BILATERAL

AGREEMENT BETWEEN THE PHILIPPINES AND SWEDEN 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 Swedish Council for Inter-Country Adoptions, National Board of Health and Welfare represented by Mrs Anita Gradin, chairman of the Council with office at the National Board of Health and Welfare, 106 30 Stockholm, Sweden, 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:

1

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;

2

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, colour, sex, language, religion, political or other opinion, nationality, or social origin, property, birth or other status, whether of himself or his family.

3

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:

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1

A Swedish citizen or another citizen residing in Sweden who wishes to adopt a Filipino child shall apply with the Swedish Council for Inter-Country Adoption. The Council will have a home study made of prospective adoptive parents wishing a Filipino child. Upon the social workers report the local Child Welfare Committee decides whether a general permission to receive a foster-child/prospective adoptive child can be given to the family.

The eligibility of applicants as suitable adoptive parents will be determined on the basis of evaluation of the competent local authority and of the special Intermediary Committee within the Swedish Council for Inter-Country Adoptions, in accordance with the concerned laws and practices of Sweden and Philippines. The Council acts as intermediary and endorses 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 the Swedish Council for Inter-Country Adoptions shall be taken up by the National Child Placement Committee of the Philippines.

2

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

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 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.

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3

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.

4

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.

5

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

6

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

7

The following documents concerning the applicants shall be translated into English by an authorized or attested by the Notary Public and sent to the Director, Bureau of Family and Child Welfare, Manila, Philippines, who shall acknowledge receipt of same.

a

Approved home study (information to be held confidential)

b

Health certificates of the prospective adoptive parents and every member 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 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

8

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.

9

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 the Swedish Council for Inter-Country Adoptions, that will forward it respectively to the prospective adoptive parents and to the local Child Welfare Committee:

a

Social case history on the child

b

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Medical reports

c

Pictures of the prospective child

d

Expected expenses for the procedure in Philippines

Information from the social case history on the child shall be held confidential but may be revealed to prospective adoptive parents by the Intermediary Committee within the Swedish Council for Inter-Country Adoptions.

10

After the local Child Welfare Committee's decision on issuing a permit for the family to receive the child as fosterchild/prospective adoptive child, it shall be the responsibility of the Swedish Council for Inter-Country Adoptions to undertake the confirmation of the matching and the necessary preplacement plans with the prospective adoptive couple.

11

The Swedish Council for Inter-Country Adoptions 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 month after receipt of information on the child. The Swedish Council for Inter-Country Adoption shall send to the Director, Bureau of Family and Child Welfare the message that the family has got the special permit from the local Child Welfare Committee to receive the particular child.

After receipt of this message the Bureau of Family and Child Welfare will arrange for a passport to be issued for the child and sign a Placement Authority, where the name and address of the prospective adoptive parents should be mentioned, as well as the childs name and birth date. This Placement Authority should be forwarded together with either the Surrender Papers or a Judicial Declaration of the Status of the Child.

12

In case of a mismatch, the Swedish Council for Inter-Country Adoptions informs 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 home from other countries may be matched with the child.

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13

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

14

Expenses incidental to the placement of the child shall be borne by the adopting parents and transmitted through a Swedish Bank to the bank account advised by the Bureau of Family and Child Welfare, Philippines. The expenses should be paid with a note including the name of the child, the name of the prospective adoptive family and the amount paid.

15

Children leaving for abroad shall be escorted preferably by social workers 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 or an escort authorized by the Swedish Council for Inter-Country Adoptions. If one or both of the prospective adoptive parents fetch the child they shall be obliged to stay with the child for 2 days, if it is an infant, otherwise one week, before travelling back with the child. Costs of travel, board and lodging of the escort shall be borne by the prospective adoptive parents.

B

SUPERVISION OF PRE-ADOPTIVE PLACEMENT

1

The local Child Welfare Committee shall be responsible over the assignment of social workers best able to supervise the trial placement.

2

A report on the status of the child in placement shall be forwarded by the Swedish Council, for Inter-Country Adoption in a prescribed form to the Bureau of Family and Child Welfare after six months.

The report to the competent court, made by the local Child Welfare Committee before the adoption decree is issued, shall also be forwarded to the Bureau of Family and Child Welfare.

3

The Bureau of Family and Child Welfare shall be informed by the Swedish Council for Inter-Country Adoptions

of any significant changes in status of placement of a child even before the report is due.

4

In case of failure of placement while child is under pre-adoptive placement the competent local Child Welfare Committee plans for appropriate placement and informs through the Swedish Council for Inter-Country Adoptions the Department of Social Welfare immediately of action taken.

C

OTHER MATTERS

1

The Swedish Council for Inter-Country Adoptions and the Bureau of Family and Child Welfare, Department of Social Welfare (Philippines) shall jointly arrange for the exchange of staff from all levels of involvement in the Inter-Country Adoption Program for a minimum period of time so as to provide opportunity for staff development.

2

The Swedish Council for Inter-Country Adoptions shall inform the Department of Social Welfare about plans of studies including Filipino children.

Any study done on the adjustment of Filipino children should in copy be sent to the Department of Social Welfare, Philippines, the result of which shall be used for the modification of policies and procedures and enrichment of existing child welfare programs and services.

3

All donations from adopting parents, organizations/ agencies and others shall be forwarded through a Swedish bank to bank account advised by the Bureau of Family and Child Welfare, Department of Social Welfare, Philippines.

4

When adoption has been completed and the child becomes naturalized as a citizen of the country, the Swedish Council for Inter-Country Adoptions 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 Swedish Council for Inter-Country Adoptions informed of notations made on the Civil Registry record on the child.

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Entry into Force: May 16, 1975

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