

ADOPTION

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**TABLE OF CONCLUSIONS AND RECOMMENDATIONS OF PREVIOUS MEETINGS OF
THE SPECIAL COMMISSION ON INTERCOUNTRY ADOPTION
(2000, 2005, 2010)**

document drawn up by the Permanent Bureau

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**TABLEAU DES CONCLUSIONS ET RECOMMANDATIONS DES REUNIONS
ANTERIEURES DE LA COMMISSION SPECIALE SUR L'ADOPTION INTERNATIONALE
(2000, 2005, 2010)**

document établi par le Bureau Permanent

*Information Document No 2 of May 2015 for the attention of the
Special Commission of June 2015 on the practical operation of the
Hague Convention of 29 May 1993 on Protection of Children and
Co-operation in Respect of Intercountry Adoption*

*Document d'information No 2 de mai 2015 à l'attention de la
Commission spéciale de juin 2015 sur le fonctionnement pratique de la
Convention de La Haye du 29 mai 1993 sur la protection des enfants et
la coopération en matière d'adoption internationale*

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1	Statistics	21. The Special Commission recommended that the Permanent Bureau should prepare a form for statistics along the lines suggested, taking into account the matters raised during the debate.	9. The Special Commission welcomes the development of the draft forms for the gathering of general statistical information (Appendix 5 of Prel. Doc. No 2) and underlines the importance for States Parties to submit general statistics to the Permanent Bureau using these forms on an annual basis.	30. The Special Commission underlined the importance for States Parties of submitting general statistics on an annual basis to the Permanent Bureau using the forms contained in Preliminary Document No 5 of April 2010. 31. It was recommended that consultations should continue on options for the future collection of statistical data by the Permanent Bureau.
2	Avoiding Unnecessary Delays		14. The Special Commission reminds States Parties to the Convention of their obligations under Article 35 to act expeditiously in the process of adoption, and notes in particular the need to avoid unnecessary delay in finding a permanent family for the child.	
3	Selection, Counselling and Preparation of Prospective Adoptive Parents	14. Emphasis was placed on the need for thoroughness and objectivity by authorities in the receiving country in the assessment and preparation of the prospective adopters, and in drawing up the report on the applicants in accordance with Article 15.	2. The Special Commission recommends that the Permanent Bureau, in consultation with Contracting States and non-governmental organisations, collect information on issues including, inter alia, the financial aspects of intercountry adoption, reports on prospective adoptive parents, preparation of prospective adoptive parents, and postadoption reports, with the view to the possible development of future Parts of the Guide to Good Practice. [...]	8. States of origin may assist receiving States in establishing their criteria for the selection of prospective adoptive parents by providing information about the characteristics and needs of adoptable children. This information will also contribute to the development of preparation materials on intercountry adoption directed to prospective adoptive parents, and to the management of their expectations. 9. The Special Commission emphasised the need for country specific preparation and for prospective adoptive parents to

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
			<p>12. The Special Commission recognises the importance of States of origin sending information to receiving States on the needs of children to better identify prospective adoptive parents.</p> <p>13. The Special Commission recognises that as a matter of good practice, authorities in receiving States should co-operate with authorities in States of origin in order to better understand the needs of children in States of origin.</p>	<p>have some knowledge of the culture of the child and his or her language in order to communicate with the child from the matching stage.</p> <p>10. The Special Commission recommended that the Permanent Bureau, in consultation with Contracting States and non-governmental organisations, collect information on the selection, counselling and preparation of prospective adoptive parents, with a view to the possible development of the Guide to Good Practice No 3. This may include a discussion on good practices in dealing with failed adoptions and the period of validity of the "home study" report.</p>
4	Reports on Children and PAPs	<p>12. The Special Commission agreed on the importance, from the point of view of the process of matching, and for the information of the adoptive parents and later the child himself or herself, of obtaining a full and accurate medical report on the child. The importance of maintaining confidentiality with respect to the medical report on the child, bearing in mind the right to respect for private life, was also emphasised.</p> <p>13. The idea of a rigid model form was not approved. However, it was accepted that the form for the medical report on the child which appears in Appendix B constitutes a useful aid in improving the</p>	<i>(See also Conclusion and Recommendation No 2 of 2005, Item 3 of this document)</i>	

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		<p>quality of, and standardising, reports on the child drawn up in accordance with Article 16, paragraph 1, of the Convention. (See also Conclusion and Recommendation No 14 of 2000, Item 3 of this document)</p>		
5	Model Forms	<p>5. The importance of the "Model Form for the Statement of Consent" which had been approved by the Special Commission of 1994, and which appears as Annex B of the Report of the Special Commission, which was published in March 1995, was re-emphasised.</p>	<p>6. The Special Commission reaffirms the usefulness of the Model Form – Medical Report on the Child and notes the usefulness, in particular in the case of very young children, of the supplement to this form as proposed in Working Document No 6, pp. 8-9.</p> <p>7. The Special Commission recommends that the Permanent Bureau, in consultation with Contracting States and non-governmental organisations, develop a model form for the consent of the child (Article 4(d)(3)) as well as model forms or protocols regarding the operation of Articles 15 and 16 of the Convention. (See also Conclusion and Recommendation No 18 of 2005, Item 6(i) of this document)</p>	

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6	Post Adoption Matters			
	(i) Post Adoption Reporting		18. The Special Commission recommends to receiving States to encourage compliance with post-adoption reporting requirements of States of origin; a model form might be developed for this purpose. Similarly, the Special Commission recommends to States of origin to limit the period in which they require post-adoption reporting in recognition of the mutual confidence which provides the framework for co-operation under the Convention.	27. The Special Commission reaffirmed Recommendation No 18 of the Meeting of the Special Commission of September 2005.
	(ii) Preservation of Information			28. It was recommended that receiving States and States of origin preserve adoption records in perpetuity. The record must contain the information referred to in Article 16 and, to the extent possible, any other information or personal items relating to the child or his or her birth family.
	(iii) Search for Origins			29. It was recommended that receiving States and States of origin provide different forms of assistance and counselling for different stages of the child's development to adulthood, including preparation for origin searches and reunions of the adoptees with members of their biological families.

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
7	Intercountry adoption in the context of globalisation and international mobility			<p>11. The Special Commission emphasised that all intercountry adoptions falling within the scope of the Convention under Article 2(1), including in-family adoptions and adoptions by nationals of the State of origin, are subject to Convention procedures and safeguards.</p> <p>12. Where an adoption falling within the scope of the Convention has been processed in a Contracting State as a non-Convention adoption, the Central Authorities concerned are strongly recommended to co-operate in efforts to address the situation in a manner which respects Convention procedures and safeguards, and to prevent these situations from recurring.</p> <p>13. Where the habitual residence of the prospective adoptive parents is uncertain the concerned Central Authority should provide advice on their particular situation before they proceed with an adoption application.</p>
8	Mutual Support and Assistance in Applying the Safeguards of the Convention, including technical assistance (ICATAP)	<i>(See Conclusion and Recommendation No 10 of 2000, Item 16 of this document)</i>		6. Receiving States are encouraged to consider ways in which to assist and support States of origin in the performance of their functions and in the application of safeguards under the Convention, including by means of capacity-building and other programmes.

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
				<p data-bbox="1877 248 1921 272">[...]</p> <p data-bbox="1628 312 2177 504">32. The Special Commission recognised the great value of the Intercountry Adoption Technical Assistance Programme (ICATAP), which has already provided technical assistance and training for several States.</p> <p data-bbox="1628 539 2177 762">33. The Special Commission acknowledged the limited resources available to the Permanent Bureau to maintain ICATAP and urged all States to consider making financial and / or in-kind contributions to secure the continuity of the programme.</p> <p data-bbox="1628 798 2177 989">34. Contributions of some States and international organisations, such as UNICEF, have been crucial to the success of ICATAP. In this regard, the horizontal co-operation between States of origin is particularly beneficial.</p> <p data-bbox="1628 1024 2177 1248">35. The work undertaken to support the effective implementation of the Convention under the aegis of the International Centre for Judicial Studies and Technical Assistance should be regarded as essential for the proper functioning of the Convention.</p>

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
9	Intercountry Adoption in Non-Convention States	11. Recognising that the Convention of 1993 is founded on universally accepted principles and that States Parties are "convinced of the necessity to take measures to ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, the sale of, or traffic in children", the Special Commission recommends that States Parties, as far as practicable, apply the standards and safeguards of the Convention to the arrangements for intercountry adoption which they make in respect of non-Contracting States. States Parties should also encourage such States without delay to take all necessary steps, possibly including the enactment of legislation and the creation of a Central Authority, so as to enable them to accede to or ratify the Convention.	19. The Special Commission reaffirms Recommendation No 11 of the Special Commission of November / December 2000.	36. The Special Commission reiterated the recommendation that Contracting States, in their relations with non-Contracting States, should apply as far as practicable the standards and safeguards of the Convention. 37. For this purpose attention is drawn in particular to: a) Articles 4, 5 and 17; b) the requirements of Chapter III of the Convention; c) the guarantees concerning recognition; d) the child's right to enter and reside in the receiving State; and, e) the requirements concerning the suppression of improper financial or other gain.
10	Relative/Intra-Family Adoption			<i>(See Conclusions and Recommendations Nos 11 & 12 of 2010, Item 7 of this document)</i>
11	International placements outside the Scope of the Convention (including Kafala)	22. There was general agreement on the need to consider how best to regulate the different types of international placement falling outside the scope of the Convention. The value in this context of Article 33 of the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-	21. The Special Commission recognises the need to consider how best to regulate the different types of international placement falling outside the scope of the Convention. The value in this context of the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in	41. The Special Commission reiterated the value of the 1996 Convention on the International Protection of Children in the context of cross-border placement of children as well as other international child protection situations.

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		operation in respect of Parental Responsibility and Measures for the Protection of Children was recognised	respect of Parental Responsibility and Measures for the Protection of Children, in particular Article 33, was recognised. The Special Commission also recognised the reference to this Convention in the important Decision of the United Nations Committee on the Rights of the Child, 37th Session, "Children without parental care", October 2004.	
12	Recognition and Effects of Adoption (Arts. 23 and 24)	<p>17. Attention was drawn to the importance of the certificate of conformity provided for by Article 23 of the Convention. The body or bodies competent to issue such certificates should be clearly identified and the certificate should be issued without delay following the making of the adoption.</p> <p>18. Parents should be provided with a certificate before they came to take the child/children. The Central Authority in the receiving State should also be given a copy of the certificate.</p> <p>19. The importance of the recommended "Model Form for the Certificate of Conformity of Intercountry Adoption" which was approved at the Special Commission of October 1994, and which appears in Annex C of the Report of that Special Commission, which was published in March 1995, was reemphasised.</p>		<p>15. The Special Commission noted with concern the high number of States that have not designated a competent authority for the purpose of issuing a certificate of conformity under Article 23.</p> <p>16. The Article 23 certificate is essential to allow the automatic recognition of adoptions made under the Convention and should be issued promptly where the requirements of the Convention have been met.</p> <p>17. Where a certificate under Article 23 is incomplete or defective, States should co-operate to regularise the situation.</p> <p>18. The Special Commission underlined that no additional procedure may be imposed as a condition of recognition.</p>

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13	Article 17	<p>15. The importance within the adoption process of the requirements of Article 17 were re-emphasised.</p> <p>16. In those States where agreements under Article 17 c) may be given by bodies other than the Central Authority, the bodies that may perform this function should be specified.</p>		
14	<p>Cooperation</p> <p>(i) General</p>		<p>10. The Special Commission stresses the importance of enhancing co-operation and exchange of information between Central Authorities, public authorities, accredited bodies and any bodies and persons under Article 22(2), notably with a view to promoting good practice and to ensuring that illegal and unethical procedures prior to the adoption of a child be effectively and systematically combatted.</p> <p>11. Contracting States are encouraged to undertake and participate in regional and / or bilateral meetings to exchange information and good practices.</p> <p style="text-align: center;">[...]</p> <p>15. The Special Commission recommends that States actively discourage direct contacts between</p>	<p>7. States of origin and receiving States are encouraged to provide each other with a full description of the manner in which they apply the safeguards under Articles 4 and 5 respectively. This information should also be included in their Country Profile posted on the website of the Hague Conference. States are encouraged to update this information regularly.</p>

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			prospective adoptive parents and authorities in the State of origin until authorised to do so. Exceptionally, such contact at the appropriate time may be desirable, for example in the case of a child with special needs.	
	(ii) Designation of Central Authorities, Other Authorities and Bodies under the Convention	<p>1. Each Contracting State should provide a description of the manner in which the various responsibilities and tasks under the Convention are divided between Central Authorities, public authorities and accredited bodies, so that the entities responsible to act under particular articles of the Convention are clearly identified, as well as the mechanisms by which they interact with one another. The Permanent Bureau should develop a model chart which would assist States in providing this information. The information should be furnished to the Permanent Bureau and published.</p> <p>2. The following recommendations are designed to improve communication under the Convention, as well as understanding of how the Convention operates in the different Contracting States:</p> <p>a) The designation of the Central Authorities, required by Article 13, as well as their contact details, should be communicated to the Permanent Bureau not later than the date of the entry</p>	3. The Special Commission reaffirms Recommendation No 2 of the Special Commission of November / December 2000, and underlines, in particular, the importance of designating Central Authorities without delay.	

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		<p>into force of the Convention in that State.</p> <p>b) Such communication should, in accordance with Article 13 and paragraph 274 of the Explanatory Report on the Convention by G. Parra-Aranguren (Proceedings of the Seventeenth Session (1993), Tome II, Adoption - cooperation, page 591), give notice of any other public authorities (including their contact details) which, under Article 8 or 9 discharge functions assigned to the Central Authorities.</p> <p>c) The extent of the functions of the Central Authorities and any such public authorities should be explained.</p> <p>d) The designation of accredited bodies, required by Article 13, as well as their contact details, should be communicated to the Permanent Bureau at the time of their accreditation.</p> <p>e) Where a body accredited in one Contracting State is, in accordance with Article 12, authorised to act in another Contracting State, such authorisation should be communicated to the Permanent Bureau by the competent authorities of both States without delay.</p>		

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		<p>f) The extent of the functions of accredited bodies should also be explained.</p> <p>g) All the information referred to above should be kept up-to-date and the Permanent Bureau informed promptly of any changes, including in particular any withdrawals of accreditation or authorisation to act.</p> <p>h) Designations, in accordance with Article 23, of authorities competent to certify an adoption as having been made in accordance with the Convention should also be kept up-to-date.</p> <p>3. The need for adequate resources and appropriately trained staff in Central Authorities was accepted, as well as the importance of ensuring a reasonable level of continuity in their operations.</p>		
15	Use of Modern Technologies		16. The Special Commission recommends the use of flexible and efficient systems of communication taking into account, where available, advances in technology.	
16	Financial Aspects of Intercountry Adoption	6. Accreditation requirements for agencies providing intercountry adoption services should include evidence of a sound financial basis and an effective internal system of financial control, as well as external auditing. Accredited bodies should be required to	5. The Special Commission reaffirms Recommendations Nos 6-9 of the Special Commission of November / December 2000. <i>(See also Conclusion and Recommendation No 2 of 2005, Item 3 of this document)</i>	4. The Special Commission recommended that the Permanent Bureau examine the feasibility of posting on the Hague Conference website tables indicating for each Contracting State the costs associated with intercountry adoption and the charges imposed on

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
		<p>maintain accounts, to be submitted to the supervising authority, including an itemised statement of the average costs and charges associated with different categories of adoptions.</p> <p>7. Prospective adopters should be provided in advance with an itemised list of the costs and expenses likely to arise from the adoption process itself. Authorities and agencies in the receiving State and the State of origin 48 should co-operate in ensuring that this information is made available.</p> <p>8. Information concerning the costs and expenses and fees charged for the provision of intercountry adoption services by different agencies should be made available to the public.</p> <p>9. Donations by prospective adopters to bodies concerned in the adoption process must not be sought, offered or made.</p> <p>10. Receiving countries are encouraged to support efforts in countries of origin to improve national child protection services, including programmes for the prevention of abandonment. However, this support should not be offered or sought in a manner which compromises the integrity of the intercountry adoption process, or creates a dependency on</p>		<p>prospective adoptive parents (see table 1 and table 2 of Annex 9B of the draft Guide to Good Practice No 2).</p> <p>[...]</p> <p>14. The Special Commission emphasised the need to establish, in all cases, a clear separation of intercountry adoption from contributions, donations and development aid.</p>

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		income deriving from intercountry adoption. In addition, decisions concerning the placement of children for intercountry adoption should not be influenced by levels of payment or contribution. These should have no bearing on the possibility of a child being made available, nor on the age, health or any characteristic of the child to be adopted.		
17	Illicit Practices in Intercountry Adoption			<p>1. Concerned to prevent, in the context of intercountry adoption, the abduction, sale and traffic in children and their illicit procurement, the Special Commission draws the attention of States to the following as essential features of a well regulated system:</p> <ul style="list-style-type: none"> a) effective application of Hague Convention procedures and safeguards including, as far as practicable, in relation to non-Convention adoptions; b) independent and transparent procedures for determining adoptability and for making decisions on the placement of a child for adoption; c) strict adherence to the requirements of free and informed consent to adoption; d) strict accreditation and authorisation of agencies, and in accordance with criteria focussing on child protection;

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				<p>e) adequate penalties and effective prosecution, through the appropriate public authorities, to suppress illegal activities;</p> <p>f) properly trained judges, officials and other relevant actors;</p> <p>g) prohibition on private and independent adoptions;</p> <p>h) clear separation of intercountry adoption from contributions, donations and development aid;</p> <p>i) regulated, reasonable and transparent fees and charges;</p> <p>j) effective co-operation and communication between relevant authorities both nationally and internationally;</p> <p>k) implementation of other relevant international instruments to which States are parties;</p> <p>l) public awareness of the issues.</p> <p>2. The Special Commission acknowledged the generous contribution of the Government of Australia for making possible the special day on the abduction, sale and traffic in children and their illicit procurement, which raised awareness of the nature and extent of the problem. An informal group co-ordinated by the Australian Central Authority with the participation of the Permanent Bureau will consider the development of more effective and practical forms of cooperation between States to prevent and address specific</p>

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				instances of abuse. The result of this work will be circulated by the Permanent Bureau for consideration by Contracting States.
18	Guide to Good Practice No 1		<p>1. The Special Commission gives its general endorsement to the draft Guide to Good Practice dealing with Implementation of the 1993 Convention prepared by the Permanent Bureau. It requests the Permanent Bureau, with the assistance of a group of experts appointed by the Special Commission, to review the draft in the light of comments made in the Special Commission on which there was consensus, and in particular by the addition of appropriate references to the situation of children with special needs. The revised text should then be circulated for their comments / approval to Contracting States, Member States of the Hague Conference and organisations represented at the Special Commission. Once there is a consensus, the Permanent Bureau will prepare the text for publication. The Permanent Bureau is authorised, in preparing the Guide to Good Practice for publication, to make changes of an editorial nature, to update where necessary any factual information contained in the Guide, to determine the presentation of the material in the Guide, provided that this does not involve any changes in substance or emphasis.</p>	<p>5. The Special Commission underlined the value of the Guide to Good Practice No 1 entitled The Implementation and Operation of the 1993 Hague Intercountry Adoption Convention to existing and future Contracting States.</p>

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
19	Accreditation (Including Guide to Good Practice No 2)	<p>4. The following principles should apply to the process by which accreditation is granted under Article 10, to the supervision of accredited bodies provided for in Article 11 c), and to the process of authorisation provided for in Article 12.</p> <ul style="list-style-type: none"> a) The authority or authorities competent to grant accreditation, to supervise accredited bodies or to give authorisations should be designated pursuant to clear legal authority and should have the legal powers and the personal and material resources necessary to carry out their responsibilities effectively. b) The legal powers should include the power to conduct any necessary enquiries and, in the case of a supervising authority, the power to withdraw, or recommend the withdrawal of, an accreditation or authorisation in accordance with law. c) The criteria of accreditation should be explicit and should be the outcome of a general policy on intercountry adoption. d) Accredited bodies should be required to report annually to the competent authority concerning in particular the activities for which they were accredited. 	<p>4. The Special Commission recommends that the Permanent Bureau should continue to gather information from different Contracting States regarding accreditation with the view to the development of a future Part of the Guide to Good Practice dealing with accreditation. The experience of non-governmental organisations in this field should be taken into account. Such information should include financial matters and should also be considered in the development of a set of model accreditation criteria.</p>	<p>3. The Special Commission gave its general endorsement to the draft Guide to Good Practice No 2 entitled Accreditation and Adoption Accredited Bodies: General Principles and Guide to Good Practice (hereinafter the draft Guide to Good Practice No 2) prepared by the Permanent Bureau. The Special Commission requested the Permanent Bureau to make revisions to the text, in particular Chapters 9 and 10, in the light of discussions within the Special Commission. This will include revision of the summaries of each chapter, some re-ordering of material (e.g., Page 1 of 6 Page 2 of 6 to avoid repetition), a check on correspondence between English and French texts as well as on the Spanish text, and the drawing up, on the basis of the text, of accreditation criteria. This work will be carried out in consultation with the Chair and Vice-Chairs of the Special Commission and the Working Group which assisted the Permanent Bureau in preparing the draft Guide. The revised text will be circulated to all Contracting States, Members of the Hague Conference and States and organisations represented at the Special Commission for their comments. The final version will then be prepared for publication by the Permanent Bureau.</p>

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		<p>e) Review or the re-accreditation of accredited bodies should be carried out periodically by the competent authority.</p>		
20	<p>Private and Independent Adoptions</p>			<p>22. Adoptions which are arranged directly between birth parents and adoptive parents (i.e., private adoptions) are not compatible with the Convention.</p> <p>23. Independent adoptions, in which the adoptive parent is approved to adopt in the receiving State and, in the State of origin, locates a child without the intervention of a Central Authority or accredited body in the State of origin, are also not compatible with the Convention.</p> <p>24. It was strongly recommended that training be provided for judges and other authorities or persons exercising functions under the Convention. This training should address in particular the problems surrounding private and independent adoptions, as well as other possible ways in which the procedures and safeguards of the Convention are circumvented.</p>

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
21	Nationality of the Child	20. Discussion in the Special Commission revealed a clear trend in favour of according automatically to the adopted child the nationality of the receiving State.	17. The Special Commission recommends that the child be accorded automatically the nationality of one of the adoptive parents or of the receiving State, without the need to rely on any action of the adoptive parents. Where this is not possible, the receiving States are encouraged to provide the necessary assistance to ensure the child obtains such citizenship. The policy of Contracting States regarding the nationality of the child should be guided by the overriding importance of avoiding a situation in which an adopted child is stateless.	19. The Special Commission reaffirmed Recommendation No 17 of the Meeting of the Special Commission of September 2005. 20. Central Authorities should cooperate in the completion of any formalities necessary for the acquisition by the child of the nationality, where appropriate, either of the receiving State or of an adoptive parent. 21. The question of whether nationality will be granted to the child may, where appropriate, be a relevant factor when a State of origin is considering co-operation with a particular receiving State
22	Response to Disaster Situations			38. The Special Commission recognised that, in a disaster situation, efforts to reunite a displaced child with his or her parents or family members must take priority. Premature and unregulated attempts to organise the adoption of such a child abroad should be avoided and resisted. 39. No new adoption applications should be considered in the period after the disaster or before the authorities in that State are in a position to apply the necessary safeguards. 40. The Special Commission also recognised the need for a common

Item	Topic	2000 Special Commission	2005 Special Commission	2010 Special Commission
				<p>approach on the part of Central Authorities in dealing with such situations and for Central Authorities to discuss and review actions taken in response to, and lessons learned from, disaster situations.</p>
23	<p>1961 Apostille Convention</p>		<p>20. The Special Commission stresses the usefulness of linking the application of the Hague Adoption Convention of 1993 to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (the Apostille Convention). In the light of the high number of public documents included in a typical adoption procedure, the Special Commission recommends that States Parties to the Adoption Convention but not to the Apostille Convention, consider the possibility of becoming a party to the latter</p>	<p>42. The Special Commission stressed the usefulness of linking the application of the Hague Adoption Convention of 1993 to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (the Apostille Convention). In the light of the high number of public documents included in a typical adoption procedure, the Special Commission recommended that States Parties to the Adoption Convention but not to the Apostille Convention consider the possibility of becoming a party to the latter.</p>
24	<p>International Surrogacy and Intercountry Adoption</p>			<p>25. The Special Commission noted that the number of international surrogacy arrangements is increasing rapidly. It expressed concern over the uncertainty surrounding the status of many of the children who are born as a result of these arrangements. It viewed as inappropriate the use of the Convention in cases of international surrogacy.</p>

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				26. The Special Commission recommended that the Hague Conference should carry out further study of the legal, especially private international law, issues surrounding international surrogacy.

25. Omissions

Please be aware that the following Conclusions and Recommendations are not included in this table:

- Conclusion and Recommendation No. 8 of 2005 (regarding the development of Country Profiles by the Permanent Bureau); and
- Conclusion and Recommendation No. 22 of 2005 (regarding the implementation of the Convention in Guatemala).