

Geneva, 29 October 2007

Statement of the General Secretariat of the International Social Service (ISS)

In times of conflict, the displacement of children abroad with a view to a foster placement or adoption is reprehensible

The General Secretariat of the International Social Service (ISS) condemns the actions carried out in Chad by the French association *L'Arche de Zoé*. It considers that, in times of conflict or natural disasters, the displacement of children abroad with a view to their adoption or a foster care placement is irresponsible and contrary to international law, and to the ethical and legal principles applicable to the protection of children deprived of a family.

Before deciding on a child's out-of-home care, it is indispensable to evaluate his family situation, to proceed to the tracing of his parents or other members of his extended family, and, if necessary, to seek their consent to a placement or an adoption. However, in such a crisis situation, these steps are extremely difficult to undertake in a comprehensive and appropriate manner. Indeed, the structures required for this search are generally paralysed, or even non-existent. In such circumstances, it is nearly impossible to determine, with certainty, the child's status as an orphan, or to seek the parents' consent. In any case, these placement measures must only be decided upon after a period, which is sufficiently long to enable the competent bodies to ensure that no member of the child's family or community is alive and willing to take this child under his protection. The activities of *L'Arche de Zoé* are therefore contrary to these fundamental principles, recognised by the 1989 United Nations Convention on the Rights of the Child and by the 1993 Hague Convention on Intercountry Adoption, and in no case, do their fall under this organisation's competencies.

Furthermore, the ISS recalls that intercountry adoption must comply with strict criteria, and follow a precise procedure, which is supervised by the central adoption authorities of both countries concerned, and/or by their accredited bodies. In addition, intercountry adoption is a concept, which is not accepted and recognised by all countries and all cultures. It appears that this is the case of Chad and Sudan, countries which the children affected by this case originate from.

The ISS believes that, in order to help these children, all efforts should be focusing on the identification of, and the support to, their close and/or extended family, in order for the children to remain with the latter, including during the emergency period.

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The International Social Service (ISS) is an international NGO present in over one hundred countries, thanks to its network of national branches, affiliated bureaux and correspondents. It offers its assistance to children and families facing personal or social problems linked to migration or international displacement. Furthermore, it has created an International Reference Centre for the Rights of Children Deprived of their Family (IRC) within its General Secretariat. The objective of this programme, established about 15 years ago in Geneva, is to contribute worldwide to a better protection of children in situations of family separation, or at risk of so being. Thus, the IRC works in a network with the authorities of the countries concerned, the child protection bodies, the accredited adoption bodies, and with the professionals sharing an ethical approach based on children's rights. Concretely, it offers training activities, expertise, documentation, information, research and the promotion of international instruments relating to the protection of children's rights.