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THE INTERCOUNTRY ADOPTION MISSION



The Intercountry Adoption Mission

The Intercountry Adoption Mission (MAI) is the French Central Authority under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (HC93). It was created by the Decree of 14 April 2009 and is attached to the French Nationals Abroad and Consular Administration Directorate (DFAE) of the Ministry for Europe and Foreign Affairs.

The MAI is made up of an interministerial team of about 20 people from the Ministry for Europe and Foreign Affairs, the Ministry of Justice, and the Ministry for Solidarity and Health. Its Head of Department is supported by his deputy, a magistrate. These diverse skills mean the MAI can work professionally, ethically and impartially, in accordance with the higher interests of the child.

The MAI ensures compliance with France's commitments and principles under the 1989 United Nations Convention on the Rights of the Child and HC93.

As such, it maintains regular contact with the Central Authorities of both the countries of origin of children adopted in France and other adopting countries. It contributes to the negotiation of bilateral agreements and multilateral instruments in its field.

The Intercountry Adoption Department's mandate is four-fold:

1. Regulation and inspection of adoption bodies

The MAI has joint supervision of the French Adoption Agency (AFA), and is responsible for authorizing and inspecting Accredited Adoption Bodies (AABs), supporting them through subsidies where necessary. This regulatory role enables the MAI to ensure that each adoption is compliant with the goals of child protection and with the rules governing intercountry adoption.

2. Expertise, monitoring of legal developments and issuance of long-stay adoption visas

The MAI is responsible for collecting and updating information on adoption procedures and conditions for adoption abroad and for supporting prospective adopters in their adoption procedures.

Following in-depth examination by its staff of the form and content of applications, the MAI may authorize – or refuse – the issuance of long-stay adoption visas by consular services.

3. Strategic planning and cooperation on intercountry adoption

With the support and participation of embassies, the MAI conducts cooperation activities in certain countries of origin to support children deprived of family in the long term. Moreover, in concert with other adoption stakeholders, it implements a country strategy (such as opening offices and negotiations) which enables it to bring change as regards child protection and intercountry adoption.

The three international volunteers deployed to certain key countries by the MAI contribute to the implementation of local projects to support children and to the design and monitoring of cooperation projects, as well as helping support adoptive parents in their adoption procedures locally.

4. Communication and information tasks

In order to ensure that prospective adopters and adoption stakeholders have the resources they need to correctly implement procedures, the Intercountry Adoption Department updates its website (www.diplomatie.gouv.fr, "adoption internationale" pages), publishes documents (including newsletters, annual reports and brochures), monitors intercountry adoption statistics and takes part in child protection and adoption events.

Lastly, it organizes an annual information and discussion day for intercountry adoption bodies, Departmental Councils and experts.



Intercountry adoption stakeholders

France's intercountry adoption ecosystem is highly developed. It enables regulation of the adoption process and supports prospective adopters, parents and children throughout their lifetimes.

The National Child Protection Council (CNPE)

The CNPE reports to the Prime Minister and is chaired by the Minister for Solidarity and Health. It contributes to drafting and implementing a national strategy, assists the government, and helps guide strategic studies and evaluations, harmonize policies and produce child protection recommendations. The MAI contributes to this work, including on subjects relating to adoption and international protection of children.

To find out more, visit the CNPE pages at www.solidarites-sante.gouv.fr

Departmental Councils

To be sure prospective adopters will be capable of fulfilling the child's needs, Departmental Councils have sole responsibility to issue approval for adoption. They are also responsible for informing, preparing and monitoring prospective adopters and adoptive parents before and after adoption. Lastly, Departmental Councils accredit adoption bodies, which are non-profit organizations active in the intercountry adoption field, to operate in their area. They ensure that these bodies fulfil all criteria of ethics and professionalism.

French Adoption Agency (AFA)

The AFA is a public agency jointly supervised by the Ministry for Europe and Foreign Affairs, the Ministry for Solidarity and Health, the Ministry for Government Action and Public Accounts, and the Ministry for Territorial Cohesion and Relations with Local Government. The AFA was created by the Act of 4 July 2005 and is responsible for informing, advising and supporting adoptive parents, while acting as an intermediary for intercountry adoption of foreign children less than 15 years old. It is authorized to act as an intermediary for adoption in all States Parties to HC93, as well as others that have not acceded to the convention, on different terms. The AFA strategy is implemented in the general context guiding intercountry adoption, which is the responsibility of the MAI as France's Central Authority.

To find out more about the AFA, visit www.agence-adoption.fr.

Accredited Adoption Bodies (AAB)

In accordance with the 1993 Hague Convention, the MAI works with AABs, which are non-profits run by volunteers that act as intermediaries for adoption and pre-adoption placement of foreign children less than 15 years old.

As such, they help prospective adopters prepare their adoption procedures, inform them on the technical and legal aspects of adoption, deliver applications, keep track of proceedings, and support families after the child's arrival.

To find out more about AABs, visit the "*adoption internationale*" pages at www.diplomatie.gouv.fr, and the Federation of French AABs at www.foaa.org.

Adoption Consultations

Adoption Consultations are a French initiative, drawing on diverse expertise to address all issues relating to the health of adopted children. They take place at key stages in the adoption process and after the child's arrival, ensuring they receive appropriate medical care and that the adaptation of parents and children goes well, and again at adolescence and during periods of transition (guidance, investigation of origins, etc.).

Associations of adoptive parents and adopted children

These associations have great experience and support families and adopted children in procedures, with parenting assistance, help in identifying origins, exchanges and awareness-raising. A list is available in the "*adoption internationale*" pages of the www.diplomatie.gouv.fr website.

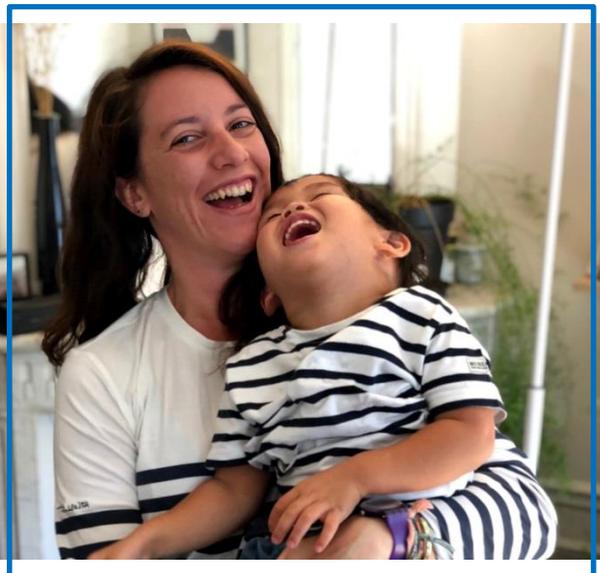
Legal references

France has established a rigorous legal framework, demonstrating its determination to comply with and enforce its child protection and intercountry adoption commitments.

International commitments

The international Convention on the Rights of the Child of 10 November 1989 enshrines the principle of subsidiarity of intercountry adoption as against fostering or adoption in the country of origin of the child and sets down the fundamental rights of all children.

The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption of 29 May 1993 sets down common provisions taking into account the principles established by the 1989 Convention on the Rights of the Child as regards adoption and family placement practices.



National commitments

Act 2005-744 of 4 July 2005 on adoption reform established the French Adoption Agency (AFA) as a public agency with responsibility for advising and supporting prospective adopters, while harmonizing and strengthening the approval procedure.

Decree 2006-981 of 1 August 2006 on approval of persons wishing to adopt a ward of the State or a foreign child and amending the Social Action and Family Code strengthens safeguards and support for prospective adopters in preparing their adoption and establishes regular exchange between adopters and Departmental Councils.

Decree 2006-1272 of 17 October 2006 on templates for Orders and Notices for the approval of persons wishing to adopt a ward of the State or a foreign child.

Articles R225-12 to R225-46 of the Social Action and Family Code on Accredited Adoption Bodies (AABs) set down their remit, rights and obligations relating to intercountry adoption.

Decree 2009-291 and Order of 16 March 2009 on the organization of the central administration of the Ministry for Europe and Foreign Affairs.

Decree 2009-407 of 14 April 2009 on the Central Authority for intercountry adoption establishes the role, competences and remit of the MAI.



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