welfare Society of Kenya, his visit being facilitated by **Mr Kiereini**, member of the ISS Executive Committee. He met with the worker responsible for the ISS cases and also, the Hon. Chege Mbinru, national treasurer of the CWSK and member of the Kenya Parliament.

The Executive Director of the CWSK, who has written to the Newsletter about new developments in child care legislation, has recently been to **ISS USA** to discuss a possible project for strengthening the Society's foster care and institutional care programme. American colleagues also learned more from him about the impact of Aids in Kenya.

### ***France-Portugal***

**Xavier Barois of SSAE France** has asked us to provide you with more details of the meetings and exchanges between METS and the SSAE staff from France and A.P.P.A.S.S.I., our **Affiliated Bureau in Portugal** in May 2001.

He comments that the preparatory programme, set up by A.P.P.A.S.S.I., enabled the team from France to meet a variety of people. These included professionals, medico-social staff, community workers, family mediators, child protection workers etc. They made visits to institutions and social facilities, in the neighbourhood of Lisbon for 3 days.

They also visited services in Braga from which a number of migrants to France had come.

Other information he provides, which was important in the study tour, includes his observation that the social institutions and social action at the national level in Portugal are being renewed.

Among the places visited, and the professionals met, the community work dimension and its development is to be remarked in regard to looked after children, young people in training, and the elderly.

The European dimension, in regard to migration between Portugal and France, was visible in the financing of numerous developments in Portugal.

The SSAE and the METS have proposed to A.P.P.A.S.S.I. and to others they met in Portugal that they should constitute themselves as a professional group of social workers to return the visit and travel to France for a similar exercise. The SSAE and the METS are ready to work for it in 2002 or 2003.

For more details contact E mail [xbarois@ssae.asso.fr](mailto:xbarois@ssae.asso.fr)

## PROJECTS FOR THE FUTURE

### **Switzerland**

The Swiss branch is planning training events in the future in 8 European countries – **Albania, Bosnia, Bulgaria, Hungary, Macedonia, Poland, Romania, Serbia and Kosovo** relating to the main areas of ISS work. A similar exercise is planned for 8 countries in West Africa - **Burundi, Cameroon, Congo, Gabon, Guinea,**

**Rwanda, Senegal and Togo.** The seminars are being given in collaboration with the Institute for the Rights of the Child at Sion. Any one interested in obtaining more information about these proposed developments should contact the Swiss branch.

ISS Switzerland will start a website this month: [www.ssiss.ch](http://www.ssiss.ch). Initially this will be in German.

## ISS STAFF DEVELOPMENTS

### **Germany and 10 Branches**

ISS German branch hosted an international meeting of ISS casework supervisors. It was prepared in detail in advance and it was much appreciated. Colleagues attended from 11 branches and Affiliated Bureaux: Albania, France, the General Secretariat, Germany, Greece, Italy, Netherlands, Spain, Switzerland, United Kingdom and United States of America. The senior staff of ISS Germany facilitated the small group meetings and recorded the proceedings. Michael Busch chaired the plenary meetings.

The group tasks included consideration of: maintenance of professional standards; orientation of new staff and quality management; and dealing with the “human factor” in performing an ISS role in handling an intercountry interagency case. As all the participants came with considerable experience and a variety of approaches to solving problems, the exchanges between colleagues were very well informed and dynamic. All participants appeared to be leaving to return home recognising that they had much to

discuss and apply in carrying out their supervisory tasks.

Records of the meetings will be presented to the EXCO meeting in May. A further supervisors meeting is planned for Autumn 2002, again hosted by ISS Germany.

It is important to read of the continuing value of the seminars for supervisors. Already the **Swiss branch** team is reflecting on the quality control of its services. At the next supervisors meeting it plans to share its experience with other ISS colleagues in order to develop quality control strategies within the ISS network.

### **UK - India**

During a private visit to **India** Anjali Prabhu, social worker in ISS UK, went to the office of **the ISS correspondent** in Mumbai: The Indian Council of Social Welfare. During her discussion with Mrs Bhavna Kamdar, who is responsible for the ISS cases, they explored some of the difficulties that can arise in practising in an Indian context.



Anjali writes:

“In handling tracing related case referrals including post adoption contact, search for roots and child protection matters, there are several possible barriers. Due to lack of public records, particularly in remote rural areas and high population, tracing with limited identifying information is nearly impossible. Even when the last known address is given and the Indian social worker visits, if the family has moved away that is the end of it.

Because of the actual living situation in India, many people living in extended families, conducting interviews in private can be difficult. Also there is a tradition that family matters should be addressed within the family. People are reluctant to provide information to Social Workers about a person’s whereabouts without learning more details about

the enquiry which, of course, compromises confidentiality.

While the Indian culture is changing and there is the beginnings of an acceptance of different family structures generally the idea of pre-marital relations or children born out of wedlock are still not accepted.

It is common, in regard to helping someone trace their birth parent, that the sought parent will deny paternity/maternity, particularly if they are married with a new family, Such enquiries can jeopardise the existing family relations and lead to family breakdown.

Of course, Anjali observes, these difficulties are not unique to India. They are likely to come up in other cultural contexts and must be recognised as possible in many international cases“.

## SPECIAL PROJECTS

### Rwanda

#### A Child, a Family in Rwanda

Following the successful completion of the first stage of the programme last June, which began in 1995, Mrs Marie-Noelle Senyana-Mottier, on the completion of her contract has now joined the International Rescue Committee where she is the key child welfare expert.

She and the programme had achieved much. At the time when it moves into an independent phase as an autonomous delegation of ISS, Damien Ngabonziza reports that the delegation has continued to enjoy financial support from the Swiss government throughout 2001 and UNICEF will maintain its

support according to a local agreement. Mr Vedaste Rutajoga has been appointed in February to co-ordinate the programme and the GS will assist in contacting outside donors. A local support group has been set up for the new phase.

Damien sums up the programme’s achievements:

*“A child, a family programme has been an exciting experience and a very successful ISS programme in preventing abandonment in a post war and post genocide context. It has brought ISS into the light as a highly professional and efficient organisation. Indeed this programme has received the praise of all those that took the trouble to learn of its*

achievements. It could be replicated in other post crisis situations.

ISS is particularly grateful to Mrs Senyana-Motier who helped initiate the programme in extremely difficult political and social conditions. She must be thanked for sustained efforts, resilience, competence and dedication. The whole staff (some 20 people) have indeed played an irreplaceable role and demonstrated a high level of commitment and success“.

At the same time the **General Secretariat** has responded to the request of UNICEF and the Ministry of Social Affairs to send two consultants to work along with a local professional team on the drafting of laws relating to the protection of children deprived of care in their original families. Different types of care included: institutional care, guardianship, family placement, and adoption, both national and international. A second mission is planned for March-April to conclude the

work. The whole project has been overseen by the International Resource Centre of the General Secretariat.

### **Switzerland - Bosnia**

**ISS Switzerland** reports that they have just completed a training and development programme in **Bosnia**, which has developed a care structure for 2,500 children who have lost one or both parents. The branch is continuing to put into operation child welfare projects in **Serbia, Bulgaria, Moldova and Belarus**.

### **Switzerland - Bulgaria**

In regard to **Bulgaria** the Swiss branch, under the mandate of the Swiss Confederation, has a project for the professional development and rehabilitation of young people in institutions in that country. The branch can make available the relevant documentation to any one who is interested.

## **FUTURE MEETINGS**

### **Japan**

#### **ISS Asian Pacific Regional Meeting, Tokyo 27<sup>th</sup> to 30<sup>th</sup> May**

**ISS Japan** reminds us this meeting will be held at The Grand Hill Ichigaya, Tokyo. The schedule is as follows:

27<sup>th</sup> May: Registration

28<sup>th</sup> May am: ISS Units update and reports - review of regional development initiatives

28<sup>th</sup> May pm: “Developing the international network” - presentation and groups

28<sup>th</sup> May evening: Welcome party

29<sup>th</sup> May am: Presentations and workshops

29<sup>th</sup> May pm: Visits to institutions for children

30<sup>th</sup> May am: Summary and conclusion.

On May 27<sup>th</sup> am: **the Pacific Regional Forum** will meet at the Grand Hotel, Ichigaya, to consider Protection of Children in Japan who are of foreign or no nationality and are unregistered.

The survey made by **ISS Japan** and mentioned in the last Newsletter will be presented by Mrs Otsuki, the ISS Japan Director.

May 27<sup>th</sup> pm: there will be a symposium and open forum on the subject.

The meetings are aimed at discussing necessary amendments to the laws governing these children in order to provide them with necessary assistance when they cannot be raised by their parents. There will be a particular emphasis on Filipino cases.

ISS Japan is still waiting replies from the ISS offices in the region about their attendance.

### **ISS International EXCO Frankfurt 2<sup>nd</sup> June to 4<sup>th</sup> June**

Notification of the meeting has been circulated.

***N.B. Mr Martin Muller, an old friend and previous assistant treasurer of ISS, has been elected as International Treasurer of ISS until the International Council meeting in Greece in 2003.***

### **ICSW Conference at Rotterdam 24<sup>th</sup>-28<sup>th</sup> June**

Please let the General Secretariat know if you are planning to attend. Damien Ngabonziza has already sent an Email. This is a good opportunity to present ISS to potential correspondents.

## **CHANGES**

### ***Germany***

ISS Germany has relocated next door. The address is Am Stockborn1-3. D-60439 Frankfurt/Main. Telephone and fax remain the same. E-mail address has changed to [isd@issger.de](mailto:isd@issger.de)

### ***ISS Spain***

At the end of 2001 Maria-Jesus Perez resigned from the Bureau to pursue another career. The Secretary General, on behalf of the whole organisation, has written with appreciation of the professionalism and competence of Maria Jesus. He remarks:

“She has been responsible for developing a strong commitment by the Spanish authorities to the aims

and values of ISS. She was an authority on all matters concerning child care, family welfare and the protection of children. She will be much missed. All her colleagues wish her well in her new career”.

### **ISS USA**

The branch reports that Annick Barker, MSW, has replaced Zo Hmung. During the period the branch has provided training for four interns. Beth Sadofsky has changed her marital status and is now using her maiden name - Beth Jolly.

All staff have been certified by the Maryland Department of Human Resources as Confidential Intermediaries. This enables ISS USA to carry our search and tracing activities.



## **Bridging families and agencies around the world**

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