



**STANDARDS OF PRACTICE
FOR
NON-GOVERNMENTAL ORGANIZATIONS
WITH RESPECT TO
PERMANENCY SERVICES
IN THE
FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**

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Preamble

International Principles

The Joint Council on International Children's Services (Joint Council) Standards of Practice for Ethiopia are based on the principles of the United Nations Convention on the Rights of the Child (UNCRC), the Hague Convention with Respect to Cooperation and Intercountry Adoption, internationally accepted principles for permanency services and the relevant laws of The Federal Democratic Republic of Ethiopia.

Joint Council requires all Joint Council Member Organizations involved in permanency services specific to intercountry adoption of children from Ethiopia endorse, sign, and abide by these principles and standards of practice.

Joint Council

Joint Council Member Organizations base their practice on the principle of providing services which promotes family preservation, family reunification, domestic adoption and intercountry adoption as the primary placement preferences for orphans and vulnerable children.

Joint Council Member Organizations base their practices on the principle that children need safe, permanent, loving families in order to reach their full potential, and that children deprived of this care suffer negative effects which last a lifetime.

Joint Council Member Organizations believe that family preservation and reunification are the primary services for vulnerable children.

Joint Council Member Organizations believe when a family in the child's country of birth is unable or unwilling to care for the child safely and permanently then without undue delay, international adoption is the appropriate option.

Joint Council Member Organizations view international adoption as a child welfare and protection service that focuses on the best interests of the child.

Values & Standards

Joint Council Member Organizations follow a professional standard of practice that has integrity, honesty, transparency, and professional service delivery as its core values. Joint Council endorses and requires the following standards for intercountry adoptions from Ethiopia.

The following standards represent the collective will of international child welfare professional groups and the international adoption community and serve as the minimum standards of practice by which all signatories will serve children, birth parents, prospective adoptive parents and adoptive parents. These standards are based upon and represent a country specific extension of the Joint Council Standards of Practice (Addendum A).

STANDARDS OF PRACTICE

1.. DEFINITIONS

- 1.1... The term 'orphan' refers to children living outside of parental care.
- 1.2... The term 'vulnerable children' refers to:
- 1.2.1.. children who are at a high risk of becoming abandoned or relinquished
 - 1.2.2.. children who are otherwise at risk of living without parental care
 - 1.2.3.. children who have temporarily been separated from their parent(s) where there is an immediate likelihood that the children can be returned to permanent and safe parental care
- 1.3... The term 'country of adoption' refers to the country of which the adoptive parents are citizens.
- 1.4... For the purposes of these standards, the term 'NGO' refers to an organization licensed by the Ethiopian government to facilitate intercountry adoption.
- 1.5... For the purposes of these standards, the terms 'ASP,' 'ET NGO,' 'INT NGO' and Development Activities have the following definitions.
- 1.5.1.. Adoption Service Provider (ASP)
A non-profit organization, licensed by the Ethiopian government, to facilitate intercountry adoptions.
 - 1.5.2.. Ethiopian Non-governmental Organization (ET NGO)
A non-profit organization founded and headquartered in Ethiopia. The organization provides services in Ethiopia and is registered with the Ethiopian government as an Ethiopian based NGO.
 - 1.5.3.. International Non-governmental Organization (IN-NGO)
A non-profit organization founded and headquartered outside of Ethiopia. The organization provides services in Ethiopia and is registered with the Ethiopian government as an International NGO.
 - 1.5.4.. Development Activities
Development Activities refers to support services or program activities (direct or indirect), which have as their goals the preservation of birth families or the protective support of families and communities caring for vulnerable children.
 - 1.5.5.. Joint Council Member Organization
The term Joint Council Member Organization refers to any non-profit meeting all of the following criteria:
 - 1.5.5.1. A member of the Joint Council on International Children's Services
 - 1.5.5.2. Included in the public Membership listing on the Joint Council website
 - 1.5.5.3. Is a member of Joint Council during the period in which these standards are in effect
 - 1.5.5.4. Provides adoption or adoption related services in Ethiopia

2.. CONDITIONS

- 2.1... These standards of practice are in effect for the period beginning September 1, 2009 and ending August 31, 2010. These standards automatically renew annually unless a written withdrawal is executed and delivered to Joint Council. Joint Council reserves the right to allow interested parties, including Adoptive Parents, the government of Ethiopia, other international child welfare stakeholders and the U.S

government to inquire with Joint Council about a Joint Council Member Organization's signing status and adherence to these principles and standards of practice. Joint Council also reserves the right to monitor all Member Organizations, registered by the Ethiopian Ministry of Justice, to ensure their signature, endorsement and work activities in Ethiopia fulfill these principles and standards of practice.

3.. LAWS, REGULATIONS & RECOMMENDATIONS

Intent

Ensure that all services are provided according to the laws of Ethiopia and the country of adoption.

Ensure that all services are provided according to Best Practices and the principles of the Hague Convention.

- 3.1... All NGOs based in a country of adoption and licensed for Inter-country Adoption by the Ethiopian Ministry of Justice (MOJ) will strictly follow the laws and regulations of the Federal Democratic Republic of Ethiopia and the country of adoption.
- 3.2... Joint Council only approves and endorses member NGOs to operate in Ethiopia that are in good standing with Joint Council's policies and procedures in Ethiopia. Joint Council will immediately notify the Ethiopian Ministry of Justice of any ASP who is on probation or has lost its rights of membership.
- 3.3... Joint Council recommends that only Hague-accredited NGOs receive licensure status by the Ethiopian Ministry of Justice (MOJ) to operate in Ethiopia. **This is a recommendation rather than a law or regulation.**
- 3.4... Joint Council recommends that NGOs conduct regular training specific to these standards of practice including the areas of ethics, financial controls and preventive measures against bribery. **This is a recommendation rather than a law or regulation.**
- 3.5... IN-NGOs having a cooperative relationship with another entity (for purposes of the recruitment of potential adoptive parents) will ensure that the partner entity fully discloses the partner relationship. This disclosure will occur at the earliest direct or indirect contact with potential adoptive parents.
- 3.6... IN-NGOs will fully disclose to potential adoptive parents and other stakeholders, the IN-NGO's licensing or legal registration by the Ethiopian MOJ to place legally eligible children for inter-country adoption in marketing materials including the web.
- 3.7... IN-NGOs that do not possess a current license or legal registration by the Ethiopian MOJ government to place children for intercountry adoption will fully disclose, in the marketing materials including the web, the partner entity with whom there is a cooperative relationship for the purposes of recruitment of potential adoptive parents and other non-placement service.
- 3.8... IN-NGOs are prohibited from placing children for intercountry adoption who were in a child care center that does not have a current license issued by the Ethiopian MOJ to admit and care for orphans and abandoned children.

4.. HOW CHILDREN COME INTO CARE

Intent

To ensure that children come into care in a legal and ethical manner.

To ensure that the identity and personal background of the child(ren) is preserved, protected and kept confidential between the NGO and the prospective adoptive parent(s).

To ensure that children are adequately protected from being relinquished or abandoned for financial gain.

- 4.1... Recognizing that in accordance with Ethiopian law, the licensed child care center is responsible for legally and ethically bringing child(ren) into care; the IN-NGO will ensure the legal identity and status of all children being considered for intercountry adoption is transparent and verified by--
 - 4.1.1.. Reviewing all documentation of how the child came into care with attention to any irregularities or patterns of irregularities or issues that would be suspect in nature;
 - 4.1.2.. Verifying that documentation obtained from the ET-NGO is complete and accurate; and
 - 4.1.3.. Documenting that information about a child's initial social history and family history is preserved and kept confidential between interested adoption parties.
- 4.2... IN-NGOs are responsible for determining and ensuring that any child referred to prospective adoptive parents fits the definition of an orphan as defined in the country of adoption's immigration laws.
- 4.3... IN-NGOs, in accordance with Ethiopian law, will not operate or accept a referral, from a non-licensed childcare center. Referrals will only be accepted by a licensed childcare center.

5.. NGOs FINANCIAL ACCOUNTABILITY

Intent

To ensure that all financial transactions are conducted in a transparent manner.

To ensure that all financial transactions are conducted in a manner that does not encourage or create incentives for the relinquishment or abandonment of children.

To ensure that all financial support and/or humanitarian aid is provided with a primary goal of preserving families.

- 5.1... NGOs must maintain clear and transparent relationships with all interested parties in the adoption process.
- 5.2... Signed Project Agreements (SPAs) between ET-NGO childcare centers and IN-NGOs must document how resources are provided for the care of children, costs of adoption, and other services. The SPA must disclose any and all payments either directly or indirectly related to the ASP's program activity.
- 5.3... IN-NGOs will not make payments in cash to childcare centers or other entities.
- 5.4... IN-NGOs will utilize a uniform standardized format in disclosing fees paid or collected.
- 5.5... All local staff, contractors, etc., will be compensated based on a salary or for specific services rendered, but never on a per-child or per-placement basis.
- 5.6... When multiple NGOs work with the same childcare centers, particular care must be paid to ensure that IN-NGOs are not duplicating payments for the same services.
- 5.7... Copies of all SPAs will be placed at the US Embassy in Addis Ababa, for clear understanding and monitoring of existing working relationships between ASPs and ET NGOs. The in-country representative of the ASPs will be responsible for ensuring that Ethiopian government authorities pursuant to SPAs be given a copy for their records.
- 5.8... IN-NGOs will not permit potential adoptive families to make cash payments of any type to any entity including to the ET-NGO.
- 5.9... All funds appropriated to activity in Ethiopia will be managed by the IN-NGOs legal Country Representative.

- 5.10... Development activities must be provided by all IN-NGOs. IN-NGOs programs and services must be child- and family-centric. Resources will be used to support programs that:
- 5.10.1.. Provide support to keep birth families intact;
 - 5.10.2.. Support and care for orphans and vulnerable children that have been displaced;
 - 5.10.3.. Promote overall improvements in the child welfare, child health and child education systems in Ethiopia.
- 5.11... IN-NGOs will seek to collaborate with other IN-NGOs and ET-NGOs in an effort to best serve vulnerable children.
- 5.12... All Development Activities will be disclosed through the SPA.
- 5.13... A copy of the ASP's Annual Report including Development Activities, which is filed with the Ethiopian Ministry of Justice, will be forwarded and kept on file with the offices of Joint Council.

6.. ACCOUNTABILITY OF IN-COUNTRY STAFF

Intent

To create professional services.

To establish the responsibility for staff and staff activity by the ASP.

- 6.1... IN-NGOs are responsible to know how in-country staff manage all program activity in Ethiopia and must maintain strict controls over in-country staff, including:
- 6.1.1.. Maintaining a clear understanding and commitment to documenting how children come into care in the childcare agency;
 - 6.1.2.. Avoiding per-child payments or contingency payments for children being adopted;
 - 6.1.3.. Monitoring financial transactions to ensure that all payments are transparent, proper, and ethical; and
 - 6.1.4.. Providing comprehensive training for local staff and ET-NGO staff regarding the principles and standards of practice described herein; as well as customer service, inter-cultural sensitivity, and the laws governing Ethiopian adoption and the country of adoption's visa and immigration requirements.
- 6.2... IN-NGOs are responsible for monitoring and evaluating all program-related activities and actions of their local staff on an ongoing basis.
- 6.3... IN-NGOs are responsible for ensuring that in-country partners including childcare center staff share and uphold the same standards of practice described herein, or as outlined in the principles of the Hague Convention on Intercountry Adoption.

7.. COLLABORATION

Intent

To ensure a non-competitive environment for the provision of services.

To ensure that NGOs do not compete for children.

- 7.1... When an ASP desires to expand its services into a Woreda, childcare center, or through local Development Activities, the ET NGO will:
- 7.1.1.. Establish and maintain communication with other NGOs in the community to ensure that services or funding already provided are not being duplicated;
 - 7.1.2.. Make every effort to preserve realistic and reasonable resource provisions; and

- 7.1.3.. Assess the needs in the area in order to ascertain that resources are being used effectively.

8.. TRANSPARENCY

Intent

To ensure that all activities and transactions are conducted in a transparent manner.

To ensure that money is never exchanged for a child.

To minimize any unintended negative consequences of activities or transactions.

- 8.1... IN-NGOs will utilize a "staff" organizational structure. "Facilitators," "contractors," and/or "consultants" will be fully disclosed and will be treated in all documents as staff.
- 8.2... All SPAs and Financial Reports will fully represent all payments made in Ethiopia, the United States, and/or other countries for any and all Ethiopia-program-related activity.
- 8.3... IN-NGOs will develop and disclose job descriptions, stating both activities permitted and not permitted, for all staff.
- 8.4... Staff compensation will be reasonable and customary for like positions based on the local economy.

9.. BIRTH PARENT (FAMILY) CONTACT AND POST ADOPTION SERVICES

Intent

To ensure that any contact between the potential adoptive family and birth family is conducted according to Best Practices.

To eliminate any possibility of incentivizing the relinquishment or abandonment of a child.

To ensure that the birth family retains its informed consent.

- 9.1... When an ASP coordinates a meeting between Adoptive Parents (APs) and the birth parent or birth family, certain guidelines must be followed:
 - 9.1.1.. The meeting will occur after the final court date when the APs are the legal parents of the child(ren);
 - 9.1.2.. Neither money nor gifts which can easily be converted to money shall be exchanged;
 - 9.1.3.. Meetings will be facilitated by the NGO's social worker, who will be in attendance and in full control of the meeting at all times;
 - 9.1.4.. Meetings will occur only when both parties—APs and the birth parent/birth family—agree;
 - 9.1.5.. There should not be any exchange of contact information (addresses, e-mail, telephone numbers), nor direct contact between birth families and APs. All correspondence should go through the ASP. Only letters, redacted post-placement reports and photos shall be exchanged after the adoption; and
 - 9.1.6.. Visits will take place in a controlled, quiet, neutral environment rather than in a public setting. The visit should not take place at the birth family's home or at the adoptive family's hotel/guesthouse.
 - 9.1.7.. ASPs will facilitate, train and support local staff and ET-NGO staff to ensure ethical and appropriate interaction between APs and birth family.
 - 9.1.8.. Meetings between APs and birth family must be regularly monitored by a representative or staffperson from the ASP's office in Ethiopia.
 - 9.1.9.. Meetings between APs and birth family may be regularly monitored by an Ethiopian regional government authorities.
 - 9.1.10.. ASPs will advise and encourage APs returning to Ethiopia with the purpose of visiting or in any way communicating with the birth family (after the child's

placement date) to contact their ASP prior to departure for Ethiopia. The ASP will facilitate this interaction with the support of local staff or trained ET-NGO staff.

9.1.11.. ASPs will advise APs that any ongoing communication or interactions with birth family must to be facilitated by the ASPs local staff and/or ET-NGO staff.

9.1.12.. Post Adoption Services

9.1.12.1. ASPs will ensure that APs are compliant with Ethiopian government laws and adoption guidelines regarding post placement visits and reporting requirements.

9.1.12.2. ASPs will collect and send to MOWA and the ET-NGO completed post placement reports until the adopted child's 18th birthday.

9.1.12.3. ASPs agree to provide post adoption services and resources to APs concerning reported or suspected grief, loss, trauma, neglect and abuse.

10.. CONFLICT RESOLUTION

10.1... An independent arbitration committee of Joint Council members not currently involved or intending to become involved with intercountry adoption in Ethiopia will serve to resolve any and all conflicts as they relate to these standards of practice.

For Joint Council:



August 17, 2009

Thomas J DiFilipo
President & CEO

Date

For Adoption Service Provider:

(Print full name of ASP)

(Signature)

Date

(Print name and title)

For ASP's In-country Representative:

(Signature)

Date

(Print name and title)

ATTACHMENT: A copy of the most recent Annual Report (including Development Activities) which has been filed with the Ethiopian Ministry of Justice.