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| Title | Report of the fourth meeting of the Working Group on the Financial Aspects of Intercountry Adoption (December 2024) |
| Document | Prel. Doc. No 7B of December 2024 |
| Author | Co-Chairs of the Working Group on the Financial Aspects of Intercountry Adoption (WG) |
| Agenda Item | Item III.1.g |
| Mandate(s) | C&D No 33 of CGAP 2024 C&D No 25 of CGAP 2023 |
| Objective | To report on the fourth meeting of the WG |
| Action to be Taken | For Decision <input checked="" type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input checked="" type="checkbox"/> |
| Annexes | Annex I: <i>Aide-mémoire</i> of the fourth meeting of the WG (December 2024) Annex II: List of participants of the fourth meeting of the WG |
| Related Documents | N/A |

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Report of the fourth meeting of the Working Group on the Financial Aspects of Intercountry Adoption (December 2024)

I. Introduction

- 1 From 3 to 6 December 2024, the Working Group (WG) on the Financial Aspects of Intercountry Adoption met for the fourth time. The meeting, held in person with the possibility for online participation, was attended by 39 delegates and other experts, representing 16 HCCH Members, three non-Member Contracting Parties and three Observers, as well as by members of the Permanent Bureau (PB) of the HCCH. The list of participants is included as an Annex (II).
- 2 This fourth meeting was convened following Conclusion & Decision (C&D) No 33 of the Council on General Affairs and Policy (CGAP) meeting of March 2024, which reads as follows:

“CGAP noted the *Aide-mémoire* of the Chair of the first and second meetings of the WG on the Financial Aspects of Intercountry Adoption and welcomed the progress made by the WG. With a view to continuing its work, CGAP invited the PB to convene at least two further meetings before CGAP 2025, with intersessional work as required. If possible, one of the meetings of the WG should be held in person, and intersessional work should take place online.”
- 3 The WG expressed its thanks to the Central Authority of Italy for its voluntary financial contribution, which permitted representatives from States of origin to attend the meeting in person and which thus allowed for an in-person meeting.
- 4 The *Aide-mémoire* of the co-Chairs of the WG in Annex I provides an overview of the main points of discussion at the Group's fourth meeting.

II. Proposal for CGAP

- 5 The PB invites CGAP to take note of the *Aide-mémoire* contained in Annex I of this document prepared by the co-Chairs of the WG based on the deliberations during the fourth meeting, and proposes the following C&D for CGAP's consideration:

CGAP took note of the *Aide-mémoire* of the Co-Chairs of the third and fourth meetings of the WG and welcomed the progress made by the WG. To continue its work, CGAP invited the PB to make the necessary revisions to the Note on the Financial Aspects, Roadmap, Repository, Table on costs and Fact Sheet 3 of the Toolkit, if needed with the assistance of the WG's drafting committee and, if needed, to convene at least one more online meeting before CGAP 2026.

Annex I

***Aide-mémoire* of the Fourth meeting of the Working Group on the Financial Aspects of Intercountry Adoption (December 2024)**

Prepared by Ms Irene Fagayan and Mr Antonio Ferrandis Torres, Co-Chairs of the Working Group

I. General remarks

- 1 The Working Group (WG) recalled its mandate, namely to:
 - take stock of current practices, and
 - identify possible coordinated, targeted, practical approaches, and to prioritise them with the understanding that the objective would be to raise standards using the HCCH Guides to Good Practice (GGP) and the Note on the Financial Aspects of Intercountry Adoption as the starting point.
- 2 Recognising that adoption is a life-long process, and in line with Articles 9(c) and 30 of the 1993 Adoption Convention, the WG considers that attention should be paid in the future to the costs that post-adoption support and search for origins may entail for adoptees.
- 3 Since the beginning of its work, the WG recognised the direct and indirect risks connected to financial aspects of intercountry adoption as they may create dependency and competition between States, adoption accredited bodies (AABs) and prospective adoptive parents (PAPs).
- 4 The WG recalled that payments during the adoption process should never reinforce the institutionalisation of children, encourage their separation from their families of origin, or prioritise intercountry adoption over the child remaining in its own environment. In the same manner, the WG reiterated that contributions, donations and cooperation projects (CDCPs) should not encourage intercountry adoptions or determine decisions or competitions between States.

II. Note on the Financial Aspects of Intercountry Adoption

- 5 The WG discussed the current format of the Note and proposed a revised structure, to make it easier to follow and to reflect the current situation of intercountry adoption.
- 6 The WG recognises that, despite the current situation of intercountry adoption, given the drastic reduction in the number of intercountry adoptions and the progress made in implementing the 1993 Convention, it is still necessary to refer in the Note to practices that occurred in the past in order to prevent such abuses in the future and at the same time, to illustrate the progress made.
- 7 The WG decided to underline the importance of transparency and reasonability, and therefore to give it more prominence in the Note.
- 8 The WG focused its discussions on the chapter regarding CDCPs. During a *tour de table*, each State representative present explained their practices, which showed differences both at policy level and in practices.
- 9 The WG considered it necessary to clarify the concept of “child maintenance” in the context of adoption, and proposed new wording in the Note which showed that these payments can only be considered as a cost if they are requested by the State, if they are mandatory, fixed, calculated for a specific child, reasonable in relation to the cost of living in the State, and calculated since the

time of matching until the child is entrusted to the parents. Otherwise, these payments should be considered a contribution.

- 10 Regarding the three views on CDCPs that have been set out in GGP2, the 2014 Note and Fact Sheet No 3 of the Toolkit, the WG decided to name the practices “No contributions, donations and / or cooperation projects in the context of adoption” and “Contributions, donations and / or cooperation projects may be permitted by a State, if adequate safeguards are respected”.
- 11 The WG agreed to revise the text of the Note according to the discussions and to ask States to provide more examples. In addition, States would be requested to provide the source for these new examples as well as for any older examples submitted. It was also agreed that States may provide comments to the draft of the Note that was circulated during the WG meeting.
- 12 Once the Note is finalised, Fact Sheet No 3 of the Toolkit will be revised accordingly to mirror the changes.

III. Roadmap of Cooperation Between States to Achieve Separation of CDCPs from Intercountry Adoption

- 13 The WG acknowledged the value of the Roadmap prepared by the experts from Canada and Viet Nam to provide States with a comprehensive, step-by-step process to transition towards no CDCPs.
- 14 The WG agreed to adapt the Roadmap to the new language and structure of the Note and to add information about the Roadmap in the Note.

IV. Table on Costs

- 15 The WG welcomed the changes made to the Table on Costs to adapt it for federal States and States with many AABs and to incorporate new concepts such as the preparation of children for adoption and post-adoption costs.
- 16 The WG considered that the completion of the Table on Costs by as many States as possible will increase transparency and reasonability of costs and avoid questionable practices that have occurred in the past.
- 17 As a next step, the comments received during the fourth WG meeting (e.g., regarding translation costs, fees for medical advice, comment column, overhead AABs’ fees) will be incorporated in the Table.

V. Repository of studies and other sources

- 18 The WG agreed on the value and usefulness of the proposed *Repository of studies and other sources on the Financial Aspects of Intercountry Adoption* to be published on the website of the HCCH. The WG also agreed that it should be updated on an annual basis at the initiative of the PB through its annual communications with Central Authorities. Any HCCH Member may contact the PB if it considers that any document does not meet the standards explained in paragraph 19 below.
- 19 The WG agreed that documents to be included in the Repository should be submitted by HCCH Members, Contracting Parties to the 1993 Adoption Convention and / or HCCH Observers. The documents to be listed in the Repository should refer, in whole or at least in part, to the financial aspects of intercountry adoption. They should originate from public authorities, independent committees, intergovernmental or non-governmental organisations, as well as academics. To the

extent that those submitting the documents are able to do so, a summary in one of the official languages of the HCCH should be provided.

VI. Model Survey for Adoptive Parents

- 20 The Model Survey that was published in 2012, while it may not have had widespread use in its current form, has served as a source of inspiration for the development of other types of surveys, questionnaires or guidelines for economic audits.
- 21 The WG agreed that the use of tools to achieve or enhance transparency, predictability and traceability of payments should continue to be encouraged, but not necessarily through this single model, in particular as nowadays, technology allows for more user-friendly tools.
- 22 The WG discussed the possibility of carrying out work on a Model Survey for adoptees, including regarding costs on post-adoption services. However, while the WG recognised that the issue represents excessive costs for adoptees, it was agreed that this WG was not the appropriate setting to discuss work on such a survey.

VII. Summary List of Good Practices

- 23 The WG discussed whether the Summary List of Good Practices, that was published in 2012 together with the Note, needed to be retained but finally agreed that as there is now a new tool, Fact Sheet No 3, there is no need to have a Summary List, as this would be repetitive.

VIII. Next steps

- 24 The WG agreed that the draft Note, the draft Table on Costs, the draft Roadmap and the draft Repository will be revised to take into account the proposals made at the fourth meeting.

Annex II



List of participants

**Fourth meeting of the Working Group on the Financial Aspects of Intercountry Adoption
(3 - 6 December 2024)**

| | <i>Representing</i> | <i>Surname</i> | <i>First name</i> | <i>Job Title</i> | <i>Organisation</i> |
|----------------|---------------------|--------------------|-------------------|--|--|
| Members | Australia | Tunks | Brendan | Director, Australian Central Authority | Department of Social Services (DSS) |
| | | Levesque | Candice | Australian Central Authority | Department of Social Services (DSS) |
| | Belgium | Van den Berghe | Ariane | Director of the Flemish Central Authority for Adoption | Flemish Central Authority for Adoption, <i>Kind en Gezin</i> |
| | Canada | Goupil | Josée-Anne | Avocate / Counsel | Department of Justice Canada |
| | | Hilo | Heather | Adoption Specialist | Ministry of Children and Family Development - British Columbia |
| | | Hislop | Amy | Acting Deputy Director, Intercountry Adoption Services | Immigration, Refugees and Citizenship Canada (IRCC) |
| | Cyprus | Psoma | Chrysovalando | Counsel of the Republic | Law Office of the Republic |
| | Finland | Pärssinen-Hentula | Irene | Manager, Chair of the Finnish Adoption Board | Finnish Adoption Board, Valvira - National |
| | France | Teyssier d'Orfeuil | Yves | Chef de l'Autorité centrale | Mission de l'Adoption internationale (MAI) |
| | | Choplain | Floriane | Chargée de mission Expertise juridique | Mission de l'Adoption internationale (MAI) |
| | | Dehais | Marion | Chargée de mission pilotage opérateurs et partenariats | Mission de l'Adoption internationale (MAI) |
| | Italy | Bucci | Daniela | CAI Technical Secretariat Official | Commission for International Adoption |

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| | | Menna | Filomena | CAI Technical Secretariat Consultant | Commission for International Adoption |
| | Mauritius | Nujeebhun | Mouksinah | Coordinator, Adoption Unit | Ministry of Gender Equality and Family Welfare |
| | | Pirbacosse | Afzal | Assistant Permanent Secretary | Ministry of Gender Equality and Family Welfare |
| | Mexico | Flores Rico | Maxwel Aurora | Deputy Director for International Child Support and Adoptions | Ministry of Foreign Affairs Mexico |
| | | Reyes Rodriguez | Anabel | Deputy Director of National and International Adoptions | National System for Comprehensive Development of the Family (SNDIF) |
| | Philippines | Ejercito Estrada | Janella Ejercito | Undersecretary | National Authority for Child Care |
| | | Macalintal | Rowena | Assistant Secretary | National Authority for Child Care |
| | | Fagayan | Irene | Social Welfare Officer IV (co-Chair of the Working Group) | National Authority for Child Care |
| | | Madrid | Rodalyn | Social Welfare Officer III | National Authority for Child Care |
| | Portugal | Florência | Castro | Social Service | Social Security Institute |
| | Spain | Ferrandis Torres | Antonio | Head of Intercountry Adoption Service (co-Chair of the Working Group) | Madrid Institute for Minors |
| | Switzerland | Schickel-Küng | Joëlle | Co-chef Unité droit international privé | Federal Office of Justice |
| | United States of America | Light | Marisa | Chief, Adoption Oversight Division | U.S. Department of State Office of Children Issues |
| | | Rosalia | Carine | Attorney Adviser | U.S. Department of State, Office of Legal Affairs for Overseas Citizen Services |
| | Viet Nam | Pham | Thi Kim Anh | Deputy Director of the Department of Adoption | Ministry of Justice |

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|--------------------------------|---------------|---------------------|----------------|--|---|
| | | Nguyen | Minh Phuong | Legal Officer of the Department of Adoption | Ministry of Justice |
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| Non Member Contracting Parties | Cabo Verde | Teixeira Almeida | Isolina | President of the Council for Intercountry Adoption | Office of the Prosecutor General Central Department for Cooperation and Comparative Law |
| | | Varela Pina Cardoso | Cátia Morgeana | Psychologist - Member of the Council for Intercountry Adoption | Office of the Prosecutor General, Central Department for Cooperation and Comparative Law |
| | Côte d'Ivoire | Kokora | Yao Mony | Chargée de l'Adoption Internationale | Autorité centrale adoption Côte d'Ivoire (ACACI), Ministère de la Femme, de la Famille et de l'Enfant |
| | | Gouin | Guy-Roger | Secrétaire Exécutif | Autorité centrale adoption Côte d'Ivoire (ACACI), Ministère de la Femme, de la Famille et de l'Enfant |
| | | Kone | Issa | Collaborateur du Directeur du conseil et des affaires juridiques | Autorité centrale adoption Côte d'Ivoire (ACACI), Ministère de la Femme, de la Famille et de l'Enfant |
| | Haiti | Guillaume | Andolphe | Juriste – Gestionnaire de Projets | Institut du Bien-être Social et de Recherches (IBESR) |
| | Togo | Mamanh | Abd-Nafiou | Président | Comité national d'adoption d'enfants au Togo (CNAET) |
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| Observers IGO | UNICEF | Cantwell | Nigel | UNICEF Expert | - |
| | | | | | |
| Observers NGO | ICAV | Long | Lynelle | Founding Director | Intercountry Adoptee Voices |
| | | Boer | Bina | ICAV Netherlands Representative | Intercountry Adoptee Voices |
| | NAC | Hrund Salvarsdóttir | Elísabet | NAC's Chairperson | Nordic Adoption Council |

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| | | | | | |
| HCCH | Permanent Bureau | Martínez-Mora | Laura | Secretary (Lawyer) | HCCH |
| | | Page | Capucine | Legal Officer | HCCH |
| | | Santos | Eliana | ICATAP Coordinator | HCCH |
| | | Ghasemi | Zarifeh | Intern | HCCH |
| | | Prénas | Mathilde | Senior Administrative Assistant | HCCH |
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