



CAFE

Critical Adoptees Front Europe

Additional Appendix Manifest

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Inhoudsopgave

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1. The government organizes a national investigation into adoption abuses, carried out by an independent commission

It is necessary that the abuses of the past are thoroughly investigated by a federal, independent committee in line with Article 33 of the Hague Adoption Convention.

Article 33 Hague Adoption Convention. 'A competent authority which finds that one of the provisions of the Treaty has not been complied with or is manifestly threatened with non-compliance shall immediately inform the Central Authority of its State thereof. The Central Authority has a responsibility to ensure that appropriate measures are taken.'

1.1. Historical research into the role of the state, adoption services and the Catholic Church

What went wrong? Who was involved or interested? What was the role of the adoption services? Could certain things have been avoided?

1.2. National research into the psychosocial consequences of adoption among adoptees

- What are the long-term effects of adoption on the well-being of the adoptee?
- Are adoptees more likely to come into contact with addiction problems, crime or depression?
- Do they need more help?
- To what extent does adoption trauma have a lasting effect on the later life course?

1.3. The expert panel's investigation into intercountry adoption abuses

The conclusions of the investigation into abuses and the recommendations of the expert panel on intercountry adoption have no legal or political basis whatsoever to hold individuals, adoption services, organizations and authorities responsible. We call for a parliamentary committee of inquiry that calls and hears all parties involved.

2. Recognition of adoption abuses

2.1 The Belgian government acknowledges adoption abuses

This is in the interest of the slaughter offerings of adoption abuses and fraud. By "victims" we mean; birth parents, adoptees and adoptive parents.

2.2. Individuals, governments and adoption organisations involved

Thesen are responsible for all the injustices and sufferings that have been caused.

3. Apologies and recovery

3.1. The Belgian government expresses regret for the abuses

Because adoption abuses occur under the responsibility of the recipient country, the responsibility of the local government is significant. It must therefore apologise to the victims.

Official recognition and apologies are important steps for the victims in the recovery process.

3.2. Independent reporting point for adoption fraud

The government organizes an independent hotline where fraud or suspicions of fraud are reported and investigated. This in all discretion and if desired anonymously.

4. Legal limitation period for adoption fraud and identity recovery

4.1. Legal limitation period for adoption fraud

The statute of limitations for adoption fraud and related crimes should be abolished. As with:

- Falsification or omission of personal data in the adoption file
- abduction
- forced adoption
- non-compliance with agreements made regarding "open adoption"

Adoption fraud should always remain punishable.

4.2. Identiteitsherstel

It should be possible for adoptees whose name was changed by the adoptive parents to regain the original name (given by the natural parents or the central authorities of the country of origin) if the adoptee so wishes.

The original name is often the only tangible thing that the adopted child receives from the natural parents or from the culture of origin. It is therefore important for the later formation of identity as stipulated in Article 8 of the UN Convention on the Rights of the Child. 1) 'States Parties undertake to respect the child's right to retain his or her identity, including nationality, name and family relations as legally acknowledged, without unlawful interference.' 2) 'Where a child is not lawfully deprived of any or all elements of his or her identity, States Parties shall provide appropriate assistance and protection with a view to restoring his or her identity as soon as possible.'

5. Aftercare

"You are not adopted for a while, but for your whole life. "

Aftercare for adoptees is not sufficient, expensive and geographically unbalanced, making it insufficiently accessible. The focus is mainly on the procedure and theoretic guidance of prospective adoptive parents but remains in default once the adoption has taken place.

5.1. Organisation and expansion of aftercare

- A financially accessible aftercare offer for every adoptee and this throughout the entire life course.
- Aftercare and support services in every province that are easily accessible.
- A mandatory training "experiential expertise in adoption" for adoptees active in aftercare projects and trajectories.
- The existing adoption aftercare services actively look for the widest and complete possible range of forms of assistance, therapy forms (cognitive, emotional, physical, social, relational and spiritual), therapists and psychologists.
- The government makes resources available so that the care, social and educational sectors can train themselves in adoption problems. The experiential adoptees can take on a supporting and experiential role in this.

5.2. Financial compensation and tax regime

Prospective adoptive parents can partly contribute the costs they incur prior to the adoption for tax purposes. In this context, it is logical that the same arrangement should be made for the costs that the adult adoptee

must incur in the field of (after) care, roots travel, tracing relatives, family reunification and relationship (re)construction.

Recommendations: therapy vouchers that adoptees can apply for or annual free therapy sessions. Being able to contribute tax to the personal income tax of therapy, first trip to country of origin, DNA research, investigation work in the country of origin, searches for relatives and identity restoration, ...

It is extremely important that aftercare for the adopted person is organised privately, independently of the existing adoption services. Every citizen is free to become an attending physician, dentist, physiotherapist,... to choose. This should be no different for adoptees. The adoptee has the right to freely and independently choose his care provider and form of treatment. Especially for adoptees and their adoptive families who are victims of fraud, aftercare via adoption services can feel unsafe (perpetrator becomes caregiver feeling). For the success rate of therapy, a relationship of trust with the therapist is of the utmost importance. Not every form of therapy is suitable for every person, so one should be free to choose the appropriate form of therapy.

5.3. Intensive and long-term follow-up of early adoptive families (existing files)

Adoptive parents cannot be expected to succeed in putting the theoretical knowledge of the preparatory course into practice without professional guidance.

The period between the course and the actual adoption is too long due to the waiting time. A follow-up course that is closer to the reception of the adopted child in the family is recommended.

Active, intensive follow-up and support of the young adoptive families is necessary to detect problems as quickly as possible and to intervene quickly, appropriately. This is in the interest of the further development of the adopted child.

5.4. Better information on adoption issues for carers, educators and teachers

Most children spend a lot of time at school, in after-school care or with grandparents.

These co-carers do not have to follow the adoption course within the current preparation process and therefore have limited to insufficient knowledge about adoption and related problems. We therefore believe it is necessary that the co-carers are integrated and followed up in the preparatory training and aftercare.

6. The role of the federal Belgian government with regard to the country of origin

6.1. Diplomatic pressure should be exerted on the countries of origin

- to investigate its own role in the fraudulent adoptions and to allow access to adoption files.
- to simplify searches for biological relatives. The embassies of the countries concerned can take an active role in this.

6.2. Adoption services in the country of origin shall attach to the adoption file proof of the initiatives taken to adopt the initiative for domestic adoption (principle of subsidiarity).

At the moment, there is not enough evidence that people are actively looking for reception options in the country of origin.

- The adoptee and adoptive parents should be informed of the procedures followed.
- Adoption services must demonstrate that they have exhausted all possibilities for reception in the country of origin.

7. Adoptiediensten

7.1. Should be limited to the administrative settlement of outstanding adoptions

Under no circumstances can they act as aftercare providers, as organisers of roots trips, cultural and social events for adoptees. Something we often saw happen in the past after adoption numbers declined.

For these socio-cultural gatherings, there are many adoption groups for and by adoptees who are better and emotionally safer choices. The adoption interest groups should have easier access to grants to support its activities.

The government must actively prevent the creation of an "adoption business" as was often the case in the past. Adoption services should immediately stop channel research as this is contrary to the Hague Adoption Convention, which states that "parents are being sought for a child and not the other way around".

7.2. Merger adoption services 2023

After the proposed merger of the Flemish adoption services is a fact, budgets must be reduced and revised to:

- aftercare for the adoptees;

- training care providers, teachers and professionals who come into contact with adoptive sensitive issues;
- support in the countries of origin;
- subsidization of adoption interest groups;
- subsidizing individual ancestry studies;
- subsidizing roots travel.
- foster care.

7.3 Discontinuation of adoption (trial) channels

At the moment, the adoption services do not communicate about the reasons why they stop adoptions from certain countries of origin.

Adoptees (and their families) who have already been adopted from these countries of origin are at best informed through rumors they are confronted with or through media coverage. This non-transparent decision-making leads to a lot of uncertainty for all parties involved. The adoptees and their families of these countries of origin are entitled to basic information so that they can check whether this decision may apply to their adoption file.

8. Right to information parentage

"Every child has the right to know where they come from."

8.1. DNA collection and DNA testing

- It must be investigated to what extent a standard DNA collection and DNA test of the child and the birth mother can take place, if necessary by court order, and can be added to the adoption file.
- Every adopted child should be given a DNA passport as a tool to rule out adoption fraud and to facilitate subsequent searches.

In India and Sri Lanka, women were paid who falsely presented themselves as distant mothers in court so that a child could be adopted intercountry.

8.2. Internationale DNA databank

We advocate an internationally accessible DNA database with DNA data of all adopted children and also their distant parents or biological relatives if known. This will facilitate later questions about parentage and searches for biological relatives (*e.g. loss of contact in the event of a move, name change, after a humanitarian disaster in the country of origin*).

DNA collection of the child must be registered in a recognized international DNA bank. Several internationally known companies are already known as possible partners. A Flemish or Belgian DNA database is not sufficient for the intercountry adoptees.

8.3. Adoptiedossier

- The adoptee always has full access to their own adoption file. Obstructing this right should be a legal offence.
- Preservation of the original files and right of access must be arranged with and from the judicial system. i.g. the juvenile court of the district in question.
- Duplicates of adoption files must be sent directly from the country of origin to a central archive and kept there, with third parties not having access to these copies to exclude forgery. Adoptees should even have access to their file toothily and on simple request at all times.
- Adoptees who do not have an adoption file must receive active help from the government to still be able to compile a file as stipulated in Article 30 of the Hague Adoption Convention. They should be able to do so free of charge and with free access to all the necessary services.

Article 30 Hague Adoption Convention:1). The competent authorities of a Contracting State shall ensure the preservation of information in their possession concerning the child's origin, in particular information concerning the identity of his parents, as well as medical data concerning the medical history of the child and his family. 2) They shall ensure that, to the extent permitted by the law of their State, the child or his representative has access to such information under appropriate supervision.

9. CAFE's views on intercountry adoption as a youth protection measure

9.1. Discontinuation of intercountry adoption

Despite the following measures:

- increasingly strict adoption legislation
- annually increasing financial resources
- more control mechanisms are available
- signing international treaties

- the claim to subject contacts and partners in the countries of origin to a more thorough screening
- extensive channel research

After half a century, it is still not possible to ensure that intercountry adoption is completely and guaranteed to be fraud-free. This leads us to conclude that the intercountry adoption system is too susceptible to fraud to be maintained any longer.

9.2. Country-of-origin control mechanisms

For the most part, the recipient country must rely on the word of partners and adoption mediators in the country of origin.

We start from the premise that in the recipient country the control mechanisms can still be tightened up in this way, that the federal Belgian government cannot assert legal authority or that conclusive controls can be imposed in the country of origin.

9.3. Adoption fraud usually occurs in the country of origin prior to adoption

Corruption occurs at all levels and often occurs in collaboration with nursing staff and directorates of hospitals, police departments, civil servants, doctors, midwives, judges, adoption services and mediators, employees of NGOs / orphanages / religious organizations,.. As a recipient country, Belgium is powerless to exercise sufficient control(s) at all these levels.

9.4. Quotas on the influx of prospective adoptive parents must stop immediately

Artificially maintaining the long waiting lists is an economic principle that is at odds with the basic principles of the Hague Adoption Convention.

9.5. Special Needs children must be taken care of in their own country in 2021

We apply the same principles here as mentioned earlier. Exceptions to this rule should be possible for children who need urgent medical intervention and who can come to our country for care with the help of a sponsor and with a medical visa.

10. Adoption procedure

10.1. Reform of adoption procedure

After granting approval for adoption, prospective parents can still choose whether to start the procedure for domestic or intercountry adoption.

Because these forms of adoption differ substantially from each other, prospective parents often let their choice be influenced by the length of the waiting lists. That is why we advocate that they should make this choice in advance.

Prospective parents must receive the necessary information even before they enter the system.

10.2. Preparation process for unwanted childless prospective parents

The so-called "shadow grief" caused by unwanted childlessness, the loss of a child or the (involuntary, e.g. medical reasons) premature termination of a pregnancy has - if not processed - a major impact on the adoptive mother-child relationship. For example, adopted children burdened with shadow grief will quickly feel second choice and experience feelings of guilt because they cannot take away the grief of the adoptive parents.

We recommend that unwanted childless couples or individuals undergo extensive, mandatory therapy prior to, and as a condition of, the start of the adoption procedure. The conclusion of the treating therapist is of decisive importance for obtaining the consent in principle.

Shadow grief is an often unknown and forgotten form of loss or grief. For example, unwanted childlessness and the loss of a vision of the future is a form of grief that can be recognizable to (prospective) adoptive parents and that they carry with them as backpacks, often invisible. (Source: Adoption).

11. An end to intercountry adoption. What's next?

Cutting family, geographical and cultural ties has far-reaching traumatic consequences. This is still insufficiently recognised.

We are therefore convinced - supported by various scientific studies - that a child should grow up as close as possible to his or her natural origin. We also refer to the objectives included in the Hague Adoption Convention.

Recognizing that thousands of children around the world are waiting for a warm family in children's homes, orphanages and youth institutions, we want to offer dignified and humanitarian alternatives that benefit the safety, well-being and development of children and the community in which they were born.

We endorse the right that every child has to grow up in a safe home. Preferably within the extensive, natural family and/or the own community. If this proves impossible - after thorough research - the following alternatives are the most appropriate youth protection measures.

11.1. On-site foster care

An extension of local youth protection measures that favour foster care in the country of origin. Budgets that now go to intercountry adoption can be used to support foster families on the ground.

11.2. Financial adoption

An extension of the existing development aid programmes where sponsors financially support a child or a family.
*E.g. Increase in the tax benefit for those who adopt a child financially.

11.3. Foster care in Flanders

Couples and individuals with a desire to have children can be made aware of the possibilities for foster care after the end of intercountry adoption. There is now a policy of encouragement to significantly increase the number of Flemish foster families. Even though we recognize that foster parenting is not an alternative to adoption and should never be, we advocate that more efforts be made to care for vulnerable children in foster care.