

# Seminaire: recherche des origines internationales

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PRATIQUE ET POLITIQUE EN COMMUNAUTÉ FLAMANDE

# LEGISLATION

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- 1989: first decree on accredited adoption organisation
  - obligation to keep records
  
- 2005: Hague Convention enters into force
  - Central Authority (flemish and French speaking community) : centralized follow-up of all intercountry adoption procedures: preparation and screening of PAP's + article 17
  - “complete adoption files” within CA
  
- 2012: right of adoptee / obligation to hand over files to CA
  - consultation of adoption file at CA
  - possibility to request assistance in roots search

# REQUEST FOR CONSULTATION

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- ADOPTION PRIOR TO 1989 DECREE: private adoption – adoption organisation
- ADOPTION ORGANISATION? MANY DIFFERENT OUTCOMES !
  - service still exists
  - cooperation with (former) contactperson
  - archives have been given to CA (voluntary or by judicial order)
  - or nothing at all....

# REQUEST FOR CONSULTATION

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- PRIVATE ADOPTION = NO 'adoption' RECORDS KEPT
  - extremely complicated if adoptee has poor relationship with adoptive parents or issues of loyalty
  - starting point = information on birth certificate
  - other sources of information?
    - entry into territory (Department of foreign affairs + Immigration Office)
    - recognition of foreign adoption decision (Belgian courts)
    - national register (national adoption)
- or nothing at all....

# ASSISTANCE IN ROOTS SEARCH

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- ADOPTEE WHO REQUESTS ADDITIONAL INFORMATION or WHO WANTS TO FIND HIS/HER BIOLOGICAL FAMILY
- CALL FOR ASSISTANCE TO CA
  - CA in country of origin
  - accredited adoption organisation
  - independent social workers
  - ISS
- real challenges
  - rules and regulations in country of origin
  - available information
  - COSTS

# STRENGTHS AND WEAKNESSES?

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- ACCESS TO ORIGINS is SHARED RESPONSABILITY
  - CA is not only actor, nor the best “equipped” (in some cases)
  - information and expertise is often scattered
- ACCESS TO ORIGINS is MORE THAN KNOWING AND FINDING
  - counselling is no luxury (psycho-social)
  - closely related or maybe intertwined with the practical process

REAL NEED FOR integrated approach (adoptee's perspective) AND pooling of means, knowledge and expertise

NEW APPROACH

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CENTER FOR ORIGINS

# HISTORY OF FORCED ADOPTIONS

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- Belgium, mid '60 tot mid '80
- NO information on birth certificate, in case of “accouchement sous X in France”
- NO real possibilities for adoptee to find biological parents?
  - churches and homes for unmarried mother handed over archives

= similar to problems with private adoptions!!!

- “expert panel” advise



# CENTER FOR ORIGINS

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- any person with questions about his or her origins (for whom legal ancestry does not correspond to biological or social reality)
- OPEN DEFINITION target group (adoptees, donor children, foundlings)
  - information
  - assistance in search for relatives
    - consultation of files
    - search
    - DNA-matching
    - contact
  - psychosocial guidance and counselling

# CENTER FOR ORIGINS

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## COUNSELLING

- independent, SPECIALISED service with experience in field of family mediation, adoption and/or donor conception
- guidance, consultation, assistance in 'finding'
- open to everyone

## DNA-MATCHING

- in cooperation with CENTER FOR GENETIC RESEARCH
- voluntary basis
- DNA-profile and matching for specific groups, TARGETED

# ROOTS SEARCH...

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## NO WALK IN THE PARK?!

- HIGH EXPECTATIONS
- no guarantees as to the outcome!