

<b>Title</b>	Report of the fourth meeting of the Working Group on the Financial Aspects of Intercountry Adoption (December 2024)
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<b>Author</b>	Co-Chairs of the Working Group on the Financial Aspects of Intercountry Adoption (WG)
<b>Agenda Item</b>	Item III.1.g
<b>Mandate(s)</b>	C&D No 33 of CGAP 2024 C&D No 25 of CGAP 2023
<b>Objective</b>	To report on the fourth meeting of the WG
<b>Action to be Taken</b>	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"/>
<b>Annexes</b>	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
<b>Related Documents</b>	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>
<b>Members</b>	<b>Australia</b>	Tunks	Brendan	Director, Australian Central Authority	Department of Social Services (DSS )
		Levesque	Candice	Australian Central Authority	Department of Social Services (DSS )
	<b>Belgium</b>	Van den Berghe	Ariane	Director of the Flemish Central Authority for Adoption	Flemish Central Authority for Adoption, <i>Kind en Gezin</i>
	<b>Canada</b>	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)
	<b>Cyprus</b>	Psoma	Chrysovalando	Counsel of the Republic	Law Office of the Republic
	<b>Finland</b>	Pärssinen-Hentula	Irene	Manager, Chair of the Finnish Adoption Board	Finnish Adoption Board, Valvira - National
	<b>France</b>	Teyssier d'Orfeuill	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)
	<b>Italy</b>	Bucci	Daniela	CAI Technical Secretariat Official	Commission for International Adoption

	Menna	Filomena	CAI Technical Secretariat Consultant	Commission for International Adoption
<b>Mauritius</b>	Nujeebhun	Mouksinah	Coordinator, Adoption Unit	Ministry of Gender Equality and Family Welfare
	Pirbacosse	Afzal	Assistant Permanent Secretary	Ministry of Gender Equality and Family Welfare
<b>Mexico</b>	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)
<b>Philippines</b>	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 <b>(co-Chair of the Working Group)</b>	National Authority for Child Care
	Madrid	Rodalyn	Social Welfare Officer III	National Authority for Child Care
<b>Portugal</b>	Florência	Castro	Social Service	Social Security Institute
<b>Spain</b>	Ferrandis Torres	Antonio	Head of Intercountry Adoption Service <b>(co-Chair of the Working Group)</b>	Madrid Institute for Minors
<b>Switzerland</b>	Schickel-Küng	Joëlle	Co-cheffe Unité droit international privé	Federal Office of Justice
<b>United States of America</b>	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
<b>Viet Nam</b>	Pham	Thi Kim Anh	Deputy Director of the Department of Adoption	Ministry of Justice



		Nguyen	Minh Phuong	Legal Officer of the Department of Adoption	Ministry of Justice
<b>Non Member Contracting Parties</b>	<b>Cabo Verde</b>	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
	<b>Côte d'Ivoire</b>	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
	<b>Haiti</b>	Guillaume	Andolphe	Juriste – Gestionnaire de Projets	Institut du Bien-être Social et de Recherches (IBESR)
	<b>Togo</b>	Mamanh	Abd-Nafiou	Président	Comité national d'adoption d'enfants au Togo (CNAET)
<b>Observers IGO</b>	<b>UNICEF</b>	Cantwell	Nigel	UNICEF Expert	-
<b>Observers NGO</b>	<b>ICAV</b>	Long	Lynelle	Founding Director	Intercountry Adoptee Voices
		Boer	Bina	ICAV Netherlands Representative	Intercountry Adoptee Voices
	<b>NAC</b>	Hrund Salvarsdóttir	Elísabet	NAC's Chairperson	Nordic Adoption Council

HCCH	<b>Permanent Bureau</b>	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
		Hawkins	Stuart	Website / IT Officer	HCCH