



International Forum on Intercountry Adoption & Global Surrogacy IV\*

## The Hague Convention on Intercountry Adoption Implementation and the Best Interests of the Child

This report presents the topics and prevalent discussion points of the participants in Thematic Area 1 (HCIA implementation and the best interests of the child) of the International Forum on Intercountry Adoption and Global Surrogacy held at the International Institute of Social Studies in The Hague, the Netherlands, 11-13 August 2014. The overall aim of this thematic area was to iden-

tify examples of good practice and highlight issues and concerns about the ways in which the dictum of 'best interests of the child' is currently implemented. The scope of topics that relate to the 'best interests of the child' is inevitably broad and sometimes controversial. The ethos of the sessions held in this thematic area was to provide a platform for a range of views to be ex-

\* We continue this month with the series initiated in issue 75 with summaries of the final reports from each of the thematic areas of the [International Forum on Intercountry Adoption & Global Surrogacy](#). The event, which brought together experts from different countries, aimed to analyze the regulations, practices and issues related to these two phenomena in order to inform the decisions of the central authorities that have signed the Hague Convention on International Adoption and the Special Commission of the Hague Conference. The images that accompany the text correspond to the working sessions of the forum.

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explored in how intercountry adoption as a global practice might be improved to better meet the interests of the children and adopted people involved. The participants represented practitioners, researchers, academics, adopted people and adoptive parents. Topics included the implementation of the subsidiarity principle, practices aimed at supporting adoptees, practices aimed at supporting adoptive families, current practices concerning special needs adoptions, and the ways in which children and childhood is currently framed within the Convention. This discussion focuses on the first four topics.

The three thematic objectives for the sessions that focussed on HCIA implementation and the best interests of the child were, 1) to identify problematic issues in the concepts of 'best interests' and 'subsidiarity' and in the way they are currently implemented. 2) To review existing practice, identify areas of good practice and areas that could be further developed. 3) To critically consider how children and childhood are represented. The intention of the sessions was to discuss a range of topics that fell under the

broad umbrella of the best interests of the child.

The best interests as a concept within the Convention should be expanded to encompass changing and life long interests rather than only focus on childhood. Retention and access to accurate information about the circumstances of each adoption should receive greater prioritisation in sending and receiving countries. The existing opportunity for international adoption organisations to attend Special Commission meetings and reviewing the operation of the Convention should be more effectively used to ensure that the ongoing interests of the adopted person are a priority. Each session also highlighted the vital role that information, education and support plays for birth families, the adopted person, adoptive families and agencies in sending and receiving countries. Some of the ideas in this report extend beyond what the Convention can regulate. However, part of the power of the Convention lies not simply in what it stipulates but in how it frames children, adoption, adoptees and the family.



Data explored in this report were drawn from five participatory sessions. With the exception of the session on supporting adoptive families each session was jointly accessed by Thematic Area 2 Intercountry Adoption, Countries of Origin, and Biological Families. The core participants have collaborated by providing feedback on the content of this report but it should not be regarded as co-authored where all participants agree on the emphasis presented.



### Children's 'Best Interests' in adoption policy

The 'best interests of the child' dictum emerged to influence policy in the second half of the twentieth century and has become an established and pivotal narrative of contemporary policy development and welfare provision for children. The principle of the best interests of the child now underpins adoption practice. Values and assumptions about what represents 'best interests' can vary, but in adoption policy these interests are inextricably linked to children's rights. Some form of family structure is

deemed to be the most appropriate location to care for children and deliver their welfare needs. Adoption policies have been constructed and developed using familial ideology with the idea of the family being natural and in the best interests of children. The role of adoption policy has been to enable children to be re-incorporated into a family structure and to provide the most appropriate care for the wellbeing of children. While some argue that adoption policy has not always held children's best interest to be foremost the assumption that a family is where children naturally belong has been, and continues to be, self-evident. However, despite children's 'best interests' being evoked throughout contemporary discussions about adoption, both domestic and intercountry, ambiguity remains about what the term actually represents. In part because interests are often constructed through other dominant positions such as those of the sending or receiving countries, adoption agencies, and human rights organisations.

What 'best interests' in adoption discourse means has changed historically

as ideas about adoption have shifted. The 'clean-break' approach was once thought of as being in the interests of all concerned including children. This approach, prominent until 1950s, promoted assimilationist and redemptive ideas about adoption and its role in mimicking the biological or 'natural' family. From the 1970s, birth/first mothers successfully challenged this approach and adoptees began advocating their right to know their pasts. It is now well recognised that the 'clean break' approach is not in the adopted persons best interests and domestic adoptions have moved towards a more open approach. This perspective was reiterated throughout the discussions at the Forum with consensus that openness in intercountry adoption, though complex, should be encouraged.

### Best interests and the subsidiarity principle

Monica Dowling illustrated the subjectivity of the concept 'best interests' in adoption policy and the need for its implementation to be contextualised more effectively. It was argued that the term should not be an abstract concept but

used as a process of decision making which should be practical and responsive to the changing interests of the adopted person. The participants emphasised the need to 'consider the individual child in front of us when making decisions on their behalf', arguing that adoption agencies must be held to account more effectively about the decisions they make.

With this procedural emphasis in mind the participants determined that a guideline and checklist of best interests should be implemented which informs the adopted person how the adoption decision was made through a discourse of best interests and using the subsidiarity principle. It was suggested that the guidelines should begin with the question, 'What should I be able to say to the adopted person about the decision to place them for intercountry adoption?' The proposed checklist below should not be taken as exhaustive but is indicative of the ways in which the 'best interests' dictum can be practiced and explicit in adoption decisions. It also demonstrates examples of how details of the circumstances surround-

ing adoptions can be made available to the adopted person.

- How were the particular child's characteristics, circumstances taken into account when looking for an origin state welfare solution prior to adoption? How were possible consequences of delay for the child prioritised against the subsidiarity principle?
- How were particular risks for a child determined and prioritized in the decision?
- What welfare structures were available in the sending and receiving country when the decision to adopt intercountry was made?
- Who was/is deemed adoptable in the origin state and receiving country at the time the decision was made?
- How was the adoption decision made, by whom and what factors were taken into account?
- What special or particular needs of the child were taken into account when making the decision to send for intercountry adoption?
- What information was retained (in the form of a document checklist of information such as DNA, arte-



facts and first family information)? Described by one adopted person present as being, the 'big details as well as seemingly insignificant'.

- What efforts were made to locate the birth/first family?
- What specific efforts were taken to reunify the child with their first family?



The Convention already requires a Central Adoption Authority in countries of origin of children and in receiving states. The role of these authorities could be expanded to provide an integrated online information system. This would be open for the adopted person and first families to access and add information to. Receiving countries should also be held responsible for requiring that the information is gathered, accurate, retained and made available.

In her presentation Hollee McGinnis called for adoption policy to be viewed



'from the heart and not just from the intellectual perspective'. She emphasised that the adopted person seeks not just 'big information' but also, 'little and seemingly insignificant' details about their past. The Convention does not define the nature of adoption and leaves this to national law. In some national legal systems, adoption is still 'closed', and such adoptions are clearly not in the best interests of the adopted person, the first family or indeed the adoptive family. It should not be assumed that adoptive families always want closed adoptions. Many adoptive parents actively seek more information for their children. 'Searching before the trail goes cold' is something that adoptive families engage in with little support from either sending or receiving states. It was felt that greater emphasis on more open approaches towards intercountry adoption would assist these endeavours.

'Best interests' as a concept is not only ambiguous but also dynamic. These interests will change over the life course of an adopted person. The challenge to recognise adoptees as other than only young children is neglected in most wel-

fare discussions. This dominant representation of 'adoptee-as-child' impedes the recognition of adoption as a changing and life long experience. A greater emphasis on the adopted person as *being* and also *becoming* is therefore an imperative. The need for the inclusion of the voices of adopted people is of paramount importance as an on-going aspect of their continuing best interests. The United Nations Convention on the Rights of the Child (UNCRC) has been highly influential in determining which values are highlighted in the Convention. A pivotal component of this is known as the subsidiarity principle.

### Subsidiarity Principle

The 'subsidiarity principle' embedded in The Convention stipulates a number of priorities to meet the best interests of children. Initially it states that measures should be taken 'to enable the child to remain in the care of his family of origin' (Preamble para.2) where possible. Assistance should also be given to biological families to ensure that they remain intact, and, in the case of separation, support for reunification should be

made available. If the options to protect the sanctity of the biological family have been exhausted or are not available then national adoption within the birth country of the child is the next alternative. If national adoption is not possible then providing a permanent home through intercountry adoption should be made available as a welfare intervention. In a prioritisation of possible solutions the Convention places permanent family solutions including intercountry adoption above temporary foster care or institutional care within the child's state of origin. Other organisations contest this prioritisation suggesting that the best interests of children must be met within their country of origin and this includes institutional care. The practice of implementing the principle of subsidiarity is clearly controversial.

Discussions at the Forum reiterated the concern about the ambiguity of implementing the subsidiarity principle. When asked about whether it is a good principle, the response was that 'if it means that countries sign up to the convention to gain support for the welfare of children then it is good. But it must

be subordinate to the best interests of the child and not the other way around'. The practice of 'subsidiarity is not necessarily in the best interests of the child' and 'if adhering to the subsidiarity principle produces a result that is not in the best interests of the child it should not be applied'.

It was repeatedly stipulated that if intercountry adoption is to be practiced ethically it should only occur as intended, taking place when a child needs a family. The need to ensure that intercountry adoption practice is not driven by a demand for children by either adopters or adoption agencies was powerfully reiterated by Cruz in her keynote presentation at the Forum. Many participants, including Mark Riley, David Smolin, Kay Johnson, also highlighted examples where children were unnecessarily taken away from birth families.

Considerable debate concerning the ways in which support for birth/first families should be organised took place in relation to the subsidiarity principle. Whilst some suggested that funding should come through agencies and intercountry adopters, others regarded



this as potentially problematic. Nigel Cantwell suggested that the aim should be to eliminate all money from the process of intercountry adoption. Cantwell argued that adopters cannot and should not respond to wider issues of poverty even at the micro level concerning specific families. Donations by adopters to families may induce guilt about adopting some children and not others and ultimately contribute to the feeling that some children are being bought for donations to support others who remain in families. Other participants felt that



externally funded orphanages that are linked to international adoption agencies should cease. Mark Riley suggested that these impeded the development of welfare structures in some sending countries. David Smolin suggested that it was possible for agencies to fulfil a role as supporting birth families and family reunification rather than just adoption. Nigel Cantwell argued that sending countries should be encouraged to request developmental aid to support preventative care to protect families and support family reunification.

### Supporting Adoptees

Hilbrand Westra facilitated a discussion where it was reiterated that adopted people must be included in policy development if their on-going best interests are to be taken into account. It was also argued that greater consideration should be given in the language used by the Convention to include children as coming from and remaining part of a first family.

Encouraging a culture of openness in adoption is a vital aspect of the best interests of the adopted person. This openness should be articulated more explicitly in national laws to compel states to recognise the inextricable link between access to accurate information and wellbeing in identity construction. This information need not only be related to birth families. Indeed not all adopted people search for birth families but information relating to the details and circumstances of their adoption can be invaluable and should be available.

Adoption as a dynamic, social but individually lived experience was reiterated throughout the sessions at the Forum. It was determined that the need

for on-going support potentially increases as the adopted person matures yet this is neglected when the focus within the Convention is predominantly concerned with children.

Advocacy groups organised for the adopted person and run by adopted people are now prominent. These organisations are active in promoting the interests of their members and their inclusion in policy debates and development would enable some of the current limitations of the 'best interests' debate to be addressed. The Convention articulates the need to hear the voices of children and young people in adoption decisions in Article 4 and the Hague Conference has established a practice for the voices of adults to be heard at Special Commission meetings to review the practical operation of the Convention. NGO's representing adult adoptees have been admitted as observers to attend such meetings. It was argued by a number of the participants that organisations such as United Adoptees International (UAI) would offer a useful addition in policy discussions. The participants argued that the voices of adult

adoptees must be heard effectively to better ensure their best interests over their life course will be understood.

### Supporting Adoptive Families

Adopters are often regarded as holding a variety of attributes both positive and negative. They are sometimes perceived as being privileged consumers; willing accessories to abusive practice and accused by some as being racially unaware. Adopters are also required to respond to the multiple deficits that adopted children may individually have, to the extent that some argue they are expected to demonstrate the capacity to be 'super parents' in order to be deemed appropriate to successfully adopt. It is estimated that more than a million children have been adopted through intercountry adoption. Yet little is known about the contemporary activities and strategies that adoptive families employ to support their children. Nor is there comprehensive formal support for families beyond immediate post placement. Reference to the need for support is evident in the Convention (Articles 9, 20 and 30) but leaves

each State to determine what services should be provided.

It is in the interests of the adopted person and adoptive family to identify ways to effectively support families in addressing the racial, cultural and familial boundaries that the adopted person encounters. Katie Hoffman's presentation highlighted examples of good practice standards in support. She also identified following questions that have yet to be resolved:

- Should minimum support standards be set for adoptive families? If so, what should they be?
- To what extent can support services be universally defined or expected?
- To what extent should they be differentiated from domestic adoption services?
- How do we overcome the challenges of funding, streamlining and normalizing support provision?
- How do we define an 'effective' service and how do we determine which services are effective?
- How can we achieve a unified effort between adoptive parents, adoptees and professionals across disciplines

in designing and providing lifelong adoption support?

- What do we need to do/change to accommodate adopted children with 'special needs'?
- What cooperation is needed between sending and receiving countries to improve adoption outcomes?
- What services can/should be developed for adult adoptees and birth families?

These questions are important to address in order to reduce current ambiguity surrounding post adoption support and reiterate its importance to sending and receiving states.

The concern not to pathologise adoption and the adopted person through specific adoption support is also a relevant concern. The need to incorporate adoption support into broader family services in receiving states was felt to be important to reduce this risk. Some agency representatives spoke of their frustration when adoptive parents did not seek the support that the agency determined was needed. However one anecdotal example illustrated the anxiety felt by parents in asking for help.



Applicants had been refused a second adoption on the basis that they had been too reliant on support in their first adoption. It was also determined that adoptive families are too often constructed as being 'other' by professionals working in the field. It was also recognised that families in general may be reluctant to invite social services into their home. This anxiety is supported by research with families who fear the removal of their children if they do not appear to be coping or in some way don't 'measure up'. It should not be as-



sumed that adoptive families are different in this regard nor should they be pathologised as such.

It was argued that support for adoptive families should be separate to support for the adopted person; however, there are some issues common to both. The need to address the stigma of adoption, tackle racism and discrimination was highlighted by adult adoptees and adoptee organisations at the Forum. The Convention emphasises due consideration in the upbringing of adopted children be given to ethnic, religious and cultural background (article 16). Support groups commonly focus on activities that aim to link the adopted person to their origin cultures but it should not be assumed that these activities assist children in learning about ways to respond to racism in their adopted countries. Amending Article 16 to include race with ethnicity, religion and culture would separate race from culture and ethnicity more effectively and highlight the importance for individual state legislation to reiterate as part of any pre-adoptive and on-going support and advice.

### *The Home Study*

The importance of the home study as a starting point for discussions with adoptive families was emphasised. The necessity for a report which covers aspects such as eligibility and suitability to adopt, family background and medical history and social environment is identified in Article 15 and stipulated in the Convention (1993), but there is recognition that an unacceptable variation in assessment standards exists within countries that have ratified the Convention. Previous research has also linked disruptions in adoptions to poor and tokenistic approaches to the report or home study. A rigorous home study is a vital starting point for the interests of children to be protected. Yet differences concerning the quality and length of the assessment are common.

It was determined that a more standardised assessment process used by professionals within an ethical and legal framework would enhance the existing guidelines created by the Hague Conference. A home study which accurately reveals the capacities of potential adopters to meet the needs of adopted chil-

dren is at the forefront of meeting their best interests. The need for the home study to address neglected topics such as racism more effectively was also emphasised throughout the Forum. Participants also indicated that with increasing numbers of children with 'special needs' being adopted, there is arguably even greater need for an effective, standardised home study and for a comprehensive support structure to be developed which includes a sense of professional responsibility concerning support for families in adoption agencies.

### *Informal Support Organisations*

The role of informal organisations to support families was also identified. Organisations such as 'Overseas Adoption Support and Information Services' (Oasis) offer courses for adoptive families such as 'W.i.s.e. up' which tackles adoption stigma and racism with young adopted children and their parents. Voluntary and charitable organisations such as Children Adopted from China (CACH) in the UK have emerged as mechanisms of support for families and their children perhaps in the absence of the availabil-

ity of more formal support. These organisations would seem to be potential locations for organising diverse support and guidance for adoptive families. Katie Hoffman identified the following forms of informal support from such organisations: practical and emotional support; a source to exchange information; share experiences and establish networks including strategies and service recommendations. She also outlined the role of these organisations to normalise adoption and connect children and families with the countries of origin.

### *Special Needs Adoptions*

In his keynote presentation Hans van Loon [of the Hague Conference Permanent Bureau who attended the forum as an observer], identified the need to establish greater awareness of the issues related to special needs intercountry adoptions. He emphasised the importance of education for parents. This point was reiterated in the Forum session but was extended to also include better education and welfare support in sending countries to reduce relinquishment of children.

It was argued by a number of the participants at the forum that poverty and stigma were the driving force behind special needs adoptions. Appropriate implementation of the subsidiarity principle should ensure that birth families receive the medical and social care support they need to retain and provide for their children. Public awareness education should also focus on challenging perceptions of the term 'un-adoptable'.

### *Definitions*

What 'special needs' means is time and context specific. But the need for sending and receiving countries to share common definitions was deemed to be vital in ascertaining how to match children with suitable adoptive families. The representatives of adoption agencies agreed that while greater sensitivity about the labels attributed to children is needed, so too is clearer information provided by the sending country about individual children and their specific needs. This lack of information and diversity of definition ensures that delays are common while agencies seek further information from a sending coun-

try, or, seek alternative families due to the specified needs being greater than originally suggested or addressed in the home study. Agencies reported a discrepancy of what needs are accepted in the home study and the referrals that the agencies receive. This mismatch causes agencies to potentially encourage adopters to accept a referral beyond what they have been assessed for rather than lose the referral. Adopters are also turning down special needs children because they have not been assessed for specific special needs and fear that they will not be able to meet the needs of the child. This lack of information also leads to longer time periods for children

waiting for adoption and a higher risk of disruption post adoption.

There is clearly considerable diversity of what special needs are, some disabilities are minor and others far more advanced. Psychological special needs as well as learning needs and HIV adoptees need consideration. In his presentation, Paolo Palmerini outlined how Italy defines children with special needs as being, sibling groups; older children (seven years and older); children with difficult pasts; physical disabilities; psychological trauma; and abusive family histories. Other adopted children are regarded as having 'particular needs'. While the resilience of children to overcome these particular needs is recognised. Palmerini also argued that there should be greater differentiation as currently the term 'special needs' is too broad. Participants also voiced concern that the definition should also include institutionalisation and malnourishment.

### *Quality of Agency Placement and Training for Children with Special Needs*

It was argued that there is little or no value placed on the quality of training,

analysis and support provided by agencies and that currently the agency which prevails is the one that provides the service for the lowest cost. It was revealed that some agencies even do matching by phone. The participants argued that more monitoring of agencies is needed. Currently it is up to each agency to design their preparation course and to determine best practice. In intercountry adoption tailoring courses to the needs of a specific child is difficult as the child is often unidentified. Therefore preparation tends to be generalised. Extra training, available at the point of referral would help address the specific needs of each child. There was also recognition that the referral brings a new realm of work with trying to identify the needs of a specific child at this time, often with limited information available.

One of the topics that emerged in discussion was the need for more training in agencies to support and assess the needs of older children who have been in institutionalised care. Agencies need to assist prospective adopters in understanding that institutional care itself can result in special needs. But it



was argued that if agencies do not fully understand these issues they are not able to effectively assess parent's capacity to manage.

Families can access services as a preventative measure as well as an intervention strategy if problems arise. Professional support is needed to prepare children for adoption and for the first meetings with the adopters in the sending country. There was acknowledgement of the difficulty of placing children with special needs domestically in sending countries and the potential impact on already over stretched services of supporting children placed from overseas in receiving countries. It was argued that adopters often have to work out for themselves what a child's needs are and go through a grieving process (as do birth parents who have a child with disabilities) if their experiences with a child's needs are very different from their expectations. Some adoptive parents are concerned about asking for help and support, as they fear that they may appear not to be coping. Some participants identified that the support that they do access is usually private rather

than state provided making support dependent upon parents' ability to locate appropriate support services and their capacity to pay for it. There was consensus about the importance of good post adoption support and the need for parents to have access to specialist help quickly. However, concerns remain about the availability of support currently where long waiting lists are common. It was emphasised that adopters need time and space as well as support to work through particular issues related to adopting children with special needs. It was also highlighted by one agency representative that children who are not adopted through the Convention ultimately get more support when they arrive in the receiving country as the family go through the assessment process of obtaining an adoption order. It was stated that, 'Hague families are just left to ask for help'. Concern about whether receiving countries are currently able to provide the required support for these children and their parents was reiterated.



### *Education and Special Needs*

Insufficient education for all those involved in special needs adoptions was identified as an issue. In his presentation Paolo Palmerini outlined the importance of building the capacity of adoptive parents. Better training and education of those who work for agencies was also repeatedly emphasised. However, first and foremost the role of education was highlighted to protect family preservation. Preventing the need for these adoptions by reducing stigma and increasing knowledge about the care of children with special needs was considered to be essential in implementing the subsidiarity principle.

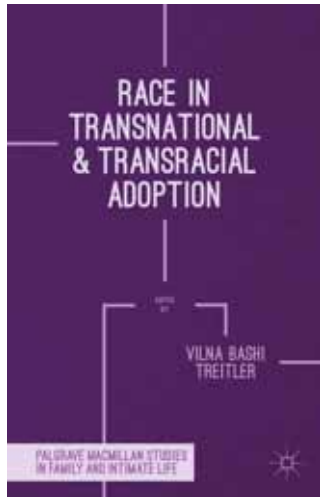


## Concluding Remarks

This report has not attempted to reach a consensus on the ideas and suggestions for change articulated at the Forum. The debates were extensive and sometimes polarised. Content in this discussion has included some of the issues where significant debate was generated. It is important to bear in mind that the remit of the Convention is not limitless. Some of the ideas in this report may well extend beyond what the Convention can regulate. However, part of the power of the Convention lies not simply in what it stipulates but in how it frames children, adoption, adoptees and the family. This framing shapes the ideas and attitudes of sending and receiving countries. The following points were compiled by the participants of the 'Best Interests' thematic group as being indicative of the discussions held and pivotal as topics for change within the Convention. As such these represent recommendations where changes made would improve the lives of all those involved in adoption.

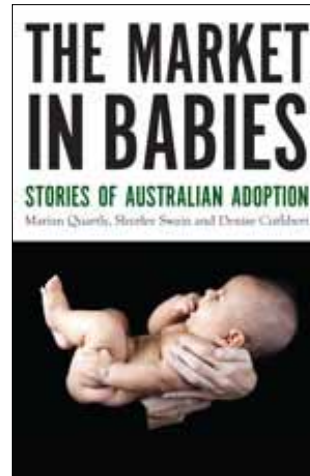
- There should be an expansion of the scope of what constitutes 'best interests' to incorporate adoption as dynamic and lifelong.
- Post adoption services need to be expanded to reflect lifelong best interests of the adopted person.
- Support services need to be developed by and with adoptee organisations.
- The subsidiarity principle should remain pivotal but be better supported by sending and receiving countries and be subordinate to an individual child's best interests.
- Preservation of information about birth parents and circumstances that necessitated the adoption must be maintained for the interests of adoptees in adulthood. An online data base where this information could be stored with responsibility of both sending and receiving countries could be organised with the support of The Hague.
- Special needs adoptions should take place alongside public awareness, education, and medical and social care to reduce the stigma of special needs and provide greater support for families to care for the needs of their children in sending countries.
- Greater education in receiving countries for those involved in special needs adoptions, agencies, social workers and parents is essential.
- Greater opportunity for adoptee organisations and groups to be heard in Special Commission meetings to ensure their contributions to debate is prioritised.
- Knowledge learned about the changing needs, best interests and wishes of the adopted person throughout their life course should be taken into account in the negotiation of any further Convention concerning children and family formation.

## FURTHER READING



Treitler, Vilna Bashi  
(2014)  
[\*Race in Transnational and Transracial Adoption\*](#)  
Basingstoke, UK:  
Palgrave Macmillan

When parents form families by reaching across social barriers (the color line, or the boundaries between 'First World' and 'Third World' nations) to adopt children, where and how does race enter the adoption process? How do agencies, parents, and the adopted children themselves deal with issues of difference in adoption? This volume engages writers from both sides of the Atlantic to take a close look at race in transnational and transracial adoption. The contributors tackle questions of how adoption agencies engage race online; how parents understand race as a factor in raising their adopted children; how culture camps engage with parents and children about racial issues; and how social policy shapes the racial aspects of adoption, for better or worse.



Quartly, M., S. Swain,  
and D. Cuthbert  
(2013)  
[\*The Market in Babies Stories of Australian Adoption\*](#)  
Clayton: Monash  
University Publishing

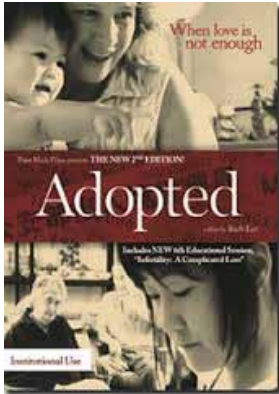
*The Market in Babies: Stories of Australian Adoption* tells the history of adoption in Australia from its beginnings in the nineteenth century to its decline at the beginning of the twenty-first. As the rate of adoptions in Australia falls to a historic low, and parliaments across the country are apologising to parents and babies for the pain caused by past practices, this book identifies an historical continuum between the past and the present and challenges the view that the best interests of the child can ever be protected in an environment where the market for babies is allowed to flourish.



Biniés, P.; Kosovsky, R. y Andrea Majul (2015)  
[\*Iguales y Diferentes\*](#)  
Illustrations by Fernando Rossia  
Barcelona: ADDIF (Associació en Defensa del Dret de la Infància a la Família)

The different forms of discrimination, xenophobia and racism are addressed in this guide, designed as a tool to use with students from kindergarten and primary schools. It is an adaptation of *We are the same and different: Guide children to prevent discriminatory practices*, by the National Institute Against Discrimination, Xenophobia and Racism in Argentina. Spanish and Catalan versions can be downloaded from [Addif website](#).

## FURTHER VIEWING

**Adopted**

Lee, Barb (2008)  
USA, 80 min.

While many of their stories play into our self-image of American compassion and generosity, the realities, as told in this 2008 documentary, are much more complex. First-time director, Barb Lee, goes deep into the intimate lives of two well-meaning families and shows us the subtle challenges they face. One family is just beginning the process of adopting a baby from China and is filled with hope and possibility. The other family's adopted Korean daughter is now 32 years old. Prompted by her adoptive mother's terminal illness, she tries to create the bond they never had. The results are riveting, unpredictable and telling.

**The Dark Matter of Love**

McCarthy, Sarah (2012)  
USA, 80 min.

This documentary follows Masha as she leaves Russia to spend her first year as part of the Diaz family, who have also adopted five year old twin boys Marcel and Vadim. When the reality of bonding with children who have grown up in institutions turns out to be more difficult than they ever imagined, the Diaz's hire Dr Robert Marvin, Professor Emeritus at the University of Virginia.



Féjerman, D. (2015)

**La adopción**  
Spain, 96 min.

Inspired by the experience of its director, Daniela Féjerman, the film shows the journey of a Catalan couple to a country in Eastern Europe to adopt a child. With excellent acting work, the film shows with sensitivity and honesty emotional ups and downs of the protagonists, as well as the darker side of a system that traffic the future of children and parents' hope.



Futerman, S. & Miyamoto, R. (2015)

**Twinsters**

USA, 81 min.

In February 2013, Anaïs Bordier, a French fashion student living in London, stumbled upon a YouTube video featuring Samantha Futerman, an actress in Los Angeles, and was struck by their uncanny resemblance. After discovering they were born on the same day in Busan, Korea, and both put up for adoption, Anaïs reached out to Samantha via Facebook. In *Twinsters*, we follow Samantha and Anaïs' journey into sisterhood, witnessing everything from their first meeting, to their first trip back to Korea where their separation took place.