

How much did you pay for me?

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võrdsed võimalused inimväärseks eluks



Who am I?

- ▶ Social worker
- ▶ Since 1993 adoption issues in Estonia
- ▶ Opportunities to participate in law making process
- ▶ Intercountry adoption commission



What is adoption today?

In the beginning of last century child's rights became important and the adoption became more child friendly (development of child's rights and UN convention).

There was several reasons why intercountry adoption developed (war).

Rised need to regulate the issue internationally.



UN Convention on the Rights of the Child

- ▶ Best interest of the child;
- ▶ Child should be heard;
- ▶ Wellbeing of the child;
- ▶ Right to live with parents; to know; to have personal contacts;
- ▶ Right to live in family environment;
- ▶ Adoption and intercountry adoption



Convention on Protection of Children and co-operation in Respect of Intercountry Adoption

- ▶ Very good practical tool;
- ▶ In real meaning protecting children;
- ▶ Gives very strict and clear rules for member states;
- ▶ For Estonia: huge affect to developed the system (1995 Family Law Act; Regulations on Adoption, 2010 Family Law Act and regulations, special commission)



Why we need the Hague Convention? (art 1)

- ▶ To establish safeguards to ensure that intercountry adoption take place in the best interest of the child and with respect for his or her fundamental rights as recognized in international law;
- ▶ To establish a system of co-operation among Contracting States to ensure that those safeguards are respected and thereby prevent the abduction, the sale of, or traffic children;
- ▶ To ensure the recognition on Contracting States of adoptions made in accordance with the Convention.



What is intercountry adoption in accordance of the Convention? (art 2)

- ▶ The convention shall apply where a child habitually resident in one Contracting State (the State of origin) has been, is being, or is to be moved to another Contracting State (the receiving State) either after his or her adoption in State of origin by spouses or a person habitually resident in the receiving State, or for purposes of such an adoption in the receiving State or in the State of origin;
 - ▶ In many cases this is confusing to find out if we have to follow the Convention (foreign people live in Estonia, Estonian people who are residents of some other country).



- ▶ Convention covers only adoptions which create a permanent parent-child relationship.
- ▶ Child should be under 18 years old.



Ethical questions?

- ▶ Best interest of the child;
- ▶ Bringing child to an other country;
- ▶ Keeping identity (who I am, where I came from, ...);
- ▶ Keeping contacts with birth family;
- ▶ Payments for services;
- ▶ Parent–child relationship (older children, children with serious health problems);
- ▶ Other child protection organizations on the field;
- ▶ Post adoption reports;
- ▶ The decision/ dilemma to open gates to intercountry adoption or not;
- ▶ Public opinion, media (journalist about USA, passport office, my friends).



Co-operation between countries.

- ▶ First I thought this is too difficult (domestic laws versus Convention);
- ▶ The role of Central authorities (differences from country to country);
- ▶ Competent authorities (County Governments, Municipalities, County Courts, Ministry of Social Affairs, Registry Offices);
- ▶ Accredited bodies (Estonia does not have).



Practical co-operation

- ▶ Finland - Helsinki City (1993)
- ▶ Sweden – Adoption Centrum (1991)
- ▶ USA – Adoption Hope International (1997)



How much did you pay for me?

- ▶ Before family gave to decision to adopt (treatment to have biological children),
- ▶ After family decided to apply for adoption (new home or renovations, bigger car, ...),
- ▶ After the child is at home (one parent is out of work or has part time work, hobbies has been changed, studies stopped,..).
- ▶ Don't you think this is exactly the same with biological children.



How much did you pay for me?

- ▶ Myths about selling and buying children;
- ▶ Special expenses in adoption process (differences in countries);
- ▶ Criminal activity (Estonian examples: surrogate mothering in internet, church organization from States, organizations “helping children”).



Thank you?