BILATERAL

MEMORANDUM OF AGREEMENT BETWEEN THE PHILIPPINES AND DENMARK 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 Denmark represented by DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN", with office at 24 Hovedgaden, DK-3460 Birkeroed, 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:

- The child is one of the most important assets of a nation. Every effort 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 material 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

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

- A Danish citizen who wishes to adopt a Filipino child shall apply with DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" who shall cause the conducting of a home study, act as intermediary and transmit the approved home study 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. Only home studies that have been coursed through MOTHERS' AID CENTER, the FOSTER-HOME-ASSOCIATION, or SOCIAL- AND HEALTH WELFARE IN COPENHAGEN shall be taken up by the National Child Placement Committee of the Philippines.

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

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a.

Applicant must be of age and in full possession of his civil rights and is 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.

b.

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

c.

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

d.

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

e.

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.

- The Department of Social Welfare (Philippines) will notify applications received through other channels in order that the home study may be conducted accordingly.

- Only six approved home studies shall be registered at one time with the Bureau of Family and Child Welfare, Department of Social Welfare, Philippines.

- The following documents concerning the applicants shall be translated into English and attested to by the Director, DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" and sent to the Director, Bureau of Family and Child Welfare, Manila, Philippines, who shall acknowledge receipt of the same.

a.

Approved home study (information to be held confidential)

b.

Health certificates of the prospective adoptive parents and health information of the other members of the family

c.

Police clearance of prospective adoptive parents and every adult member of the family

d.

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Affidavit of support or certificate of income and property

e.

Birth and baptismal certificates of members of the family

f.

Recent pictures of prospective adoptive parents and children (if any)

g.

Confidential psychiatric/psychological evaluation of prospective adoptive parents if and when available

h.

Photostatic copy of marriage certificate of couple

i.

References from at least three persons.

- It shall be the responsibility of the Department of Social Welfare (Philippines) through its National Placement Committee to review the home study and the documents to further confirm the suitability of the prospective adoptive parents and to undertake the initial selection and matching of children and prospective adoptive parents within three months after receipt of the home study.

- Once a child has been initially matched with the couple, the Director, Bureau of Family and Child Welfare, Department of Social Welfare (Philippines) shall forward the following to DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN":

a.

Social case history on the child

)

on forms provided by DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN"

b.

Medical reports

)

c.

Pictures of the prospective child.

)

Information from the social case history on the child shall be held confidential but may be revealed to prospective adoptive parents by social workers who would supervise the pre-adoptive placement only if necessary to their better understanding and care of the child. Receipt of these documents shall be acknowledged immediately.

- It shall be the responsibility of MOTHERS' AID CENTER, the FOSTER-HOME-ASSOCIATION, or SOCIAL- AND HEALTH WELFARE IN COPENHAGEN to undertake the confirmation of the matching and the necessary pre-placement plans with the prospective adoptive couple.

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- DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" shall notify the Bureau of Family and Child Welfare, Department of Social Welfare, Philippines, of the suitability of the child matched with a particular home within a reasonable time after receipt of information on the child. DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" shall notify the Director, Bureau of Family and Child Welfare when authorization of entry of the child into Denmark is granted by the Danish CHIEF POLICE (RIGSPOLITICHEFEN), and with the Placement Authority from the Bureau of Family and Child Welfare, passport shall be forwarded to the Danish Embassy, Philippines for processing of the visa within two (2) weeks after receipt of authorization.

- In case of a mismatch, DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" will inform the Department of Social Welfare and the home shall be placed on the waiting list and replaced with another home which shall likewise be matched with the child who was not placed. The home study of the new applicant shall be forwarded to Bureau of Family and Child Welfare for review of placement if no other pending home studies are on the register of applicants with the Department of Social Welfare or homes from other countries may be matched with the child.

- The Department of Social Welfare (Philippines), shall be responsible for obtaining passports and other papers needed for the child’s immigration.

- Expenses incidental to the placement of the child shall be borne by the adopting parents and transmitted to the Bureau of Family and Child Welfare, Philippines by DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN".

- Children leaving for abroad shall be escorted after joint agreement between Bureau of Family and Child Welfare, Department of Social Welfare and DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" preferably by persons involved in the home or child study or in the supervision of the pre-adoptive placement or of foster parents or houseparents of the institution which has cared for the child. Costs of travel of the escorts shall be borne by the prospective adoptive parents.

B. SUPERVISION OF PRE-ADOPTIVE PLACEMENT

- The MOTHERS' AID CENTER, FOSTER-HOME-ASSOCIATION, or SOCIAL- AND HEALTH WELFARE IN COPENHAGEN shall be responsible over the assignment of social workers best able to supervise the trial placement.

- Two reports on the status of the child shall be forwarded in a prescribed form to the Bureau of Family and Child Welfare after placement of the child in Denmark.

- The Bureau of Family and Child Welfare shall be informed of any significant changes in status of placement of a child even before and after the reports are due.

- In case of failure of placement while child is under pre-adoptive placement, MOTHERS’ AID CENTER, FOSTER-HOME-ASSOCIATION, or SOCIAL- AND HEALTH WELFARE IN COPENHAGEN shall be authorized to remove the child immediately, plan for appropriate placement and inform the Department of Social Welfare immediately of action taken.

C. OTHER MATTERS

- The DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" and the Bureau of Family and Child Welfare, Department of Social Welfare (Philippines) can jointly arrange for the exchange of staff from

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all levels of involvement in the Inter-Country Adoption Program for a minimum period of time so as to provide opportunity for staff development.

- All investigation concerning the evaluation of the adjustment of adopted Filipino children shall be transmitted to the Department of Social Welfare (Philippines), the results of which shall be used for the modification of policies and procedures and enrichment of existing child welfare programs and services. Points for consideration in the evaluation can be proposed by the Department of Social Welfare (Philippines).

- All donations for social aid in the Philippines in cash or in kind from adopting parents, organizations/agencies and others shall be forwarded via the Bureau of Family and Child Welfare, Department of Social Welfare, Philippines.

- When adoption has been completed and the child becomes naturalized as a citizen of the country, the DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" shall submit to the Department of Social Welfare a copy of the Adoption Decree and naturalization papers. Receipt of these documents shall be acknowledged immediately and the DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN is informed of notations made on the Civil Registry record on the child.

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

IN WITNESS WHEREOF, THE DANISH SOCIETY FOR INTERNATIONAL ADOPTION "GLEMTE BØRN" and the Bureau of Family and Child Welfare, Department of Social Welfare, Philippines have hereunto signed this Agreement at _____ this _____ day of _____, 19 ____.

(Sgd.)

(Sgd.)

FLORA C. EUFEMIO
Director
Bureau of Family & Child Welfare
Department of Social Welfare
Manila – Philippines

Steen Grand
Director
DANISH SOCIETY FOR INTERNATIONAL
ADOPTION "GLEMTE BØRN"
Birkeroed – Denmark

APPROVED BY:

APPROVED BY:

ESTEFANIA ALDABA-LIM
Secretary
Department of Social Welfare

DANISH MINISTRY OF JUSTICE

For the ministry:

By:

(Sgd.)
PETRA R. DE JOYA
Undersecretary

WITNESSES

(Sgd.)
Judge LEONOR I. LUCIANO
Member of National Placement
Committee for Inter-country Adoption
Philippines

(Sgd.)
Flemming Tvermoes
Advocate
President
of
DANISH SOCIETY FOR
INTERNATIONAL ADOPTION
"GLEMTE BØRN"

Entry into Force: August 1, 1975

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