BILATERAL

MEMORANDUM OF AGREEMENT BETWEEN THE PHILIPPINES AND THE NETHERLANDS ON INTER-COUNTRY ADOPTION PROGRAM

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KNOW ALL MEN BY THESE PRESENTS:

The DEPARTMENT OF SOCIAL WELFARE of the Philippines, with central office at 389 San Rafael Street, Manila represented in this agreement by Mrs. FLORA C. EUFEMIO, Director, Bureau of Family and Child Welfare, Manila, Philippines and the Ministry of Justice represented by Dr. J. Visser, Director of the Department of Child Welfare with office at Rijswijk, thus abiding by a common bond of public service and a common dedication to achieve the social, emotional, moral, physical and economic well-being for children have mutually agreed to uphold the provisions of the Universal Declaration of the Rights of the Child approved by the United Nations General Assembly on November 20, 1959 and the Child and Youth Welfare Code of the Philippines issued as Presidential Decree No. 603 by President Ferdinand E. Marcos on December 10, 1974 and undertake the implementation of an INTER-COUNTRY ADOPTION PROGRAM under the following general principles:

- Every child is one of the most important assets of a nation. Every affront should be exerted to promote his welfare and enhance his opportunities for a useful and happy life.

- Every child has the right to a wholesome family life that will provide him with love, care and understanding, guidance and counselling and moral and materials security.

The dependent or abandoned child shall be provided with the nearest substitute for a home. Every child without exception whatsoever, shall be entitled to his rights without distinction on account of race, color, sex, language, religion, political or other opinion, nationality, or social origin, property, birth or other status, whether of himself or his family.

- Inter-country adoption shall be considered only when the child cannot be adopted in the Philippines.

POLICIES AND PROCEDURES

A. Home study and matching of home-child

The following policies and procedures will apply in the processing of application of prospective adoptive families:

- A Netherlands citizen who wishes to adopt a Filipino child shall apply with Ministry of Justice who shall cause the conducting of a home study, and act through the Netherlands Inter-country Child Welfare Organisation (NICWO) as intermediary which transmits home studies approved by the Ministry of Justice to the Director, Bureau of Family and Child Welfare Department of Social Welfare, Manila, Philippines, for presentation to and consideration of its National Placement Committee.

- The following conditions should be observed in connection with adoption from the Philippines:

- Applicant must be of age and in full possession of his civil rights and must be in a position to support and care for his legitimate, legitimated, acknowledged natural children or natural children by legal fiction, or other illegitimate children, in keeping with the means, both material and otherwise, of the family.

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- Applicant must be at least eighteen years older than the person to be adopted.

- The prospective adoptive parents shall present certificates that each is qualified to adopt his own country and each one is of good conduct with no criminal record such as crime involving moral turpitude.

- The prospective adoptive parents shall present a written consent of the natural children (fourteen years and above) on the adoption plan.

- An approved home study be presented along with the other documents required.

- The home study shall specifically state the motivation, readiness and suitability of the couple, their children and immediate relatives, if any, to adopt a Filipino child, the attitudes of immediate community towards inter-country adoption placement, expectations, and other views that they may have regarding adoption of a Filipino child and include such other information necessary to a better understanding of the prospective adoptive home.

- The Department of Social Welfare (Philippines) through the Director, Bureau of Family and Child Welfare upon recommendation of the National Placement Committee, shall have sole authority to approve placements of Filipino children.

This Memorandum of Agreement shall take effect on the date the Agreement is signed by all the parties concerned.

IN WITNESS WHEREOF, The Department of Child Welfare, Ministry of Justice Rijswijk, The Netherlands, and the Bureau of Family and Child Welfare, Department of Social Welfare, Manila, Philippines have hereunto signed this Agreement.

at Manila

at Rijswijk

this 26th day of June 1975

this 9th day of June 1975

(Sgd.)
FLORA C. EUFEMIO
Director

(Sgd.)
Dr. J. VISSER
Director

Bureau of Family & Child Welfare
Department of Social Welfare
Manila, Philippines Department of Child Welfare
Ministry of Justice
Rijswijk, The Netherlands

APPROVED: (Official Seal)

Seen at the Royal Netherlands Embassy

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at Manila, Philippines

this 27th day of June 1975 July 1, 1975

ESTAFANIA ALDABA-LIM
Secretary
Department of Social Welfare

(Sgd.) R.R. Sunit
Chargé d'affaires, a.i.

(Sgd.) PETRA R. DE JOYA
Undersecretary

WITNESSES

(Sgd.) Judge LENONOR I. LUCIANO
Member of National Placement Committee

(Sgd.) J.H.M. Temmink
President Netherlands Inter-Country
Child Welfare Organisation (NICWO)

Entry into Force: June 26, 1975

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