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INTRODUCTION

From its creation, the Colombian Institute of Family Welfare has ensured that adoption be conceived as a protective measure to reestablish the fundamental rights of all children and adolescents to have a family that guarantees their full and harmonic development in a loving and understanding environment, always framed in the best interest of the child.

The preparation of this *Technical Guideline of the Adoption Program* incorporates all those laws, international covenants, doctrine, jurisprudence, good practices, concepts and theories that make it possible to minimize the risk and to strengthen the adoption of children and adolescents, especially those who given their characteristics and special needs still do not have a family that supports them.

The document is addressed to families requesting adoption, public officers of the different ICBF offices, Family Defenders' Offices, Adoption Committees, Institutions that are Authorized to develop the Adoption Program (IAPAs for their Spanish acronym), accredited and authorized organisms in Colombia and central authorities in the reception countries.

The Guideline retakes successful experiences in Colombia, among them the one regarding, precisely, the increase of adoption of children, and adolescents with special characteristics and needs, which was 39.17% between 2009 and 2011, and 60.10% between 2012 and 2015, of a total of 19.703 children, and adolescents presented to the Adoptions Committee in the last seven years¹.

Another significant experience is the increase of the participation of Colombian families in adoption, compared with foreign families who request it. In fact, while in the year 2012 45% of adoptive families were Colombian, in 2013 the figure increased to 54%, in 2014 the figure was 51% and in 2015 it reached 53% staying above the one registered in 2012 despite a small decrease compared to 2013.

In recent years, evident changes have been generated within the Adoption Program, as well as the social perception and the reality of its object population. In fact, in the year 2011, 2.713 (66%) of the 4.107 children and adolescents with Declaration of Adoptability that were reported to the Adoptions Committee were adopted; in 2012 1.465 (73.6%) of the 1.990 presented to Committee were adopted; in 2013, 1.125 (80.7%) of the 1.394 that were presented to

¹ Statistics – Adoption Committees Minutes and Missional Information System SIM – December 31st of 2015.

Committee were adopted; in 2014, 1.148 (73.7%) of the 1.394 who were presented to Committee were adopted; and, finally, in the year 2015 1.689 were presented of which 1.082 (64.06%) were adopted². This situation forced a reorientation of the Program, with the purpose of efficiently responding to the demands of the population and to the current conditions of the country.

Currently, it is very likely that in Colombia boys and girls in condition of adoptability that are up to nine (9) years old and in good health state be adopted, since currently there are 2.481 national and foreign suitable families with approved requests and on waiting list³. It is not the same with children and adolescents with ages above ten (10), sibling groups in which the eldest is 10 or older, in situation of disability or illness of special care⁴ since due to their characteristics and special needs, they need families with all the necessary tools to exercise childrearing.

This is exactly the reason for setting forth strategies aimed at driving the search for families for these children and adolescents in this Guidelines, among them the Valuation by an Accredited Organism, Holidays Abroad and in Colombia, and Super Friends.

Every person who operates the Adoptions Program comply a function of public services by excellence, and they must respect the postulates and ethical values, reflecting impartiality and a worthy treatment to the users. ICBF has a compromise with the community in which the Institute *“acts and promotes the guarantee of the fundamental rights, to safeguard the basic parameters of protection of life, freedom, equality, human dignity, free development of personality, freedom of conscience and cults, information, work, association, respect of nature, active citizen intervention and solidarity”*⁵

Finally, it is worth mentioning that this document was prepared based on the experience of the execution of the Adoption Program in recent years; elements that make it possible to detail in its pages, aspects such as beneficiary population of the adoption measure, operativity of the Program, technical guiding criteria to establish suitability and to define assignment of the adoptive families, preparation of the children and adolescents, post-adoption follow up, search of origins and actions so that in the absence of Colombian adoptive families, it may subsidiary proceed with international adoption.

² Statistics – Adoption Committees Minutes and Missional Information System SIM – December 31st of 2015.

³ Idem

⁴ Statistics – Base Line Follow Up Team to Regionals Adoptions Sub Directorate

⁵ Ethics Code of the Colombian Institute of Family Welfare Cecilia De la Fuente de Lleras Resolution 8776 from October 22nd, 2015

JUSTIFICATION

The family, as an eco-systemic unit, constitutes the primary environment for the comprehensive development of human beings. It is through it, of its functions and interactions, that fundamental human rights are fulfilled in a privileged manner, especially those of care and protection.

In acknowledgement of this essential condition, the judicial order sets forth that the family is the basic institution and the fundamental nucleus of society, it assigns it its comprehensive protection to the State and to society, and it recognizes the fundamental right of the children, and adolescents to have a family and not to be separated from it.

In the framework of co-responsibility, a principle set forth in the Code of Childhood and Adolescence (Law 1098 of 2006), and jointly and severally, the family, society and the State participate in the development, training and protection of the Colombian childhood. Notwithstanding the above, it is the family the main responsible one in that objective, becoming the first protective environment of the boys and girls.

Article 38 of the same Code sets forth the obligations of the family, society and the State, who shall jointly guarantee the exercise and effective enjoyment of the rights of the children and adolescents.

Further, in Article 205 of the same Law it sets forth that *“ICBF, as rector of the National System of Family Welfare, is responsible for the articulation of the entities that are responsible for guaranteeing the rights, prevention of infringement, protection and reestablishment of them...”* In this sense, when the family does not comply with their responsibility, it is the State, through ICBF, the one in charge of carrying out an Administrative Process of Reestablishment of Rights (PARD) to develop actions aimed at the protection of the child or adolescent with their rights threatened, unattended or infringed, as well as the support and strengthening of their family group.

Consequently, ICBF guides its mission to the intervention to strengthen the families of origin and to get a greater number of children or adolescents to remain with them. Nevertheless, if this does not guarantee comprehensive protection, it seeks adoption, to guarantee the effective exercise of them.

The Code of Childhood and Adolescence defines adoption, mainly and above all, as a protective measure through which, under supreme surveillance of the State, it irrevocably sets forth the father-child relation between people who do not have it by nature. In this sense, the same Law

determines the demand of establishing the Adoption Program, understood as the set of activities tending to reestablish the fundamental right of a child or adolescent to have a family.

It is precisely in this legal framework that ICBF creates the Adoptions Sub Directorate (Decree 987 of 2012) and it assigns as its functions, among others, the ones indicated in Article 41, Paragraph 21: *“To coordinate with the different areas of the Colombian Institute of Family Welfare and the National System of Family Welfare the relevant actions for the development and operations of the programs and services”*, and in Number 14: *“To carry out the actions aiming at the search for alternatives for the children and adolescents with declaration of adoptability, to whom given their special characteristics it is difficult to reestablish their right to belong to a family, through adoption and, in this sense, to design life projects for them.”*

The Law orders ICBF to define the Technical Guidelines that the entities must comply to guarantee the best interest and the prevalence of the rights of the children. Which, in case of adoption, aim to provide permanent protection for them to have an appropriate physical, mental, moral and social development, within the adoptive family.

Consequently, it is necessary to guide, update and optimize the Adoption Program aiming at searching, assessing, selecting, preparing and assigning suitable families that give response to the needs of the children and adolescents with declaration of adoptability. Likewise, it is mandatory to strengthen the preparation for future encounters with the adoptive families and to accompany them during the post-adoption integration, with the purpose of verifying and obtaining full guarantee of their rights.

PART 1

REGARDING THE ADOPTION PROGRAM

CHAPTER I

CONCEPTUAL FRAMEWORK

Human beings are social subjects by nature. This condition is fostered by the biological, anatomical and physiological immaturity with which we are born in the species, and therefore human evolution and development is only possible in a scenario of relations.

The above explains the importance for a human being, of being and feeling and integral part of a family environment with which they may identify, establish permanent relations, generate recognition and receive support and company during the different stages of development, especially at times of crisis.

Through the whole vital cycle human beings keep tight interdependency with others and with their surroundings. In fact, belonging, safety and acceptance are identified as fundamental human needs.⁶

Some of these relations are affectively carried in a more important way, they are introjected, symbolized, and established in a way of significant bonds. These bonds involve important emotions that are supported in previous experiences and sensitive of being identified and evoked. Likewise, they ensure a spatial-temporary connection between physically separated people, given the symbolization structure that contribute to their maintenance⁷.

According to J. Bowlby⁸, in the framework of childhood development “attachment” refers to a special bond characterized by the following qualities:

- An enduring emotional relationship with a specific person.
- Said relation produces safety, tranquility, comfort and pleasure.
- The loss or threat of loss of the person evokes intense anguish.

The characteristics of the primary bonds profoundly mark affection and constitute the structure that supports the construction of further relations. Pursuant to Bermejo⁹ the ability to bond enables the establishment of emotional bonds, that is, the behavior of seeking and keeping the

⁶ Max Neef, Artur Manfred (1993) “Development at Human Scale, Concepts, applications and some reflections”. Nordan Editors – Community.

⁷ Miermont J. (1993, 2005) *L’ecologie du Lien*. Paris: L’ Harmattan

⁸ Una base segura: aplicaciones clínicas de una teoría del Apego. John Bowlby. Editorial Paidós 2009

⁹ Bermejo, J. y Cols (2008) *Manual para la valoración de la Idoneidad en la adopción internacional*. Madrid. Instituto Madrileño de Administración Pública.

proximity of one or more referential figures. Nevertheless, the attachment bonds arise as a product of both interactions with abusive figures, as with figures who respond with safety.

Overall, attachment may be classified in the following types¹⁰:

- **Safe Attachment:** it involves an internal functioning model characterized by trust with the caregiver, which presence gives comfort. Thus, people are more calm, open, warm, positive, reflexive and mature, they have enough personal resources to elaborate losses, they have good self-esteem and they know how to control their emotions in critical situations.
- **Anxious Avoidant Attachment:** it involves an internal functioning model characterized by mistrust in the availability of the caregiver, showing little anxiety during separation and not being interested in further reencounter. Consequently, it is difficult for people to establish stable and long lasting emotional relations, because they do not have trust in others; they seem distant and unpreoccupied, avoiding psychological or physical intimacy.
- **Ambivalent Anxious/Resistant attachment:** in this model the person shows separation anxiety that does not disappear when reunited with the caregiver, giving the sense that his strategy is to exaggerate affection, in an attempt to ensure attention. Consequently, people expect to be loved and cared for, but they are afraid of being abandoned. They get anxious at separation, they need to be constantly stated and reaffirmed of the love that they feel for them and they consider that intimacy with the other is never enough.

Overall, the first human relations are established regarding the parents or caregivers, in the framework of a family environment. And it is also in this surrounding, with different forms of configuration or organization, where the most intimate and day to day aspects of the life of people evolve. Thus, family constitutes the primary and privileged environment for human reproduction and development in the biological, psychological, social and cultural order.

Pursuant to the Constitutional Court, in its broader connotation, family is defined as *“that community of persons related with each other because of natural or legal bonds that grounds its existence in love, respect and solidarity, and that is characterized by the unity or the destiny that intimately links their closest members”*.¹¹

¹⁰ Bowlby, J. y Ainsworth M. citados por Rivera, Nuria (2012) “Apego: vínculos afectivos y psicopatología” En <http://gabinetepsicologicobarcelona.blogspot.com/2012/02/apego-vinculos-afectivos-y.html>

¹¹ Colombia, Constitutional Court Ruling C-271 of 2003

These utterances are coherent with the notion of family that ICBF¹², pursuant to which *“family is constituted by blood ties that go beyond kinship and that are created in the random movement of social life, turned into the proper context for significant relations systems to arise.”*

Family, as an evolutionary survival unit, is co-responsible for guaranteeing the rights of its members and at the same time, it constitutes a net of relations that interacts with its surroundings, becoming an agent of rights and responsibilities, with abilities and resources to self-regulate and develop.

According to the number of elements that make up the family system, families are classified in:

- **Nuclear families:** they correspond to the traditional family model which implies the presence of a man, a woman and children in common, all of them living under the same roof. Couples without children who have a common project, with intense relation in the affective, sexual and relational plain, are also part of this category. In this kind of families there are three relations sub-systems: adult-adult (couple), adult-child (parents and children) and child-child (siblings), each one with their particularities and differences, but connected with other sub-systems¹³
- **Extended families:** those are families made up by the nuclear one (parents and children) to which the collateral is added. They are made up by more than one nuclear unit, they extend beyond two generations and they are based on the blood ties of a great number of persons, including children, parents, grandparents, uncles, aunts, cousins and others. They may also be constituted when the nuclear ones are separated or divorced and the children of this rupture seek support in grandparents, uncles, aunts and other relatives for their family steadiness¹⁴.

Now well, pursuant to the constitution of the family system, families are classified in:

- **Reconstituted families:** those are families that are made up after a divorce or separation. Parents start over with a new couple and they start a new co-inhabitation, not necessarily with a matrimonial bond¹⁵.

¹² Colombia, Constitutional Court Ruling C-511 o 2011

¹³ Luz de Lourdes Eguiluz, *Dinamica de la Familia: Un Enfoque Psicológico Sistémico* – Compiladora Editorial Pax de México – Librería Carlos Cesaman S. A. 2003

¹⁴ Idem

¹⁵ Idem

- **Single parent families:** those families in which the father or the mother exercises custody and rearing of the children. These are made up as consequence of divorce or separation, death or the existence of single fathers or mothers¹⁶.
- **Adoptive families:** those are families that are constituted with the parent-child relation between people who do not have it naturally. It may be of the traditional type, characterized by the couple that cannot have biological children, or of the preferential kind, made up by couples who see adoption as a choice that is independent from their fertility¹⁷.

According to gender of the persons who make up the family system we have:

- **Hetero-parental families:** families made up by couples of different sexes.
- **Homo-parental families:**¹⁸ families made up by couples of the same sex.

About adoption in Colombia

In situations in which the biological family, even with the support of the State, does not guarantee the effective enjoyment of the rights of a child or adolescent, adoption is contemplated to ensure a family scenario that is a permanent guarantor and protector, attending the best interest of the child and their fundamental right to have a family¹⁹.

Pursuant to article 61 of the Code of Childhood and Adolescence (Law 1098 of 2006) adoption is “mainly and principally, a protective measure through which, under extreme surveillance of the State, the parent-child relation is irrevocably established, between persons that do not have it naturally”²⁰, which is decreed by a competent judge through ruling.

The same Law sets forth that children and adolescents are adoptable when:

- They are declared in situation of adoptability by the Family Defender, through resolution, or by the Family Judge, when the first loses competence, through ruling.
- The Family Defender authorizes adoption, pursuant to the cases provided in Article 66 of the Code, that is, in absence of father or of the mother, not only because of their

¹⁶ Idem

¹⁷ Idem

¹⁸ Concept of homoparental family consulte don November 25th, 2015 in the electronic addresss of Universidsd Autonoma de Hidalgo <http://www.uaeh.edu.mx/scige/boletin/actopan/n1/e1.html> , María Patricia Fernández Cuevas “Realidades entorno a la familia: Familias Homoparentales y la Adopción”

¹⁹ Colombian Political Constitution. Article 44 Law 1098 of 2006 Code of Childhood and Adolescence. Article 22 Code of Childhood and Adolescence

²⁰ Law 1098 of 2006

death, but also because of a severe mental illness or psychic abnormality, certified by the National Institute of Legal Medicine and Forensic Sciences.

- Those who exercise custody state before the Family Defender their consent to give in adoption their underage son or daughter and this stands firm in the terms, requirements, and conditions provided in the Code and the jurisprudence²¹. Such consent must be free of pressure, deception, force or coercion. Also, it must have been granted with sufficient and previous information and advice on the psychosocial and legal consequences of the decision, which constitutes its civil validity and constitutional suitability, pursuant to what is set forth in article 66 of the Code²².

This situation of consent is given in the following cases: (adoption for a determined child or adolescent)

- a. Adoption of the child of the spouse or permanent companion²³:** when one of the parents has been the caregiver and allows his new spouse or permanent companion to adopt the child or adolescent. If they have been recognized by both parents, they must have the consent of both. No consent of the parent is needed regarding the one who has terminated the exercise of custody, pursuant to what is provided in the Civil Code (Judicial Ruling) and in Law 1098 of 2006 (Declaration of Adoptability).
- b. Adoption of a relative:** when both parents, or one of them, allow a relative (within the third degree of kinship and second in affinity regarding the child or adolescent) to adopt them.

Consent to an undetermined person

- **Adoption of an undetermined child or adolescent:** when one or both parents grant consent, without allowing them to decide who they grant it to.

²¹ Ruling T-510 of 2003

²² On the origin and consent for adoption, La Hague Covenant of 1993 regarding the protection of the child and cooperation in terms of international adoption, referred in articles 4, 16 and 27.

²³ Consider ruling SU 617/2014

In no case a request for adoption shall be processed if their motivation obeys to birthright²⁴ or for economic reasons such as pension, inheritance or donations that benefit the adoptee²⁵.

Also, and to guarantee the best interest of the child or adolescent, the Law sets forth the requirements that those who wish to adopt must comply with. Said requirements are comprehensive, excluding and they are estimated in the light of the constitutional principle of good faith²⁶. Notwithstanding the above, it is necessary to assess them through strict application of a set of objective elements during the process.

Suitability as a requirement demanded by the Code of Childhood and Adolescence

In the process of adoption, suitability is the set of objective elements and legal, social, cultural, psychological and medical assessments, based on scientific and technical criteria, which allow to determine whether a person or a couple has the personal and family conditions to provide a protecting environment which guarantees total development of children and adolescents in adoptability situation, in the womb of a family and the community. These assessments are based on the constitutional principle of good faith by those who wish to become parents through such process²⁷²⁸

The application of the concept of suitability depends on the administrative regulations that the Colombian Institute of Family Welfare dictates, through its Technical Guidelines of the Adoptions Program. The certificate of suitability is issued by the Adoption Committees that there are in each one of the Regionals of the ICBF (Spanish Acronym for Colombian Institute of Family Welfare) and Institutions that are Authorized to develop the Program.

²⁴ Pursuant to ruling T-587 of 1998 of the Constitutional Court, there is no rule of this order in Colombia's legal order that allows to attend a motivation to adopt grounded on birthright or that allows to apply birthright in the assignment of a family to an adoptable child or adolescent.

²⁵ Article 22 of Law 1098 of 2006 sets forth that children and adolescents may only be separated from their family when it is not a guarantor of the conditions to carry out and exercise their rights pursuant to what is provided in said law, and it stresses that in no case the economic condition of the family may lead to separation.

²⁶ Law 1437 of 2011, through which the Code of administrative procedure and administrative litigation, principle 3, paragraph 4.

²⁷ Law 1437 of 2011, through which the Code of administrative procedure and administrative litigation, principle 3, paragraph 4.

²⁸ Refer to the Format Commitment of Participation Letter and information on the assessment, selection and readiness for adoption process.

In case of families who live abroad, suitability is granted by the administrative or legal authority or Accredited Organizations regulated by the Central Authority in matters of adoption in each country.

In international adoption, the States are responsible for ensuring the objectivity, veracity and deepness of the assessment and preparation of the candidates to become adoptive parents. As a good practice, competent authorities from the State of origin of the child must review the report on the parents and guarantee that they comply with the ability and suitability required by the regulations of the country. (*Good Practices Guide No. 1. Pages 102-102*).

Colombia, as a State of origin, establishes the requirements and the regulation for adoption in its territory, it determines the reception of applications according to the profile of the children and adolescents reported to the Adoption Program and decides regarding authorization of the Accredited Organizations in the countries of reception.

Moral Suitability

It is grounded on the recognition of the human being as subject of free and voluntary actions, which behaviors are framed in a system of values. Pursuant to what is expressed in Ruling C-814 of 2001, the sufficient moral suitability to provide a proper and stable home to a child or adolescent “(...) *must be understood as referred to the notion of social moral or public moral...*”, which has the connotation of a model of society and of country, and not to personal convictions. This is, “(...) *not to the imposition of particular regulatory systems of behavior in the ethic realm...*”

The system of values that founds the model of the Colombian society is enshrined in the core, basic and universal principles of the Political Constitution. The following may be set out, among others: coexistence, justice, equality, freedom, peace, democracy, participation, pluralism, human dignity, solidarity and prevalence of general interest.

Consequently, moral suitability must guarantee that those who intend to adopt, whether Colombian or foreigners, offer the child or adolescent an environment that enables and makes comprehensive development possible according to the ethical criteria prevailing in our society.

There shall be no place for moral suitability in the following cases, among others:

- If the person, spouses or permanent companions have had convictions due to crimes against freedom, integrity or sexual formation such as: violent sexual assault, violent

sexual act, sexual assault or abusive sexual act with a minor of less than 14 or a disabled person.

- If the person, spouses or permanent companions have had convictions due to crimes against individual freedom such as: induction or stimulus to prostitution of minors, child pornography, use or facilitation of media to offer sexual services of minors.
- If the person, spouses or permanent companions have had convictions due to human trafficking.
- If the person, spouses or permanent companions have incurred in the omission of the duty of reporting the situation of abandonment of a child or adolescent, and/or their permanence at home has been allowed without promptly reporting to the competent authorities.

Moral suitability is established with the study of the psychosocial conditions, criminal background certificate and with other kind of certifications, as history of violations or minor infractions, aside from the documents that in the case that in the particular case are submitted in the process of assessment by the Family Defender or the psychosocial team that carries out the process.

Mental suitability

Mental suitability to adopt shall be established when the applicant meets the personal characteristics that indicate that they are in good mental health, has the ability to bond (safe bond) and to offer the appropriate environment, and the necessary psychosocial conditions to take over the care, responsible and permanent care of a child or adolescent with a personal history in the system of state protection.

Mental suitability is made up by the following elements according to what is established by international, national authorities, international Covenants and literature on the subject:

- a. Mental health.** The World Health Organization²⁹ defines “mental health” as a state of wellbeing in which the individual is aware of their own abilities, may face the normal tensions of life, may work in a productive and prosperous manner, and is capable of making a contribution to their community.

²⁹ <http://www.who.int/features/qa/62/es/index.html>

Mental health is expressed through behavior and interaction, in such a way that it allows subjects, individual and collective to deploy their emotional, cognitive and mental resources to go through daily life to work, establish significant relationships and contribute to the community (*Law 1616 of 2013*).

The National Academy of Medicine of Colombia³⁰ states that the psychological aspects of the adoptive parents are intrinsically connected to the minimal essential physical conditions for adoption. Likewise, it explains that mental equilibrium of adoptive persons must be totally free of any kind of mental illness that is found “in progress”. In this sense, it considers that the following are not suitable to adopt:

- People who have any kind of mental disorder.
- People who have an addiction to drugs, alcohol or any other kind of psych toxic agent.
- People who have personality disorders, permanent and incapacitating psychotic condition or non-stabilized affection disorders.
- People who have criminal antecedents with violent behaviors, of sexual abuse or pyroxenites, or who have been involved in cases of child exploitation.

Although it is true that the scope of the assessments for the Adoption Program is not to carry out therapeutic interventions for emotional, psychological, behavioral, neurological or psychiatric problems to the applicants the professional in psychology who carries it out must inquire on the background of each one of them, specifying the kind of intervention, duration of the treatment, adherence, dosages and stage of evolution of the problem, among other data. Likewise, they shall look for family antecedents on it and request the supports to the health system when these antecedents exist.

b. Ability to bond: defined by Bermejo³¹, as the human ability to establish emotional bonds, it refers to the behavior of searching and maintenance of proximity of one or more referential figures.

c. Appropriate family environment: it refers to what is stipulated by the Convention of Children’s Rights in terms of the need of a family environment that guarantees respect and conditions for the exercise of each and every right of the children and adolescents, fostering their comprehensive development. To determine it, it is necessary to enquire

³⁰ Concept issued by the National Academy of Medicine dated August 22nd, 2005, signed by Dr. Zoilo Cuellar Montoya, M.D. President.

³¹ Bermejo J. y cols (2008) Manual para la valoración de la idoneidad en la adopción internacional, Madrid, Instituto Madrileño de Administración Pública.

on the applicants for adoption aspects such as: parenting styles that they received at their homes, ability to establish rules and limits to the behavior of children and adolescents, parenting standards that they will use to educate their children, conflict resolution abilities, capacity to give and receive affection, family adjustment according and adaptive to the sociocultural environment.

d. Suitable psychosocial conditions for welcoming: it is established through the analysis of the personality traits of the applicant, expectations on adoption, motivation to adopt, attitude towards the life history of the boy or girl they are about to adopt and the elaboration of the personal life history.

The proper psychological conditions include the affective and emotional stability of the family to grant a safe home and to provide a psychological environment that allows the child or adolescent to establish and develop a balanced personality.

Equilibrium, stability and mental health of the applicant shall depend on:

- The possibility that they have had to elaborate losses and personal experiences that have generated a significant emotional impact in their life history, among others, grief for the biological child that did not come.
- The clarity they have regarding the fact of wanting to make a family through adoption (expectations), to the myths and beliefs about adoption and to the reasons that led them to making the decision of adopting.
- The attitude towards the biological family and the history of the life of the child or adolescent that they will adopt.
- The ability to generate bonds of safe attachment, to solve conflicts and to establish parenting styles, rules and limits to the behavior of children and adolescents.
- Personality traits
- Parenting styles received in their home of origin.
- Ability for family adjustment according to and adaptive in relation to the sociocultural environment.

Finally, it is worth warning that mental suitability is established based on the report of the psychological study done by the competent professional; the original profiles of the psych technical material and their respective interpretation reports; the mental health certificates

issued by the competent professional according to the national and international legislation respectively; the summaries of the medical record in cases in which they are requested; specific neurological or psychiatric certificates that mention the status of the pathology (in progress, total or partial remission), its prognosis and incidence in child rearing, and the reports of the psychological interview, questionnaires, behavior records and other valid assessment tools that are to be used during the assessment stages.

Physical suitability

In Ruling C-804 of 2009, a product of the analysis of constitutionality of the section called “*Physical Suitability*” of Article 68 of Law 1098 of 2006, the Constitutional Court retook the concept of the director of the National Academy of Medicine and mentions certain criteria to keep in mind when carrying out the assessment of this type of suitability: “*(...) physical health of adoptive persons must correspond to an acceptable situation that does not entail: serious disability, short survival, serious obstacle for the establishment of a good and stable father-son affection relation (...)*”. At the same time the legal corporation stresses that “*(...) there is a global trend towards the recognition of people with disability as subjects of rights towards a broader conception of what disability means*³²”.

In this sense, the Court, attending the best interest of the child as defining element of adoption and the statements of equality and dignity of which every human being must enjoy, indicates it is enough to reduce “*... the analysis on the abilities of a person with disability in the social life, a medical diagnosis. Thus it has been stressed that, although it is necessary in certain occasions, to determine the possibilities of a person with disabilities to function in the social life, and how it would be in this case, of developing an appropriate role of father or mother, the assessment must have a more holistic and interdisciplinary approach, in which the abilities to give love, care, protection, example and guidance of the potential father or mother are also reviewed in detail, in terms of the facilities that the environment brings to perform this task*”.

The Convention of the United Nations on the Rights of People with Disabilities³³ takes a holistic comprehension of this condition from the social model according to which, more than a functional deficiency, the physical and social barriers of the environment in which the person with disability functions must be considered, as well as the abilities, resources, tools,

³² Constitutional Court of Colombia. Judging C-804 of 2009

³³ ²The Convention on the rights of persons with disability and their facultative protocol were approved on December 13, 2006.

accessibility, affordability and possible reasonable adjustments, that allow the reduction of those obstacles.

In the adoption process, physical suitability is established according to the medical certificate issued by a dutifully registered professional, according to valid legislation. Abroad it is certified by a professional who is legally recognized by the Competent Authority in the country that is the receiver of the child or adolescent. To verify the physical conditions, a series of diagnostic tests and/or certifications that in case of illness or pathology the treating and competent professional must forward, indicating their diagnosis, life prognosis, quality of it, handling the disease and incidence in child rearing.

Social suitability

The social suitability that a person or a family has for adoption is established when they meet the individual, couple, family, social, cultural and economic conditions for that, aside from having enough competences to guarantee appropriate parenting role, aimed at providing an environment that is nurturing and guarantees the rights of the child or adolescent that arrives through adoption³⁴. At the same time, this suitability implies that the person or family can recognize the needs, characteristics, conditions and life history of the child or adolescent, ensuring their wellbeing and healthy development.

Social suitability is established from the systemic study of the psychosocial conditions of each one of the applicants, of their children (if there are any), of the members of the extended family, of the evidence of social and environment background, this being the analysis of the systems of belonging of the family³⁵.

Within the different systems, the purpose is to analyze:

- **Historical and developmental system.** *"History is a context that gives sense to the current facts; the tale is the vehicle and the context of the change, and the stages of the individual and family vital cycle are the synthesis of the family in terms of the live evolving system. The chronology of the significant events in the life of the family is included, as well as the vital cycle of the members of the family as reference of its evolution. (Bermejo,*

³⁴ Barudy, J., Dantagnan, M. (2005) Guía de la Valoración de las competencias parentales a través de la observación participante. Material de investigación. IFIV: Instituto de Formación, Investigación e Intervención sobre la Violencia Intrafamiliar y sus consecuencias. Retrieved from [http://www.verticespsicologos.com/sites/default/files/Guía.de.valoracion-de-las-competencias-parentales-a-traves-de-la-observacion-participante.pdf]

³⁵ ³¹Lineamientos Técnicos para la Inclusión y Atención de Familias – Segunda edición, diciembre de 2009.

Asalilla, & Romero, 2006). The process of analysis of the history of life and evolutionary path requires on one part, to establish the conditions and parenting style with which each one of the applicants grew up, the perception or punctuation of the applicant, that is the positioning facing the events that seem significant to them during their growing up and personal development and overall every interaction and/or relation that they consider important for the construction of their identity..."

- **Parentage system.** "Referred to the nature and history of the interaction of the members of the family, it regulates family relations and, from the legal aspect, determines duties and rights of members. The types of bindings that operate simultaneously or separately, and in a coherent or contradictory manner, in each family..."
- **Relational Dynamic System.** "It establishes the affective and instrumental interactions between family members and the correlative meanings that keep its organization and its identity..."
- **Sociocultural System.** "Family is a cultural construct, made up of social, traditional, religious and political values put into action by their members in the extent in which the composition and style of the family relation, as well as the political and religious standpoints inherent to their constitution, are all established through the cultural environment. Nevertheless, each family nucleus interprets such opinion coming from the great social system, it modifies and concretizes it, according to its own experience, in idiosyncratic patterns of relations and celebrations that determine its identity as a family. It includes the conditions relative to race, religion, social status, political group, etc...."
- **Socioeconomic System:** "It corresponds to the factors that directly affect the capacities of the family to comply with the protection and care functions of the members that make it up, to face, foresee, resist and recover from the impact of events..."
- **Topological System:** "It refers to the scenario in which the relational life of the family is deployed. To the moment, the home of coexistence has predominated as scenario, but given the great changes that continue to operate in the makeup of the family and the various forms of bonding and belonging that humans currently keep, it is considered more relevant, for effects of the intervention, to think of the bonding net, made up by the people who are emotionally and socially significant for the members of the family..."

- **Judicial System:** *“It refers to the way in which the family interacts with the judicial system that regulates its making up, the relations, duties and rights of its members among each other and with society...”³⁶*

Special considerations of the social suitability for the process of preparation, assessment and selection of adopting families

When any member of the family presents a special condition (pathology, physical or psychic sequel, older age, legal antecedent, among others) it must be assessed looking to determine the incidence of this condition in the different relations and childrearing and, thus, establish the level of affectation in the social suitability. This capacity is an indicative of the future integration and guarantee of the rights of the child or adolescent as a new member of the adopting family.

There shall be no granting of social suitability, among others, in cases of:

- Person, spouse or permanent companion that does not provide food to their biological and/or adoptive children.
- Person, spouse or permanent companion who has behavior antecedents related to domestic violence.
- Person, spouse or permanent companion who has criminal background and/or who, having served judging, may imply risk of the adoptee.
- Person, spouse or permanent companion who has incurred in breaching the rights to protection of the children and adolescents provided in article 20 of Law 2008 of 2006.

It is necessary that the Social Worker collect evidence that shall then become elements of analysis to consider whether the family and its environment may welcome the child, adolescent or siblings.

The professional prepares the social report according to the Form, recording every narrative contributions of the assessment, leaving their impressions, conclusions, recommendations and concept in it, including as appendixes the documents that provide elements of evidence, which shall affect whether to grant or not to grant the suitability of the applicants, by the members of the Adoption Committee of the ICBF Regional or of the corresponding IAPA (Spanish Acronym for Institutions Authorized for Adoption).

³⁶ Ibid. Pages 63 to 65

Age of applicants

In relation to the age of the adoptive persons, the Constitutional Court, in ruling T-360 of 2002, analyzes that when there is a broad generational gap with the child or adolescent to be adopted, relation problems arise, especially in critical periods such as adolescence.

Likewise, it is possible that he or she may have to face the illness or death of their parents during adolescence or early youth, which does not correspond to a typical developmental task for their age and with which the adolescent shall be submitted to a kind of stress which is not inherent to this stage.

Older adults who wish to adopt have advantages such as emotional maturity, confidence in terms of their goals in life, stability in their relationship as a couple and economic situation. If adoptive persons with these characteristics are the only alternative, the whole environment shall be studied in depth to make a decision regarding a possible adoption with the purpose of protecting the rights of the child or adolescent and provide them an appropriate and suitable home so they don't grow in an institution.

In said judging, the Court concluded that *"the possibility of adopting is not prohibited for older adults; decisions of that kind must keep in mind the whole set of traits that surround the situation to decide the best way of protecting the rights of the minors without a home."*

It is true that as age increases, many aspects considered core and basic for the child that is going to be incorporated do it with present and future integration guarantees, do change. Each developmental period has some needs to be satisfied, which demand from the applicant different social and psychological characteristic. Thus, in cases in which an application is presented characterized by the older age of the applicants to adoption, aside from the compliance with the constitutional and legal requirements, an interdisciplinary and comprehensive study focused on the singularity of the applicants is demanded.

The analysis of each particular situation establishes the aspects of vulnerability and generativity in the family, outstanding among others: flexibility and adaptability to new situations; knowledge of childhood and adolescence; incidence of the generational distance; possible physical limitations; health risks and shorter life expectancies.

The differential approach in the process of preparation, assessment and selection of families which are applicants to adoption.

The development of the adoption process is grounded in the best interest of the children and adolescents as guiding principle applicable by the legal and administrative authorities, as well as by the individuals in every act and decision in which their rights are compromised³⁷.

Pursuant to Article 8 of Law 1098 of 2006, the best interest is understood as “the imperative that demands that every person guarantees the integral and simultaneous satisfaction of all of their human rights, which are universal, prevalent and independent”.

In the same sense, article 9 of this Law, provides that *“in every act, decision or administrative, legal or any other kind of measure that must be adopted regarding the children or adolescents the rights of them shall prevail, especially if there is conflict between their fundamental rights with the ones of any other person. In case of conflict between two or more legal, administrative or disciplinary provisions, the most favorable rule to the best interest of the child or adolescent shall be applied”*.

In its turn, the Constitutional Court develops the constitutional concept of best interest: *“(…) it consists in recognizing a specific legal characterization to the child founded in their prevalent interests and in providing them a treatment which is equivalent to that prevalence that protects them in a special manner, that safeguards them from abuse and arbitrariness and that guarantees ‘the normal and healthy development’ of the minor from the physical, psychological, intellectual and moral standpoints and the correct evolution of their personality”*³⁸.

The court stresses that the best interest of the child or adolescent corresponds to a relational concept, since it is based on hypotheses in which there are interests in conflict *“which exercise of weighing must be guided by the protection of the rights of the minor”*. At the same time, it establishes in different rulings its characterization³⁹ and the general and specific judicial criteria

³⁷ According to what is Provided in the Political Constitution article 44; and among other international covenants, the Convention on the Rights of the Child ratified by Colombia through Law 12 articles 3-1, 9-1, 18-1 and 21; the Covenant Regarding the Protection of the Child and the Cooperation in Terms of International Adoption, approved by Colombia through Law 265 of 1996, fourth considering and article 1-a, 4-b, 16-1-d, 21, 24 and the Inter American Convention on Trafficking of Minors, incorporated to our legislation through Law 470 of 1998 when considering articles 1, 6, 11, 14.

³⁸ Among other rulings of the Constitutional Court T-514 of 1998, T-591 of 1999, T-510 of 2003, T-671 of 2010, T-844 of 2011, C-853 of 2009, C-318 of 2003, T-466 of 2006, C-318 of 2003. Constitutional Court. Ruling T-502 of June 30th, 2011

³⁹ Ruling T-408 of 1995

to determine it,⁴⁰ and it emphasizes that it must be applied considering the individual circumstances in each case and of each child or adolescent in particular.

In the case of adoption, the constitutional law⁴¹ has recognized this figure as a mechanism mainly aimed at the satisfaction of the best interest of the children and adolescents which family does not provide the necessary conditions for their development, through locating them in a suitable family nucleus: *“(...) it comes from the right to have a family and not to be separated from it which in case of the natural family does not provide the care that the minor deserves, proceeds the adoption as a way to guarantee it. Thus, those who are not biological parents contract by the ministry of the law the duties that a natural father has. In its turn, the son finds in this new not natural nucleus to which from now on shall be their family, to which they will belong and from which they shall not be separated*⁴². In this same sense, it has been stated that adoption *“(...) pursues the fundamental objective of guaranteeing the child who may not be cared for by their own parents, the right to permanently and irreversibly integrate a family nucleus”*⁴³

In terms of prevalence of the rights of the children and adolescents, the same Court has considered that one of the main manifestations of this constitutional precept is the principle of preservation of the best interest of the child⁴⁴. The constitutional rule enshrined in Article 44, reflects a principle that is widely accepted by international law⁴⁵, consisting in that the minor must be granted preferential treatment, according to their legal characterization as subject of special protection, in such a way that their integral and harmonic development as member of society.⁴⁶

On the other side, the differential part of recognizing equality as fundamental principle and the differences that in the history of the social and cultural conformation have generated gaps between groups and individuals who are discriminated that has generated conditions of inequality and subordination.

⁴⁰ Ruling T-497 of 2005

⁴¹ Ruling C-804 of 2009

⁴² Ruling T-881 of 2001 (M.P. Gerardo Monroy Cabra)

⁴³ Ruling T-587 of 1998 (M.P. Eduardo Cifuentes Muñoz)

⁴⁴ See, among others, rulings T-979 of September 13th, 2001. M.P. Jaime Córdoba Triviño, T-514 of September 21st of 1998 M.P. Jose Gregorio Hernández Galindo and T-408 of 1995 M.P. Eduardo Cifuentes Muñoz.

⁴⁵ The Convention on the Rights of the Child recognizes in its foreword that children are holders of special care and assistance, and provides in article 3-1 that in all matters regarding minors, public and private authorities shall provide priority attention to the best interests of the children. At the same time, the Declaration of the United Nations on the Rights of the Child sets forth that children, given their physical and mental immaturity, require special safeguards and care, included appropriate legal protection.

⁴⁶ Ruling T-844 of 2009.

Thus, it pretends to level the starting point conditions of the subjects who have been historically discriminated, through the implementation of affirmative actions to gain the right to equality, starting from the recognition of the abilities, potentials and resources of different populations and with disparities.

For the adoption process, considering the prevalence of the best interest of the child, the differential approach shall include **two perspectives**. The first, of the **positive disparity**, supposes the guarantee of affirmative actions, so that the children and adolescents access their right to have a family, recognizing the potential, resources, opportunities and diversity of each one of the children or adolescents, according to their belonging to groups historically discriminated, whether it is because of their ethnical, sex, gender, disability or sexual orientation.

In this sense, the application of the differential approach comes by identifying the problematics and particularities that generate discriminations and imply actions according to the specific characteristics and needs of the children, and adolescents, as follows: i) the particulars of the population to which the child or adolescent belongs to; and ii) their interests and needs, in search that the consecution of a family provides a space of care and protection, and guarantees their rights.

Second, **equality**, understood from the neutrality of the Law, that allows avoiding that the historical situations of discrimination as sex, sexual orientation, ethnic belonging and disability become a factor of exclusion in front of adoption and restrain the right of the children and adolescents to have a family, infringing the principle of their best interest.

From this second perspective, the achievement of equality does not suppose the incorporation of affirmative actions for the adoptive family, who for the sake of the best interest of the child must comply with objective criteria that guarantee the right of the children and adolescents to have a family. On the contrary, it allows, from the principle of equality and the best interest of the child, to avoid the use of social and cultural prejudices or arbitrary decisions based on social and institutional imaginaries that tolerate discrimination and disparity in the institutional acting, in the decisions of the administrative authorities at the time of defining the suitability of a family for adoption.

Thus, the differential approach regarding the adoption process that is presented next, in the central categories that must be taken into account, is divided regarding the affirmative actions before the children and adolescents; and on the other hand, the criteria to have in mind with the purpose of guaranteeing equality through objectivity in the adoption process.

Gender:

In order to understand the differential approach on gender it is necessary to understand the difference between sex and gender. In this sense, the United Nations Committee that supervises the compliance of the Convention on the Elimination of Every Form of Discrimination against Women (CEDAW) defines “sex” as the biological differences between men, women, inter-sexual (for example in terms of genitals and reproductive organs, the gonads, hormones or characteristics such as body type or voice), while the term <<gender>> refers to the socially constructed identities, functions and attributes of man and woman, and to the social and cultural meaning that is attributed to those biological differences⁴⁷.

“Gender identity is the individual experience of gender, that is, as each person experiments it deeply and individually. This may correspond or not with the assigned at the moment of birth since there is a personal experience of the body. Thus, this individual experience may take the person to modify their appearance or the body function through medical, surgical or other kind of procedures, (as long as it is freely chosen) and other gender expressions, which include the way of dressing, talking, manners, etc. Thus, there are various gender identities such as female, male, travesty, transsexual, and transgender”⁴⁸

“On the other side, sexual orientation refers to the ability that each individual has of feeling a deep affective, emotional and sexual attraction for persons of a sex different from theirs (heterosexuality), of their own sex (homosexuality) or of more than one sex (bisexuality), as well as the decision to keep intimate and sexual relations with these people. It is independent of the biological sex or of the gender identity. This is a complex context which forms change with time and differ among different cultures”⁴⁹

⁴⁷ Committee for the Elimination of Discrimination against Woman, General Recommendation No. 28 related to article 2 of the Convention for the Elimination of Every Form of Discrimination Against Women, CEDAW/C/CG/28. December 16 of 2010, paragraph 5. Taken from: Regional Office for South America of the High Commissioner of the United Nations for Human Rights – ACNUDH. Sexual orientation and gender identity in international law of the human rights. Page 2. http://www.uchile.cl/documentos/orientacion-sexual-e-identidad-de-genero_5053_1_5338.pdf (downloaded: 30/11/2015).

⁴⁸ Regional Office for South America of the High Commissioner of the United Nations for Human Rights – ACNUDH. Sexual orientation and gender identity in international law of the human rights. Page 2 http://www.uchile.cl/documentos/orientacion-sexual-e-identidad-de-genero: 5053_1_5338.pdf.

⁴⁹ Regional Office for South America of the High Commissioner of the United Nations for Human Rights – ACNUDH. Sexual orientation and gender identity in international law of the human rights. Page 3 http://www.uchile.cl/documentos/orientacion-sexual-e-identidad-de-genero: 5053_1_5338.pdf.

The Inter American Court of Human Rights has indicated that Sexual Orientation, as well as Gender Identity and Gender Expression⁵⁰ are part of the private realm of the life of people, particularly on Sexual Orientation it states that:

“Sexual Orientation constitutes a fundamental component of the private life of an individual that must be free from arbitrary and abusive interventions by the exercise of public power, in the absence of convincing and heavy weight grounds. There is a clear bond between sexual orientation and the development of identity and life plan of the individual, including their personality and their relationships with other human beings (...) The Commission reiterates that the right to privacy protects the right to determine proper identity and forming personal and family relationships based on that identity, even though it is not accepted or tolerated by the majority”⁵¹.

In this sense, it is stressed that disparity and gender discrimination has also been associated to the conception of family based in heterosexuality as the ought to be of the conformation of a couple and the family unit or the nature and normality of it. In that respect the Constitutional Court has established through judging SU-617 of 2014, C-071 of 2015 and C-683 of 2015:

1. Affirmative actions for the children and adolescents with diverse sexual orientations.

- Free development of personality.
- Respect to intimacy.
- Participation in the decision of going with an LG family.

2. Principle of equality in adoption.

According to the Ruling of the Constitutional Court C-683 of 2015: “what definitely may not be accepted is that the sexual orientation of a person be confused with their lack of suitability for adopting. And in terms of the best interest of the child, what is clear is that it must be studied on a case to case basis according to the conditions of each individual and of each potential adoptive family, with independence of the sex and sexual orientation of their members that is”. In this sense, regarding the category gender, sex, gender identity and sexual orientation, it must

⁵⁰ These categories appear described in the document Sexual Orientation, Gender Identity and Gender Expression: some terms and relevant standards Organization of American States, Inter American Commission of Human Rights 2012.

⁵¹ OEA, General Assembly, Human Rights, Sexual Orientation and Gender Identity, AG/RES. 2653 (XLIO/11) approved in the Fourth Plenary Session, held on June 7th, 2011.

be considered that in virtue of the equality and nondiscrimination principle, every person who wishes to adopt must comply with the requirements established by Law 1098 of 2006.

Etnia

The *ethnical approach* is based on the recognition of the rights of human groups with common historical, social and cultural characteristics, which are conceived as collective subjects, as well as individual subjects⁵². That is how the Political Constitution of Colombia⁵³ recognizes ethnical and cultural diversity and respects self-determination of the peoples, and states cultural equality of the Nation.

The Convention on the Rights of the Child (CRC) in article 30 establishes “the importance of traditions and cultural values for the protection and harmonious development of the child of each people”, with the purpose of avoiding discrimination, protection of collective belonging and the ethnical conception of the collective subject regarding their identity, culture and language and to practice their uses and customs.

Regarding the ethnic category, the aspects to be considered for adoption are:

1. Affirmative actions for children and adolescents with ethnic importance.

That the children and adolescents of every ethnic group enjoy the rights enshrined in the Political Constitution, the international instruments of Human Rights and the Childhood and Adolescence Code, without prejudice to the principles that govern their cultures and social organization (Article 13, Law 1098 of 2006).

2. Principle of equality in adoption

That for effects of the Adoption Program the presence and concept of the authorities of the corresponding indigenous ethnic group is needed, according to prior consultation ordered in Article 70 of Law 1098 of 2006.

⁵² ⁴Colombian Institute of Family Welfare. Differential Approach Guidelines (2013). P. 19.

⁵³ Article 7, 8, 9 and 70.

When there is a person, spouse or permanent companion member of the same indigenous community who wish to adopt a child or adolescent declared in adoptability, the adoption shall proceed according to the indigenous uses and customs.

According to the same precept, in case there is no applicant to adopt them in the community, will proceed through prior consultation with the indigenous community of origin, emphasizing on the consequences of adoption, except that in the best interest of the child or adolescent, they must be protected for reasons of child abuse or domestic violence.

Disability:

The *Convention of the Rights of People with Disabilities*⁵⁴ defines that “disability is a concept that develops and that results of the interaction between people with deficiencies and the barriers due to the attitude and the surrounding that avoid their total and effective participation in society, in conditions of equality with the others” (section E, Foreword)⁵⁵.

At the same time, said Convention establishes that the States Parties must guarantee the rights and obligations of people with disabilities regarding custody, guardianship, care, adoption of children or similar institutions, when these concepts are included in the national legislation; in every case the best interest of the child shall be safeguarded at the most. The States Parties shall provide the appropriate assistance to the persons with disabilities for the performance of their responsibilities in the rearing of the children (Article 23, number 2).

In line with the above, incorporating the differential approach of disability must allow the guidance of the families, and the family support net, with the purpose of guaranteeing the children and adolescents the right to a family, from the understanding of the disability.

Regarding the disability component, the aspects to be considered regarding families who wish to adopt are:

⁵⁴ This Convention was ratified by Colombia through law 1346 of 2009.

⁵⁵ Convention of the rights of the persons with disabilities 2006.

1. Affirmative actions for children and adolescents with disabilities.

The families shall know and be committed to comply with the special care that the adoptable children or adolescents with disabilities require.

The adopting families must provide, in a responsible manner, the resources, affordability, accessibility conditions and the reasonable adjustments to guarantee the inclusion of the adoptable children or adolescents with disabilities, which shall be done with the appropriate assistance from the State according to the Convention.

To favor inclusion and autonomy, the family and the State shall promote access to the kind of support that is necessary for the development and inclusion of the adoptable child or adolescent with disability.

2. Principle of equality in adoption.

In virtue of the right to equality and nondiscrimination⁵⁶, people may not be prevented from exercising their paternity or maternity due to a disability. This situation must consider the conditions of the qualification of the applicants, fathers or mothers with disability, and the exhaustion of every intra-family, institutional resources and of the possible social nets to preserve the family bond.

GLOSSARY

Accessibility

The degree in which every person may use an object, visit a place or access a service, regardless of their technical, cognitive or physical abilities. This aspect is indispensable

⁵⁶ Article 13, Political Constitution of Colombia. Anti-Discrimination Law

and essential, since it deals with a necessary condition to participate of all persons, regardless of the possible functional limitations that they may have.

The Convention on the Rights of People with Disabilities establishes accessibility as a right that implies the real possibility of a person to enter, transit and stay in a place, in a safe, comfortable and autonomous manner. This implies that the barriers of the physical surroundings must be suppressed⁵⁷.

Adoption

Mainly and principally, adoption is a protective measure through which, under extreme surveillance of the State, the parent-child relation is irrevocably established, between persons who do not have it by nature⁵⁸

Psychic toxic Agent⁵⁹

Any psychoactive agent that is capable of producing abnormalities in mental functioning.

Assignment of a family to a child or adolescent

The moment in which the Adoptions Committee values, aside from the capability and suitability, the eligibility of a family with the best attention resources and decides, in equality conditions, which is the adoptive family to respond to the characteristics and needs of the child or adolescent declared in adoptability and reported to the Committee, attending to their best interest and their prevailing rights⁶⁰.

Central Authority of the State Parties of La Hague Convention of 1993

La Hague Convention (Law 265 of 1996)⁶¹ explicitly indicates that every contracting State shall appoint a Central Authority to be responsible for complying with the obligations

⁵⁷ Statutory Law 1618 of 2013 through which the provisions to guarantee full exercise of the rights of the people with disability are set forth.

⁵⁸ Art. 61 Code of Childhood and Adolescence. Law 1098/2006

⁵⁹ Mediciclopedia, Diccionario Babylon 10, <http://diccionario.babylon.com/agente%20psicol%C3%xico/>, retrieved on March 20th, 2015.

⁶⁰ Article 73 of Law 1098 of 2006

⁶¹ Articles 6, 7, 8, 9, 14 to 21, and 33 of the Convention Regarding the Protection of the Child and to Cooperation in Matters of International Adoption, subscribed in La Hague, on May 29th, 1993 – Law 265 of 1996

that the Covenant imposes. Central Authorities must cooperate within them and promote collaboration within the competent Authorities of their respective States to ensure the protection of the children and adolescents and to reach the other objectives of the Convention.

Search for origins⁶²

A process carried out by ICBF upon request of adopted legal age persons who wish to have knowledge of their adoption record, of their biological family or information for their personal reassurance and establishment of their identity.

Capability⁶³

In a general sense, it is the ability that the person has, to acquire rights and to contract obligations. This may be of enjoyment or of exercise. The first of them consists in the general aptitude that every natural or legal person has, to be subject of rights and obligations and it is, without a doubt, the essential attribute of the legal personality. The capability to exercise or the legal capability, on its side, is the ability that the law recognizes to them so they can oblige themselves, without the intervention or authorization of the other. It thus implies, being able to carry out judicial businesses and intervene in the judicial commerce, without requiring to come to the other.

Thus, capability is, the general rule, and every natural person and even legal persons, have the capacity of this enjoyment. In terms of the capacity to exercise, which is one of the requirements for the validity of the declarations of will and of the judicial acts, it must be said, that, by principle, every person has it, except those who the law declares incapable.

On one side, there is the legal capacity, understood as an attribute of the legal personality, in virtue of which the subjects of right may acquire and exercise rights and obligations. But the term capacity has a much broader meaning, not legal, referring to an aptitude or material suitability to carry out certain acts, in practice. Just as it is defined

⁶² Article 76 Law 1098 of 2006.

⁶³ Articles 1502 and 1503 of the Civil Code, Rulings C-983/02, C-579/01

in this sense by the Dictionary of the Royal Academy, the term “capacity” alludes to the “aptitude, talent, quality that someone has for the good exercise of something”.

Certificate of conformity for international adoption

Document issued by ICBF’s Adoptions Sub Directorate, in the quality of Central Authority with which it certifies that all the administrative and legal acts of the adoptions made through ICBF or of the Authorized Institutions are adjusted to the rules and mechanisms set forth in Colombia for International Adoption⁶⁴.

Certificate of suitability

Document issued by the Secretary of the Adoptions Committee in which there is record that the family applying for adoption meets the suitability requirements set forth in the Law⁶⁵. Substantial requirement for the legal process.

Certificate of integration

Document issued by the Secretary of the Adoptions Committee, based on the report of the psychosocial team, which is a substantial requirement for the legal process.⁶⁶⁷ The Certificate of Integration, serves as material evidence in the process as guarantee that the first stages of adaptation between the child and adolescent and their adoptive family have gone favorably.

Adoptions Committee

Instance of the Regionals of the ICBF or of the Authorized Institutions to develop the Adoption Program, competent to decide on the suitability of the applicants of adoptions residing in Colombia and to make the assignment of the suitable families for the

⁶⁴ Art. 23, of the Covenant regarding the protection of children and to cooperation in terms of international adoption, subscribed in La Hague, on May 29th, 1993.

⁶⁵ Articles 68, 73 and 124-5 Law 1098 of 2006

⁶⁶ Article 124-5 Law 1098 of 2006

⁶⁷ For the case of the IAPAS, the certificate shall be issued by the Family Defender assigned to the IAPA.

children, and adolescents with resolved legal situation to be adopted (declared in situation of adoptability, by consent or by authorization of the Family Defender)⁶⁸.

Professional concept

Conclusion issued by a professional from their knowledge and expertise about a specific topic. In the adoption process, each professional must provide enough technical elements to contribute to the comprehensive concept of suitability of the family, which constitute in input for the decision of the Adoptions Committee.

Spouse

Defined within the context of article 113 of the Colombian Civil Code⁶⁹, which indicates: “matrimony is a solemn contract through which a man and a woman... are joined with the purpose of living together, to procreate and to assist each other”.

Permanent companion

Defined within the context of article 1 of Law 54 of 1990: “From this Law and for all legal effects, the bond between a man and a woman, who, without being married, are part of a community of permanent and singular life is named Common Law Marriage⁷⁰.

Right to have a family

Every child and adolescent has the recognized constitutional right to have and to grow in the womb of a family, to be embraced and not to be expelled from it. They may only be separated from the family when it does not guarantee the conditions for carrying out and exercising their rights⁷¹. Through the family, other constitutional rights are materialized, access to care, love, education and to the minimum material conditions to develop in an appropriate and comprehensive manner⁷².

⁶⁸ Article 73 Law 1098 of 2006.

⁶⁹ The expressions of this article were declared feasible through ruling of the Constitutional Court C-577/2011).

⁷⁰ The expression “a man and a woman” was declared FEASIBLE by the charges analyzed by the Constitutional Court through Ruling C-071-15, pursuant to Press Release of February 18th, 2015, Proposing Magistrate Dr. Jorge Ivan Palacio Palacio, and it was declared CONDITIONALLY FEASIBLE, by the charges analyzed, by the Constitutional Court through Ruling C-683-15 pursuant to Press Release of November 4th, 2015, Proposing Magistrate Dr. Jorge Ivan Palacio, “under the understanding that, in virtue of the best interest of the child, within its realm of application, couples of the same sex that conform a family are also included”.

⁷¹ Art. 22 Code of Childhood and Adolescence

⁷² Rulings of the Constitutional Court T- 502 of 2011, T-671 of 2010, SU-225 of 1998.

Constitutional Right to Adopt

The adoption measure responds to the protection of the rights and interests of the children and adolescents within the legal and administrative processes foreseen in the Law, under the responsibility of the Family Defenders' Offices, and there is no "constitutional right to adopt"⁷³, as a justification of any de facto process or right in this matter.

Eco map

It is the map of the social interactions of each one of the family members and of it, as a whole. It is designed with international conventions, based on a big circle that contains the basic genogram of the family, and outside the circle, there are small circles with the external systems (school, work, friends, health system, boyfriends, girlfriends, among others), and through lines and arrows of exchange of energy, the intensity and nature of the interaction is established⁷⁴

Encounter

Intimate moment in which the child or adolescent and the adopting family meet for the first time.

Interview

An act of oral communication that is established between two or more persons (the interviewer and the interviewed), with the purpose of getting information or an opinion from someone⁷⁵. Despite the definition of the indicated author mentions orality, it is important to mention that during it, the interviewer must observe the verbal and nonverbal behavior in the context of what is inquired.

⁷³ Rulings C-587 of 1998, C – 093 of 2001 and T-746 of 2005.

⁷⁴ Quintero, Angela María. Pruebas Psicosociales en Derecho, Adolescencia, Infancia y Familia. 2006. Page 49.

⁷⁵ Materiales de Lengua y Literatura, Ana Romero y Lourdes Domenech.

<http://www.materialesdelengua.org/CREDITOS/creditos.htm>

State of origin

State of origin and where the child or adolescent with declaration of adoptability is located. La Hague Convention sets forth in Article 4 that the State of origin is the one that determines the adoptability of the child that resides within it⁷⁶.

State of reception

State of domicile of the applicants of adoption who shall guarantee the child or adolescent their rights, among them to acquire the citizenship and permanent residence in their territory⁷⁷.

Assessment

Set of measurement, qualification, and appraisal activities, qualitative or quantitative, that consists in determining if the persons who wish to adopt have the necessary conditions for it, such as: motivation, attitude, abilities, psychological characteristics, social environment, mental and physical health, family antecedents, personal history, family functioning and expectations. The assessment allows determining if these conditions are congruent with the needs of the children and adolescents with declaration of adoptability or if they constitute a risk for its integration and adaptation⁷⁸.

Genogram

The genogram is a tool that offers information for the analysis of the family and emotional structure through time. It reflects the family members of the nuclear family and their related (in laws, cousins, grandparents, etc.) their relations, family events, behaviors patterns, alliances, etc. With a summary of the family situation, problems and the most relevant facts at least in three generations⁷⁹.

Adoptions Report (Social or psychosocial)

⁷⁶ Covenant regarding the protection of the child and the cooperation in terms of international adoption, subscribed in La Hague on May 29th, 1993.

⁷⁷ Covenant regarding the protection of the child and the cooperation in terms of international adoption, subscribed in La Hague on May 29th, 1993.

⁷⁸ Manual para la valoración de idoneidad en adopción internacional, Instituto Madrileño del Menor y la Familia. Adoptions Department 2006.

⁷⁹ Lazaro, Santa., et al. Aprendiendo la Práctica del Trabajo Social. Ed. Universidad Pontificia Comillas 2007. Page 133.

Technical document contained in the administrative acts, which reflects private aspects and has an expertise character, of knowledge for what is relevant within the Adoptions Program and the related administrative actions. It compiles aspects studied and it issues a proposal of pre-concept on the suitability of the family in the area assessed by each professional. It must be concrete, clear, deep, organized (coherent structure), congruent and objective.

Comprehensive report

Technical multidisciplinary document that collects the information of each child and adolescent with their identification data, the administrative act that declares them as adoptable, some social aspects, personal social evolution and the physical and mental health state, photographs and videos, as well as the specific needs of the child or adolescent who enters the Adoption Program.

Authorized Institution to develop the Adoption Program in Colombia

Private, non-profit organization, with operating license issued by ICBF and authorized pursuant to Law 1098 of 2006 to develop the Adoptions Program with Colombian and foreign families residing in Colombia or abroad⁸⁰. This institution is submitted to the legal regulations and to compliance with the application of the Technical Guidelines.

Integration

Set of mutual adaptation, accommodation and affective bonding activities between the child or adolescent and the adopting family.

Child or adolescent with special needs and characteristics⁸¹

They are the ones who present some of the following conditions and consequently their chances of getting an adoptive family decrease:

⁸⁰ Articles 62 and 73 of Law 1098 of 2006.

⁸¹ For Colombia, children and adolescents of special characteristics and needs are those for whom, given their profile, it is difficult to get a Colombian or a foreign family.

- Is ten (10) years old or older.
- Belongs to a siblings group of two or more, in which one of them is ten (10) or older.
- Belongs to a group of three or more siblings.
- Has any age, and presents certain permanent disability (consider the classification set forth in the paragraph of step 15, Special considerations to classify and the kinds and degrees of disability in the Comprehensive Report).
- Has any age and has certain chronic serious illness or condition that requires specialized attention by the health system. For example, cerebral palsy, moderate mental delay, serious or severe, hydrocephalic, microcephalia, HIV, club foot, developmental delay, respiratory problems, cleft palate, hypothyroidism, congenital heart disease, congenital syphilis, deafness, sequels of sexual abuse, severe behavior or learning problems, overall developmental disorders, among others.

Accredited organization

Public or private entity that has complied with the accreditation process pursuant to articles 10 and 11 of La Hague Convention in terms of Protection and regarding Cooperation in International Adoption, that complies with any additional criteria imposed by the country that issues the accreditation and that exercises certain functions of the Convention in the place of, or jointly with, the Central Authority. In Colombia, ICBF as Central Authority in terms of adoption, is responsible for granting and renewing authorization to provide international adoption services, which is subject to the need of the service⁸².

Preparation of the family

Set of activities aimed at accompanying the requesting adoption family in building their own project and in the identification of the characteristics, difficulties and potentials that they have for this. This is grounded in the fact that the family is not obliged to

⁸² Resolutions 3566 and 3899 of 2010 internal regulation for authorization to Accredited Organizations that provide International Adoption Services in Colombia.

previously know the challenges, difficulties and commitments that they acquire when adopting and it aims at creating awareness facing the needs of the adoptable children and adolescents, generating the insight that allows them to assess themselves, be firm on the decision of continuing or dropping the process, redefining the sense and implications of adoption as the possibility of living a matter of love within the family, rescuing the role of both parent figures before the request. It also intends to prevent that nonapproved families due to lack of preparation become plaintiffs of illegal custody of minors.

Preparation of the child or adolescent

Set of activities intended to prepare the child so that their coming to their new family be the least traumatic and to facilitate their adaptation to the new situation with the least emotional cost. Thus, the importance of carrying out a broad, appropriate and responsible preparation, which begins when that the child enters protective services. The process of preparing the child or adolescent for adoption, regardless of age, involves several stages that may vary one from the other and be overlapped.

Procedure for Adoption Families Residing in Colombia. Procedure for Adoption Families Residing Abroad

Set of articulated activities that those who wish to be parents through adoption must comply, in the administrative and legal stages provided by the Law⁸³.

Psychological Tests

They are essentially defined as standardized and objective measures of a sample of the behavior or psychological functioning of a subject. Their diagnostic value or their predictive value depends on the degree with which such tools are good for indicators of an area of behavior or of mental functioning⁸⁴. These tests must be used by professionals

⁸³ Art. 61, 73, 124 and 126 of Law 1098 of 2006

⁸⁴ Alvarado, Bestene, J. (2003) Introducción a la Clínica. Centro Editorial Javeriano. C. Biblioteca Profesional. Bogotá

with degrees in psychology with the necessary training and expertise for their application, grading and interpreting.

Social Net

The social net construct is consolidated in the systemic approach, who according to Bateson (cited by Alvarado) states that the borders of the person are not limited by their skin but they also include everything with which they interact (family, physical environment, etc.). He also adds that the borders of the meaningful system of the person are not only limited to the nuclear or extended family, but that the set of interpersonal bonds of the subject also intervene. A Systemic evolutionary vision of the family and of the meaningful social net that surrounds it, perceives the family net as a fluid system of not very defined borders in constant evolution, to which the persons incorporate when they are born and which they abandon when they die⁸⁵.

Residence

The Dictionary of the Spanish Royal Academy defines residence as “action or effect of residing or a place in which one resides” and residing as: “permanently being in a place, personally attending a determined place for reasons of work, dignity or benefit, exercising it”.

In Article 84, the Civil Code indicates that *“the mere residence shall act as civil domicile regarding the persons who did not have civil domicile in another place”*.

The residency of the foreigners that are in Colombia is regulated by the valid rules in terms of migration⁸⁶.

⁸⁵ Clemente, M. Redes sociales de apoyo en relación al proceso de envejecimiento humano. Revisión bibliográfica. Rv. Interdisciplinaria. Centro Interamericano de Investigaciones Psicológicas y Ciencias Afines. Argentina Vol. 20. 2003. Page 34

⁸⁶ Decree 2107/2001, Decree 4000/2004, Decree 834/2013. Resolution 4130/2013

Post- Adoption Follow Up

Set of psychosocial accompaniment activities to the adopting family, with the purpose of verifying the adaptation and family, social and cultural integration of the child or adolescent in guarantee of their rights. It is not intended to judge, supervise, assess the parent function, nor to infringe its intimacy, but to accompany and to support⁸⁷.

Selection of the adoptive family to be assigned to the child or adolescent

Stage in which the Adoptions Committee decides which is the family that must be assigned to the child or adolescent given that they meet the conditions that fit their needs and that guarantee the reestablishment of their rights, in strict compliance with articles 71 and 73 of the Code of Childhood and Adolescence, leaving record in the minutes of the Committee on the motivation of their decision of assignment. It is made from the comprehensive analysis and assessment of the characteristics and conditions of the requesting families in the waiting list (with approved suitability).

Workshop

Strategy for participation and learning, led by the psychosocial professionals of the Family Defender's Offices and the assessment teams of the IAPAS, to which the adoption applicants are called, in which there is a space and time for coexistence, reflection and conceptualizing, as well as the synthesis of the thinking, feeling and doing. Through different techniques, the participants in the workshop converge in thought, feeling and action, and they may turn this scenario into the place of bonding, participation, communication and social production of objects, facts and knowledge.

Administrative Process of Adoption

Set of activities through which the necessary diligences to start the adoption process are carried out before the ICBF or before the Authorized Institutions to develop the

⁸⁷ Number c) of art. 9, of Law 265 of 1996, number 1 of article 125 of Law 1098 of 2006.

Adoption Program (IAPAS). It includes the presentation of the request, accreditation of the suitability of the adopters, assignment of the adopter to a child or adolescent, the meeting and integration stages, and post-adoption follow up, the latter after the legal process⁸⁸.

Legal Process of Adoption⁸⁹

Set of activities through which, through a proxy, the suit before the Family Judge of the jurisdiction corresponding to the person or institution that is responsible for the child or adolescent, is presented⁹⁰ with the purpose of uttering the ruling that decrees the adoption, which must be personally notified at least to one of the adopters to be executed.

Once executed, this ruling shall produce all the rights and obligations relevant to the parent-child relation. The document must contain all the necessary data so that its inscription in the civil registry constitutes the birth certificate and replaces the one of origin, which shall be annulled. In the ruling the names of the biological parents shall be omitted, if they were known.

International Adoption Process⁹¹

Corresponds to the activities aimed at preparing, assessing and selecting the adoption applicants residing abroad. These activities are carried out by professionals of the Central Authority or of the internationally Accredited Organizations and authorized in Colombia. The process is governed by the international treaties and covenants ratified by Colombia and in it the States of origin and of reception intervene.

Law 1098 of 2006, in articles 71 and 73 orders the priority for Colombian adopters⁹². On this regard, the La Hague Convention Committee regarding the protection of the child

⁸⁸ Articles 61 to 78 Law 1098 of 2006

⁸⁹ Articles 124 to 126 Law 1098 of 2006

⁹⁰ Subsidiary before the civil judge of the Circuit, Civil Municipal

⁹¹ Articles 62, 68, 71, 72 and 78 Law 1098 of 2006

⁹² The Constitutional Court, through ruling C-104 of 2016 acknowledged the constitutionality of this priority when declaring feasible articles 71 and 73 of Law 1098 of 2006.

and cooperation in matters of international adoption has confirmed that “(...) international adoption may only take place after having appropriately examined the possibilities of placing a child in their State of origin”.

National Adoption Process

It corresponds to the activities aimed at preparation, assessment and selection of the adoption applicants residing in Colombia. These activities are carried out by ICBF professionals or those of the Institutions Authorized to develop the Adoption Process⁹³.

Comprehensive valuation of the child or adolescent

Activities through which actions are developed to determine the current situation of the adoptable child or adolescent at medical, psychological and nutritional levels, that shows the characteristics and special needs with the purpose of pinpointing their diagnosis and be able to link them to an adopting family or to an affective figure.

Home visit

A technique that is the responsibility of social service that is applied at the home of the applicant for adoption, through the interview and observation, with diagnostic and intervention purposes, with the purpose of linking the analysis to the socio family system.

⁹³ Articles 17 to 78 Law 1098 of 2006

CHAPTER II

REGULATORY FRAMEWORK

It is the valid rules that govern the legal institution of adoption and the Adoptions Program.

RULE OR JURISPRUDENCE	ARTICLE OR CONTENT
International Convention of Children's Rights	Articles 20 and 21
La Hague Convention in matters of Protection and Cooperation on International Adoption	All the articles
Colombian Political Constitution	Foreword, articles 2, 4, 5, 7, 133, 14, 15, 16, 18, 29, 42, 44, 45 and 100.
Colombian Civil Code	Articles 50, 73 to 84 and 307
Law 7 of 1979 through which the rules for the protection of childhood are dictated, the National Family Welfare System is established, the Colombian Institute of Family Welfare is recognized and other provisions are dictated	Article 21, paragraphs 7, 8, 13 and 14.
Law 12 of 1991 through which the Convention of Children's Rights is approved, adopted by the United Nations General Assembly on November 20 th , 1989.	All the articles, stressing on articles 3, 20 and 21
Law 265 of 1996 through which the Covenant related to the Protection of Children and Cooperation in matters of International Adoption, approved in La Hague during the 17 th session of the Conference of Private International Law, on May 29 th , 1993.	All the articles.

RULE OR JURISPRUDENCE	ARTICLE OR CONTENT
Law 1098 of 2006 through which the Code of Childhood and Adolescence is approved	Articles 1, 2, 7, 8, 9, 20, 22, 26, 31, 33, 34, 47-1, 53-5, 61 to 78, 82-14 and 15, 107, 108, 110, 119 and 123 to 128 that especially regulate what is related to the concept of overall protection, and with adoption specifically.
Law 1437 of 2011. Code of Administrative Procedure and Administrative Litigation	Articles regarding Administrative Acts in the Framework of competence of ICBF.
Law 43 of 1993. Through which the rules regarding the acquisition, waiver, loss and recovery of the Colombian citizenship are set forth, it is developed in paragraph 7 of article 40 of the Political Constitution and other provisions are dictated.	Partially amended by Law 62 of 2005
Decree 2388 of 1979, Regulatory Law 7 of 1979	Articles 57, 58, 81,82 and 83
Decree 2263 of 1991 through which Agreement 17 of August 6 th of 1991 issued by the board of directors of ICBF and through which granting of operating licenses to the institutions that develop the Adoption Program is regulated, as well as the supervision and advise by ICBF to said institutions is approved.	Valid articles. (1, 2, 3, 6, 7, 9, 10, 11 and 12). Article 4 amended by Decree 224/96 and 5 is partially derogated by Law 1098/2006.
Decree 2241 of 2001 through which the provision on issuing visas, control and regulation of	Articles related to visas to diplomats

foreigners are dictated, and other provisions in terms of immigration are dictated.	
Decree 4000 of 2004 through which the provision on issuing visas, control of foreigners and others in matters of migration are dictated.	Valid articles

RULE OR JURISPRUDENCE	ARTICLE OR CONTENT
Decree 987 of 2012 through which the structure of the Colombian Institute of Family Welfare Cecilia De la Fuente de Lleras is modified and the functions of its dependencies are determined.	Article 41. Functions of the Adoptions Sub Directorate
Decree 834 of 2013 that sets forth the provisions in migration matters of the Republic of Colombia	All the articles
Decree 1067 of 2015. Through which the Only Regulatory Decree of the Administrative Sector of Foreign Affairs is issued.	Amended in some parts by 1743 of 2015
Decree 1069 of 2015. Through which the only regulatory decree of the legal system and law is issued	Especially regarding articles 2.2.4.9.2.3 and in aspects regarding section 2 of Chapter 9.
ICBF Resolution 2660 of 2009 through which it is modified and the Technical Guidelines of the Adoptions Program is added, approved through Resolution No. 2310 of September 19 th , 2007, amended and added through resolutions No. 2691 from October 17 th , 2007, No. 2550 from June 18 th , 2008 and No. 4694 from October 31 st , 2008, and other provisions are dictated.	Valid set of articles on the functions of the legal representatives of the accredited and authorized organisms to develop the Adoptions Program and the penalty system.
ICBF Resolution 3899 of 2010 through which the special regime to grant, recognize, suspend, renew and cancel the legal personalities and operating licenses to the Institutions of the National System of Family Welfare that provide comprehensive protective services and to authorize the accredited organizations to develop the International Adoption Program is set forth.	All the set of articles except article 19-5
ICBF Resolution 3566 of 2010 through which the Technical Committee for Authorization of the Colombian Institute of Family Welfare- Cecilia De la Fuente de Lleras is recognized and a resolution is derogated.	All the set of articles
ICBF Resolution 5068 of 2010 through which the Inspection, Surveillance and Control Committee to public or private establishments that carry out programs for childhood and family, of the Colombian Institute of Family Welfare, is created.	All the set of articles.

RULE OR JURISPRUDENCE	ARTICLE OR CONTENT
ICBF Resolution 1000 of 2011 through which the structure of the National Adoptions' Consulting Committee is structured in the General Directorate of the Colombian Institute of Family Welfare – Cecilia De la Fuente de Lleras	All the set of articles.

ICBF Resolution 050 of 2013 through which the additional requirements to contract the execution of the strategy “Vacations Abroad”, “Vacations in Colombia” and “ Super Friend. International” are set forth, and the costs for its execution.	All the set of articles.
Resolution 4130 of 2013 through which the requirements for each and every kind of visa contemplated on Decree 834 from April 24 th , 2013 (Colombia Migration) are adopted.	Set of articles on issuing visas, foreigners control, and other provisions in matters of migration.
ICBF Resolution 3792 of June 12 th , 2015, in continuity with Resolution 4274 of 2013 on the decisions adopted regarding the development of the Adoptions Program in ICBF and IAPAS to Develop the Adoptions Program	Set of articles related to the suspension of the reception of requests of foreign families residing abroad for healthy children between 0 and six (6) years of age.
ICBF Resolution 5503 of 2013 through which Resolution 4274 of June 6 th of 2013 is amended.	All the set of articles.
Resolution 5512 of 2015, Ministry of Foreign Affairs	Classification and kinds of visas.
ICBF Resolution 1100 of 2015, through which the Contracting Manual is issued.	All the set of articles
Newsletter 152 of 2010, National Director of the Civil Status, National Registry of the Civil Status	Subscriptions to Birth Certificates related to the adoption process.
Newsletter 054 of 2013, National Registry of the Civil Status	About compliance with Article 115 of Decree 1260, on issuing copies of birth certificate without legitimate reason and its effect on the right to intimacy.

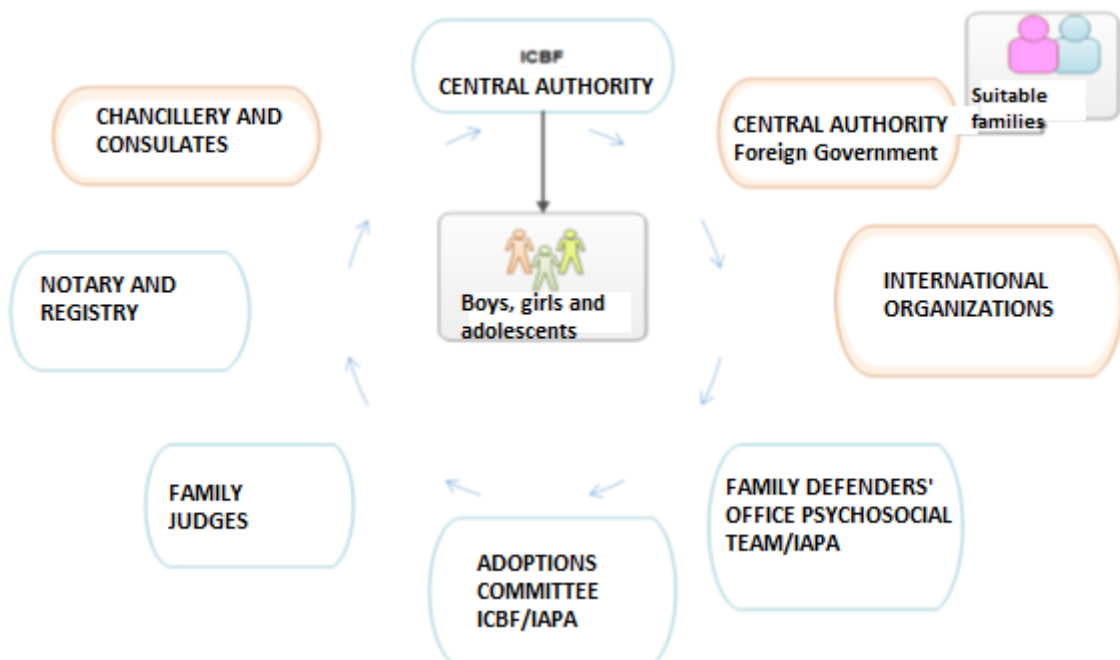
RULE OR JURISPRUDENCE	ARTICLE OR CONTENT
Constitutional Court Jurisprudence	Among other rulings: C-477/99, C-814/01, C-814/01, C-383/96, C-1287/01, C-093/01, C-452/05, C-477/99, C-562/95, C-093/01, C-477/99, C-814/01, C-1287/01, C-482/03, C-562/95, C-383/96, C-620/03, C-740/03, C-562/95, C-383/96, C-620/03, C-740/00, C-1287/01, C-063/02, C-891/02, C-1287/01, C-804/04, SU-225/98, C-804/09, C-710/12, SU-617/14, C-071/15, SU-696/15, C-071/15, C-683/15, T-119 of 2016, C-104 of 2016.
Rulings of Reference in actions of injunction for the protection of fundamental rights (Tutela)	T-217/94, T-587/98, T-510/03, T-523/92, T-283/94, T-497/05, T-182/96, T-752/98, T-844/11, T-101/93, T-278/94, T-360/02, T-290/95, T-543/04, T-746/05, T-587/98, T-746/05, T-030/00, T-543/04, T-360/02, T-746/05, T-746/05, T-087/04, T-941/99, T-587/98, T-587/98, C-746/05, T-746/05, T-587/98, T-209/02, T-587/98, T-209/02, T-746/05, T-129/15
Jurisprudence of the Supreme Court of Justice	Ruling No. 81 from June 13 th , 1991.

CHAPTER III

DESCRIPTION AND GENERALITIES OF THE ADOPTIONS PROGRAM

The Adoptions Program is the set of strategies, activities, and actors that, in an articulated manner, have the purpose of reestablishing the right of the child or adolescent to have a family through adoption, in the framework of the valid national and international regulations.

The Colombian Institute of Family Welfare is the Central Authority in terms of adoption in Colombia. Pursuant to what is provided in the Law, and in these Technical Guidelines, the Institute executes the Program jointly with other actors, represented in the following graphic:



Object population of the Program

- Children and adolescents with resolution of declaration of adoptability, resolution of authorization for adoption or consent in firm for adoption, presented to the Adoptions Committee.
- Colombian or foreign families who are applicants for adoption.
- Families with an affective bond with a child or adolescent with special needs or characteristics⁹⁴ and defined legal situation for adoption⁹⁵.

General objective of the Program

To guarantee the children or adolescents who have defined legal situation for adoption, the reestablishment of the right to have a family.

Specific Objectives of the Program

- To link the adoptable children or adolescents to the Adoption Program, through submission of their Attention Record to the Adoptions Committee.
- To select suitable adopting families that guarantee the rights of children and adolescents.
- To foster the development of a safe bond between the family and the child or adolescent, starting from the preparation, meeting and integration prior to the adoption.
- To develop strategies for the creation and strengthening of affective bonds that make family embracement possible for the children and adolescents.
- To verify that the adopting family is guarantor of the rights of the child or adolescent, through post-adoption follow up.

Beneficiaries of the Program

The children and adolescents that may be legally deemed as adoptable (through an administrative or legal action) are the beneficiaries of the Adoption Program.

⁹⁴ Those are children and adolescents to whom it has not been possible to guarantee their right to have a family, because they have one or several of the following characteristics and special needs: they belong to groups of three (3) or more siblings; they are part of groups of two (2) siblings, one of them older than 10; being 10 or older; having some physical or mental disability; having a chronic serious disease, that demands more specialized attention of the health system (HIV, heart, kidney, among others).

⁹⁵ With resolution of declaration of adoptability, resolution of authorization for adoption or consent in firm for adoption.

In the strategies for the creation and strengthening of affective bonds that make family embracement possible, the children and adolescents that present special characteristics and needs are a priority.

The families that meet the legal and technical requirements to be parents through adoption are also beneficiaries.

Operating criteria of the Program

Being a public service of comprehensive protection, ICBF, the IAPAS⁹⁶ and the Accredited and Authorized Organizations are responsible for:

- Guaranteeing that the applications or the persons, spouses or permanent companions who wish to adopt and meet the legal requirements to do it are received, assessed and totally integrated into ICBF's Missional Information System (SIM)⁹⁷ (ICBF-IAPAS).
- To develop strategies for the promotion of adoption and for the search of affective figures for the children and adolescents with special characteristics and needs (ICBF – IAPAS – Accredited Organizations).
- To guarantee that the decisions that are made within the Adoption Program respond to what is set forth in the covenants, international treaties, legislation, jurisprudence and other valid legal provisions.
- To safeguard so that the decisions that are made within the Adoption Program respond to the best interest of the child or adolescent.

The three operation levels at ICBF

At ICBF operativity is developed in three levels:

- **National Level – General Directorate – Adoptions Sub Directorate.** In the quality of Central Authority, it is responsible for directing and coordinating the organization and development of the Adoptions Program, at national and international levels, as well as of receiving, analyzing and endorsing the

⁹⁶ Currently, there are eight (8) IAPAS in Colombia. In **Bogotá**: Fundación FANA, Fundación CRAN, Asociación Ayúdame, Fundación Casa de la Madre y el Niño, Fundación Los Pisingos. In **Medellín**: Corporación Casa de María y el Niño, Fundación Casita de San Nicolás. In **Cali**: Fundación Bambi Chiquitines.

⁹⁷ When the request is about information and guidance, it shall be recorded in the citizen service module. If the request is of filing of documents the request is created in the Adoptions Module. The documents received at IAPAS shall be entered directly to the Adoptions Module.

suitability of the applicant families for adoption, Colombian or foreign, residents abroad and of making up the waiting list.

- **Regional Level – Adoptions Committee.** This instance is responsible for selecting the Colombian or foreign families residing in Colombia, as well as their assignment to the children and adolescents who are feasible of being adopted.
- **Zonal Level – Family Defender’s Offices.** They are the ones responsible for the Administrative Process of Reestablishment of Rights in which the adoptability of the children and adolescents is declared, as well as the route for choosing the families in adoption requests of spouse, kinship and legalization, when this process is delegated by the administrative organization of ICBF’s regional.

At the Institutions Authorized to develop Adoption Programs (IAPAS), the operation is developed through the Adoptions Committee, as the instance responsible for assessing and selecting the families residing in Colombia and their assignment to the adoptable children and adolescents. This committee is also the one responsible for receiving, analyzing and requesting endorsement of the suitability of the Colombian and foreign applicant families residing abroad and of their assignment to the children or adolescent with declaration of adoptability.

General considerations of the adoptions program

Age ranges of the applicants

In order to facilitate the process carried out in the Adoptions Committee of the ICBF Regionals and Authorized Institutions to Develop Adoption Program (IAPAS), the following are the age ranges⁹⁸ and considerations for the analysis of some specific situations:

1. Age ranges for Colombians individuals, spouses or permanent companions and foreign spouses or permanent companions for children WITHOUT special needs or characteristics:

Age of the child	Group of two (2) siblings	Age of the applicants
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⁹⁸ Explanatory note: consider Resolution 3792 of June 12 of 2015, that gives continuity to Resolution 4274 of June 6th of 2013.

0 to 4 years (Understood from 0 to 59 months old)	Of which the eldest is between 0 and 6 years and 11 months old	25 to 45 years old
5 to 9 years (Understood from 60 months to 9 years 11 months old)	Of which the eldest is between 7 and 9 years and 11 months old	46 to 50 years old

The age range of the child for individuals, spouses or permanent companions residing in Colombia is determined by the Adoptions Committee of the Regional or IAPA at the time of approval of their application for adoption, while for foreigners it will be done by the Adoptions Sub Directorate at the time of the endorsement.

2. Update of the initially granted preselection by the respective Adoptions Committee, or the Adoptions Sub Directorate

From this Guidelines, the modification of preselection initially granted by the respective Adoptions Committee, or the Adoptions Sub Directorate, applicants who are over forty-five (45), shall be reviewed and updated every five (5) years, counting from the granting or endorsement of suitability.

The change in preselection requires preparation of the family for the new age range of the children or adolescents of the updated preselection, for which the respective reports shall be prepared which must be provided within the three (3) months following the receipt of the respective communication that reports the updating of the preselection. Once this term is due, without the reception of said reports, the waiver of the application of adoption shall proceed. Said update shall imply the continuity of the process of application for adoption pursuant to this Guidelines. It shall be deemed that at the time of the assignment, for the children WITHOUT special characteristics and needs, the age difference of any of the applicants with the child or children to be adopted does not exceed forty-five (45) years of age.

3. Requests in which the members of the couple are in different age intervals regarding the preselection to grant

When one member of the couple is in the first age range and one in the second, each case will be reviewed by Committee from the ICBF Regional or the IAPA, or the Adoptions Sub Directorate, considering that the age difference of each one of the applicants with respect to the child or children does not exceed 45 years of age.

4. Preselection for applicants over 50

For people, spouses or permanent companions over 50, the preselection and preparation must be focused to children and adolescents from 10 years of age, taking into consideration the following criteria:

5. Other special situations

a. Application of NON-Colombian single person or single parent, resident or not in the national territory: regardless of the age of the applicant, it only applies for the adoption of children or adolescents WITH special characteristics and needs⁹⁹. In this case, it must be considered that at the time of assignment, the age difference between the adoptive parent and each of the children is no more than 45 years.

b. Application from persons, spouses or permanent companions with age differences¹⁰⁰: in those cases, in which the age difference between applicants exceeds the interval set forth in the age ranges chart (one or both applicants is more than 50 years old) pre-selection and matching will be made considering that the age difference between the oldest of the applicants and the child does not exceed 45 years. For preselection, no member of the couple may be over 45 years of age difference with the children to adopt.

In the case of two or more siblings, the age difference of age of the oldest of the applicants at the time of the approval and matching should NOT exceed 45 years, with respect to the age of children and adolescents. That is, the decision will take into account the age of the youngest child to adopt not only the age of the older sibling.

The above measure intends foster a greater number of children with a possibility of a family and the active participation of both applicants at different stages of the life cycle of the child or adolescent, analyzing factors such tending to a distribution of activities in parenting, regardless of who has the lead, and that the child may have the presence and support of both parents for the longest time of their lives, according to their profile and needs.

⁹⁹ Pursuant to what is set forth by Resolution 4274 of 2013, which term was extended by Resolution 3792 of 2015.

¹⁰⁰ The particular situations in terms of age range of the applicants contained in numbers b, c and d apply for Colombians and foreigners, residing or not in our country.

c. Applicants with children for those cases in which the request is addressed to children without special characteristics: when there are biological children in the couple or in the family or from previous adoptions, at the time of preselection and match not only the age of the children or adolescents at home shall be analyzed, but also the criteria of age set forth above, that is, differences of no more than 45 years between the eldest of the applicants and the minor of the children to be adopted.

d. Requests for children or adolescents with special characteristics and needs: for this case, the 45-year difference between the child and the adoptive family may be more flexible UP TO FIVE (5) MORE YEARS, considering that the technical preselection and match criteria are not opposed to the principle of the best interest of the child, having to be consigned and dutifully supported in the assignment minutes¹⁰¹.

Those cases that do not fit into this consideration must be analyzed by the professionals of the Adoptions Committee or the Adoptions Sub Directorate, considering the best interest of the child or adolescent, their characteristics, special needs, and the bonds that are there when there are groups of siblings.

e. For the cases of adoption of a determined child or adolescent, the age ranges are not applicable pursuant to the content of Article 68 of the Code of Childhood and Adolescence. The assignment criteria shall be governed based on the best interest of the child.

Regional Adoptions Committees

The Regional Adoptions Committee is made up by the Regional Director or their delegate, a social worker, a psychologist, and the Secretary of it shall be a Family Defender. In no case, any one of the members may exercise two different roles or functions.

The Family Defender may attend the sessions of the Adoptions Committee as the Administrative Authority in charge or the process of reestablishment of rights of the children and adolescents, with voice but without vote.

In compliance with Decree 987 of 2012 (Article 41, paragraph 10), the Adoptions Sub Directorate shall delegate a professional who attends in the title of special guest to the sessions of the Adoptions Committee of each one of the Regionals either virtually or face to face, with the purpose of disclosing, training and providing technical assistance to the Regionals.

¹⁰¹ For the case of children and adolescents that participate in the Strategies that make it feasible to come reach an adoption a specific analysis for each case shall be done.

The Regional Adoptions Committee shall meet at least once per week, with the attendance of the Regional Director or their delegate, a social worker, a psychologist and the Secretary of the Committee.

The decisions that are made during the sessions must be availed at least by three of the four members that make up deliberation quorum, leaving motivated expression of the reasons of each decision.

In case of need of delegation of the Regional Director, or need that another one of the members of the quorum be temporarily replaced, record must be left, prior the beginning of the Committee, in the Minutes of the Committee, explaining the reasons.

From each meeting, both ordinary and extraordinary, a Minutes of the Committee shall be made, assigning a consecutive number. When the Committee does not meet for reasons such as lack of decision quorum, or nonexistence of matters or its competence pursuant to the contents of the Minutes (for example, children and adolescents to present, families requesting adoption, reports of post-adoption follow up, or no subject in others), the Secretary of the Committee shall leave record with dutiful justification, to which the consecutive number corresponding at SIM shall be assigned, and shall send it to the Adoptions Sub Directorate for the respective control and follow up.

The technical arguments and the decisions of the Regional Adoptions Committee shall be recorded in the Minutes of the Committee, be signed, numbered and foliated in physical file, and electronically registered in the Missional Information System (SIM). They must be printed and signed by those who intervene. Copy of the Minutes must be forwarded to the Adoptions Sub Directorate by email or physical mail. Not signing the Minutes shall be reason for disciplinary complaint. When one of the members has exceptions regarding the decisions of the Committee, they must be included in the Minutes, which, in any case, must be signed.

IAPAs' Adoptions Committees

Because they provide a public service, these institutions are fully subject to legal regulations, Technical Administrative Guidelines of the Adoptions program and other administrative acts for its development, both for adoptions requested by Colombian families as for foreign families.

The IAPAs' Adoptions Committees are integrated by the Director of the Institution or their delegate, a social worker, a psychologist, a lawyer who also acts as Secretary of the Committee, and other individuals appointed by the Board of Directors of the Institution, according to case, with right to opinion but not to vote. The IAPA Director may not exercise

two roles, understood as social worker, lawyer and/or psychologist, even if they are trained in the respective area. In no case may the members of the committee exercise two different roles or functions.

The Family Defender attends the sessions of the Adoptions Committees as Administrative Authority responsible for the process or reestablishment of rights of children and adolescents presented, with right to opinion but not to vote.

In compliance with Decree 987/2012 (Article 41, item 10), the Adoptions Sub-directorate shall delegate a professional who shall attend in the capacity of guest to the sessions of the Adoptions Committee of each one of the IAPAs, either virtually or face to face, with the purpose of spreading, training and to provide technical assistance.

Decisions made during the sessions shall be availed at least by three of the four members that make up quorum, leaving express motivations for the reasons of each decision.

In case the Director needs to delegate, writ signed by the Legal Representative shall be presented, prior beginning of the Committee, explaining the reasons; this shall be part of the Minutes.

Minutes from the Committee shall be made, from each meeting, both ordinary as extraordinary, assigning a consecutive number. When the Committee does not hold a session for reasons such as lack of quorum or inexistence of matters of its competence, pursuant to the contents of the Minutes (for example, children and adolescents to present, families requesting adoption, post-adoption reports, or any miscellaneous matter), the Secretary of the Committee shall leave record with due grounds, to which the corresponding SIM consecutive number shall be assigned, and they shall send it to the Adoptions Sub-directorate for its respective follow up and control.

The technical arguments and decisions of the Adoptions Committee of the IAPAs shall be written down in the Minutes of the Committee, signed, numbered, and filed in a binder, and electronically registered in the Missional Information System (SIM). They shall also be printed and signed by those who intervene in them. Copy of the Minutes shall be forwarded to the Adoptions Sub-Directorate, either by email or regular mail. Noncompliance with the duty to sign the Minutes by the members who integrate quorum shall be grounds for revision at the time of renewal of the license. When members of the Committee have exceptions facing the decisions of the Committee, these shall be included in the Minutes that, in any case, shall be signed.

Functions of the Adoptions Committees of the Regionals and the IAPAS

- To grant or not suitability to the Colombian and foreign families residing in Colombia that file adoption applications
- To assign children or adolescents to families who are declared suitable that match their profile, guaranteeing the exercise of their rights and freedom, as well as restoration of their dignity and integrity, in compliance to what is set forth in articles 71 and 73 of the Code of Childhood and Adolescence.
- Certificate in each Committee and prior to the match of the foreign families, the existence of Colombian families approved in the Regional, IAPA or at a national level. In case of not having these families, request the Adoptions Sub Directorate for the remission of Colombian families, whether residents within the national territory, or by default request families of foreign citizenship. What is set forth in art. 761 of the Code of Childhood and Adolescence must be guaranteed.
- Review in the session of the Adoptions Committee, the administrative process of reestablishment of rights of each child or adolescent, with the purpose of establishing if it was made following all the legal requirements¹⁰².
- In cases in which it is observed that the administrative process was not carried out with all the legal requirements, decide if the diligences are returned with remarks to the Family Defender to subside or ratify the actions of the case, and take every other necessary measure pursuant to each action.
- Verify that post-adoption follow up is done, during two years when the adopting families reside in the country and for a year if the adoption is in kinship, legalization of foster child or of spouse. The report of this activity must be done by the Family Defender's Office team or the Adoptions Group when the administrative structure includes it. In IAPAS it shall be done by the assigned psychosocial team.
- Carry out study and analysis of the post-adoption follow up reports, national and foreign, verifying that they are carried out on time and in the terms set forth or entering them into the SIM.
- In cases in which the post-adoption follow up report mentions antecedents of infringement or threat to the rights of the children or adolescents during their stay in

¹⁰² This is not about the Legality and Jurisdictional Control carried out by the Family Judges or the control entities. This function aims at verifying the prior steps that derive in the report of the child or adolescent to the Adoptions Committee, guaranteeing that the decisions that are made within such instance are derived and adjusted to the law.

the protective services, the Regional Directorate, in the title or President of the Committee must immediately report to the coordinator of the Zonal Center responsible for the Foster Home or Institution in which the events occurred, so that the corresponding investigation may be done. If this were the case, the complaint must be filed before the competent authority and measures must be taken. The Committee shall send copy of the above to the Reestablishment of Rights Sub Directorate and to the Adoptions Sub Directorate. In case of IAPAS, the Director must immediately report to the Adoptions Sub Directorate, so that the relevant actions may be started from there.

- When difficulties on the integration of the children and adolescents at home are reported in the post-adoption follow up reports of families residing in Colombia, the psychosocial or professional team that carries out follow up shall make the intervention or remittance to specialized professionals.
- Analyzing the international adoption cases in which difficulties during adaptation are reported during the post-adoption follow up stage, and report the situation to the Adoptions Sub Directorate, with the purpose of sending writ to the Accredited Organization or to the Central Authority of the respective country, inquiring about the process that has been carried out and the actions that, in compliance with La Hague Covenants, are considered relevant between both countries.
- Request, when deemed necessary, expanding, clarification, and/or in depth information of any finding reported in the post-adoption follow up reports, regarding the children, parents or extended family linked to the process, with the purpose of getting to know the real situation of the child or adolescent in their new family and social context. After its analysis, they must forward feedback, stating record of the respective actions and recommendations, attach it to the corresponding file, register it at SIM, and send copy to the Adoptions Sub Directorate.
- Do follow up and analysis of every request of the Colombian and foreign families that reside in their jurisdiction and who are interested in adoption.
- Design the adjustments that may come up regarding the adoptions program and corresponding to what is set forth in the regulations.
- Suspend the continuity of assignment process, encounter and favorable concept for adoption and certificate of integration, when the competent authority notifies a judicial action tending to clarify the administrative process that defined the adoptability of a child or adolescent.

- Respond to the injunction for the protection of fundamental rights (Tutela) and rights to petition that are filed against the decisions of the Committee. In these cases, the resource of appeal must be forwarded to ICBF's General Directorate, which is the corresponding instance.
- Analyze the reports of the families who started, finished, desisted or suspended their adoption process, leaving record in minutes.
- Follow up and guarantee compliance with the decisions that are made within the Adoptions Committee, recording them in the corresponding minutes.
- Develop broadcasting and education strategies to promote the adoption of children and adolescents by Colombians, coordinated with the Adoptions Sub Directorate through the regional links.
- Respond to petitions and inquiries regarding matters of their competence.

Functions of the Secretaries of the Regional and IAPAS Adoption Committees

- Receive and present dossiers of requesting families residing in their jurisdiction who complied with the Route of the Adoptions Program, to the Adoptions Committee for their study and granting or not of suitability.
- Receive and present dossiers of requesting families residing abroad who complied with the Route of the Adoptions Program, to the Adoptions Committee for their study and approval or rejection, which communication shall be issued by the Adoptions Sub Directorate (applies to the IAPAS Adoptions Committees only).
- Receive the socio-family records of the children and adolescents forwarded by the Family Defenders Offices or judges, with declaration of adoptability, authorization or consent for adoption standing firm, together with the Comprehensive Report and appendixes.
- Review, jointly with the psychosocial team, the attention record of the children and adolescents in adoptability, as well as the Comprehensive Report with its appendixes.
- Review, before the session of the Committee and seeking the decision of that instance, the administrative process of reestablishment of rights of each child or adolescent, with the purpose of establishing if it was carried out with all the legal requirements¹⁰³.

¹⁰³ This is not about the Legality and Jurisdictional Control carried out by the Family Judges or the control entities. This function aims at verifying the prior steps that derive in the report of the child or adolescent to the Adoptions Committee, guaranteeing that the decisions that are made within such instance are derived and adjusted to the law.

- Present at the Adoptions Committee, pursuant to previous revision, the record of the child or adolescent in which review of the dossier it is observed that eventually it was not possible to carry out the administrative process with all the legal requirements, so that such instance decides whether the diligences shall be returned with comments to the Family Defender to subside or ratify the actions of the case.
- If it is confirmed that the administrative due process was completed and that the child or adolescent be located in a IAPA, the attention record of the child or adolescent and the Comprehensive Report with its updated appendixes must be forwarded to the Secretary of the Adoptions Committee of the Institution. In the case of children or adolescents located in protective institutions or Foster Homes of ICBF, the same documents must be presented to the Regional Committee.
- Verify the subscription of the declaration of adoptability in the book of miscellaneous. If it is not subscribed, return the record to the Family Defender to proceed accordingly. If there are inconsistencies repeatedly found in the resolution of adoptability, consent for adoption or authorization from the Family Defender, the Coordinator of Technical Assistance, The Protective Coordinator of the Regional or whoever acts as such, shall carry out the corrective measures of the case.
- Carry out follow up to the dossiers of the Administrative Process of Reestablishment of Rights corresponding to the cases which were returned to the Family Defenders Offices.
- Call and notify the Adoptions Committee.
- Process in SIM, with quality and promptness, every action and decision that is derived from the session of the Adoptions Committee, (report of the children or adolescents, approved, rejected, desisted or revoked adoptions requests, assignments, novelties, follow ups and rulings) within the next five (5) days following the execution of them. The record must include the novelties that arise both from the children and adolescents, as well as from the families requesting adoptions (desist, death, among others). Information of the children and adolescents remitted to the IAPAS and to the General Directorate Office shall also be included in the report.
- For the case of IAPAS, the records of actions in SIM shall be the responsibility of the person assigned at each institution. For this purpose, the Direction of each must report the Adoptions Sub Directorate the identification data, in such a way that the corresponding user and password may be assigned. This person must maintain confidentiality and be responsible for the information that is registered in the System which must remain updated pursuant to the decisions of the Adoptions Committee and

shall be subject to the actions that may arise by the Office of Quality Assurance and the Adoptions Sub Directorate.

- Complete on the SIM or carry out the process for completion by the competent professional, the adoption requests of families residing on their jurisdiction as follows; the ones who request information, the ones who begin process, the ones who are in it, the ones approved or rejected, and those who desist or suspend the process.
- Establish with the Coordinator of Technical Assistance, or whoever acts as such, the enhancement actions to be made and to monthly report to the Adoptions Sub Directorate on the progress in qualification of the information.
- Certify the existence or inexistence of Colombian families approved for adoptions and on the waiting list at the Regional, IAPA or Adoptions Sub Directorate at each session of the Adoptions Committee.
- Subscribe communication and report on the decisions made by the Committee, within five (5) days following the respective meeting.
- Fix the date and time for encounter of the child or adolescent with the adopting family, jointly with the Family Defender in charge of the Administrative Process of Reestablishment of Rights (PARD). For the case of IAPAS, this function is performed by the Director of the Institution, in coordination with the Family Defender responsible for it.
- Subscribe or request to the Family Defender's Office responsible for the child or adolescent, the favorable concept for adoption and certification of integration of the child or adolescent with the adopting, Colombian or foreigners. In case of IAPAS, the favorable concept is issued by the Family Defender responsible for the PARD or the Family Defender ascribed to the Institution.
- Provide the family attorney, prior file of the power of attorney, the documents demanded in Article 124 and Article 125 of the Code of Childhood and Adolescence, once the favorable concept for adoption and the integration certificate are issued, also notifying them of the mandatory nature of providing the ruling and the new Birth Certificate within the next three months following the delivery of the documents. In case of IAPAS it shall be the Family Defender responsible for the PARD or the one ascribed to the Institution the one who provides the documents to the attorney.
- For families coming from the countries that are within La Hague Covenant of 1993, the Secretary of the Committee shall request the Adoptions Sub Directorate, for official issuing, the certificate of conformity once the adoption ruling is executed and with the

new Birth Certificate of the child or adolescent. At IAPAS this certificate shall be requested by the Director of the Institution. In both cases this request shall be made providing the respective draft to the Adoptions Sub Directorate.

- Carry out, jointly with the other members that conform the Adoptions Committee, the study, analysis and systematization on SIM of the post-adoptions follow up reports, verifying that they are carried out in the time set. Reporting them in the respective charts to the Adoptions Sub Directorate. For the IAPAS, registry on SIM shall be the responsibility of the technical person at the secretary that the Institution assigns, for which the Director must report the Adoptions Sub Directorate the identification data, in such a way that they may be assigned the corresponding user's name and password.
- Carry out actions relevant to the operativity of the Adoptions Program in their Regional or IAPA.
- Carry out relevant actions to promote input of information of the families requesting adoption of the children and adolescents in SIM and to register the actions that are their responsibility in it. Actions of the Secretary of the Adoptions Committee of the IAPAS are excluded, given that this task shall be made by the technical person at the secretary that these institutions have assigned.

CHAPTER IV

ROUTE OF THE ADOPTION PROGRAM

STEP 1: To determine the place in which the adoption request must be made¹⁰⁴.

Technical Guidance	Times ¹⁰⁵
Define the place of residency of the person, spouses or permanent companions, regardless of their citizenship. The definition of residency has been set forth in the Civil Code (Art. 73 to 84) ¹⁰⁶ , on Decree 1067 of May 25 th , 2015 and Resolution 5512 of September 4 th of 2015 of the Ministry of Foreign Affairs.	Does not apply

STEP 2: Request information and determine the place for the adoption process for Families Residing in Colombia¹⁰⁷.

Persons, spouses, permanent companions, residents in Colombia, for child or adolescent

The persons, spouses or permanent companions residing in Colombia may choose if they carry out the adoption process before ICBF or before one of the IAPAS. Following is the information of the steps to follow:

Technical Guidance	Times	Responsible ones
<p>If the persons, spouses or permanent companions choose to process their request through ICBF, they must address the Zonal or Regional Center that corresponds to them. To locate the place, they may visit www.icbf.gov.co or call 57(1) 437 7630 (Ext. 101124) or toll free line 018000 918080.</p> <p>If the persons, spouses or permanent companions choose to process their request through one of the Institutions Authorized to develop the Adoption Program they may ask for information about them at the Institute's webpage.</p> <p>The professional of Services and Attention from ICBF receives the request for information, guides the family on the guidelines and the required</p>		<p>Applicants</p> <p>If ICBF: Services and Attention Professional</p> <p>If IAPA:</p>

¹⁰⁴ The determination of whether it is a domestic / national or international adoption depends on the place of residency of the person, both spouses or both partners.

¹⁰⁵ The times indicated on these guidelines must be understood as working days.

¹⁰⁶ In case of Colombians or foreigners the residency must be stipulated not only during the time of assessment, readiness, assignment, adoption ruling. But also, so it allows post-adoption follow up. On this aspect, some Central Authorities limit the scope and the visits of the Colombian children and adolescents who have been adopted by foreigners in Colombia.

¹⁰⁷ Consider Law 1437 of 2011 (in its paragraph modified by Law 1755 of 2015).

<p>documentation for the specific case and provides data for consulting the institute's webpage.</p> <p>The applicants for adoption must read and analyze the Administrative Technical Guidelines of the Adoptions Program approved by ICBF, which implies the duty of the applicant not to disclose, nor omit nor manipulate any information which may affect their suitability for adoption. This implies the ongoing duty to provide all information that may be necessary to issue or to amend the suitability and administrative process.</p> <p>At ICBF, the team or the public officer of reception and guidance receives the request "information" completes the actions on SIM – Citizen Service Module.</p>	Does not Apply	Administrative professional
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It is recommended to establish contact with ICBF and with the Institutions Authorized to develop the Adoptions Program, and to be familiar with the administrative processes of Reestablishment of Rights, the legal and psychological ones that their decision implies, aside from reviewing the contents that are found available for them on the following link:

<http://www.icbf.gov.co/portal/page/portal/PortalICBF/Bienestar/Programas%20y%20Estrat%C3%A9gias/ProgramaAdopciones/InstitucionesColombia>.

Under no circumstances simultaneous applications before ICBF and a IAPA must be filed. In case this happens one incurs in a cause for waiver in both applications.

Applications may only be transferred when they are approved and on waiting list.

Persons, spouses or permanent companions, residing in Colombia, for a determined child or adolescent.

Technical Guidance	Times	Responsible ones
<p>One must exclusively contact ICBF's Zonal Center in which the child or adolescent resides to adopt. To locate the place, one may go to www.icbf.gov.co or call 57(1) 7630 (Ext. 101124) or toll free line 018000 918080.</p> <p>The professional from Services and Attention from ICBF receives the request for information, guides the family on the guidelines and the required documents for the specific case and provides data for consultation on the Institute's webpage.</p> <p>The applicants for adoption must read and analyze the Technical Administrative Guidelines of the Adoptions Program approved by ICBF.</p> <p>At ICBF, the team or the public officer of reception and guidance receives the request "information" completes the actions on SIM – Citizen Service Module and on the Adoptions Module when the child is already adoptable (for what is relevant what is set forth on step 36 must be considered).</p> <p>Information to begin the process of adoption in Colombia shall be provided at the respective central authorities of the countries that are part of La Hague Covenant, through the Colombian Consulates.</p>	Does not Apply	

<p>Colombian and foreign families residing abroad, whose country of residence is part of La Hague Covenant, must contact the Central Authority of said country in terms of adoptions and carry out in each one of them the indicated process for its readiness and to obtain authorization to adopt abroad. On this regard, it is recommended to consult the list of Official Authorities in the countries members of the Covenant that carry out adoptions in Colombia, available at www.hcch.net and www.icbf.gov.co.</p> <p>Colombian and foreign families residing abroad, whose country of residency does not belong to the Covenant, must contact the competent official authorities, who shall report on the requirements that must be completed, as well as on the process of readiness and assessment that is carried on there.</p> <p>For the case of a determined child they must go to step 35 of this document.</p>		<p>Person, spouse or permanent companions</p> <p>Applicants and competent authorities in each country.</p>
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STEP 3: Conference or talk on legal informative guidance on the adoption as a measure of reestablishment of rights, based on the best interest of the child¹⁰⁸. Only for persons, spouses or companions residing in Colombia.

Instance where it is done	Technical guidance	Times	Responsible ones
ICBF: Regional or Zonal Center. IAPA	Topics to deal: 1. Adoption as a measure of reestablishment of rights 2. Reasons for Entry into Protective Services 3. Administrative Process of Reestablishment of Rights 4. Times, methodology, responsible authorities in the administrative and legal stage 5. Preselection criteria and age ranges	An informative meeting must be developed monthly with the persons who are interested in adopting.	At ICBF: Family Defenders At IAPAS: the Legal Representative ¹⁰⁹ or the appointed lawyer.
ICBF: Regional or Zonal Center IAPA.	6. Change of name – identity of the child 7. International covenants in protection, rights of the child and adoption. 8. Adoption process for applicant families pursuant to the kind of adoption.	The conference must have a minimum duration of three (3) hours.	At ICBF: Family Defenders At IAPAS: The Secretary of the Adoptions Committee (Lawyer) or appointed lawyer.

¹⁰⁸ This step applies for every person/spouse/permanent companion requesting adoption residing in the national territory, for all kinds of adoptions. The talk, guidance or conference is mentioned with the purpose of having it regardless of the number or applicants in a term complying with the terms of the regulation and in the right that all applicants have to receive information.

¹⁰⁹ For the case of the Authorized Institutions, the times stipulated by each one of them shall be considered, who must show the actions carried out to guarantee the appropriate transmission of information defined on the legal talk/conference.

In those regionals or IAPAS in which the number of applicants does not allow a group activity, it may be done in a personalized manner. Additionally, the documental support must be provided to the applicants, so they may review it and have it as input for the first encounter in the readiness stage.

STEP 4: Filing of documents of persons, spouses or permanent companions, residing in Colombia, for children or adolescent to the ICBF or IAPAS

Note: For the processes of application for adoption from a person, spouse or companions residing in Colombia the forms, instructions, procedures, guides and other documents that must be attached for the application for adoption process in Colombia, they are available at:

<http://www.icbf.gov.co/portal/page/portal/PortalICBF/procesos/misionales/proteccion/adopciones>

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF Regional or Zonal Center IAPA: (Private Institution) Secretary of the Institution	Filing documents before ICBF or IAPA is what determines that the request be an adoption process. Every applicant shall present the following information: 1. Letter of commitment for participation and information in during assessment, readiness and selection of the families for adoption (Letter of commitment to participate and information in the assessment, readiness and selection process for adoption form) 2. Application Form (Application for Adoption Form) 3. Birth certificates of the requesting <i>persons, spouses or permanent companions</i> with entries at the side, if it corresponds. 4. Photocopy of the Colombian Citizenship Identification Card or Alien Identification Card. 5. Medical certificate (medical certificate of physical suitability for applicants for adoption) 6. Financial certificates prepared maximum six (6) months before or income statement of the immediately previous year. 7. Letter of post-adoption follow up commitment for <i>persons, spouses or permanent companions</i> residing in Colombia (Post-adoption follow up commitment form for person/spouse or permanent companions residing in Colombia). 8. Valid certificate of legal antecedents, which must be reviewed on the webpage with the Citizenship number of each one or the applicants, pursuant to what is set forth in the anti-paperwork law. For spouses or permanent companions attach, aside from the above: 1. Marriage minutes certificate, according to case. 2. Birth certificates and marriage minutes certificate of the applicants or proof of de facto marriage, declaration of coexistence before notary (CCA. Art. 68 No. 3 and Art. 124, paragraph) ¹¹⁰ .	It shall depend on the situation of the applicants.	Person, spouse or permanent companions applicants for adoption.

¹¹⁰ Consider what is set forth in ruling SU 617/2014 to prove extramarital coexistence.

Every foreigner in the country, must certify the condition of resident with the respective visa issued by the Ministry of Foreign Affairs and Certificate of Migrating Movements to start the adoption process in Colombia. The Alien Card complies exclusively for foreign identification purposes in the national territory, and its use must be pursuant with the purposes of the kind of visa granted to the alien by the Ministry of Foreign Affairs (Decree 1067 of 2015 of Migration Colombia arts. 2.2.1.11.4.4).

Nevertheless, for any request for adoption process in Colombia, regardless if the applicant is Colombian or foreigner, in case it is required, the Administrative Authorities, complying with the administrative functions, having the constitutional and legal power, may request the documents in which the quality of resident in the country is certified (Decree 1067 of 2015 of Migration Colombia, art. 2.2.11.4.3).

Persons, spouses or permanent companions, residing abroad:

Note: Let it be known that for the adoption process of the person, spouse or permanent companion residing abroad, the forms, instructions, procedures, guides and other documents that must be attached for the request for adoption process in Colombia, they shall be available at:

<http://www.icbf.gov.co/portal/page/portal/PortalICBF/procesos/misionales/proteccion/adopciones>

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Adoptions Sub-Directorate, General Directorate Office IAPA: (Private Institution) Secretary of the Institution	File the documents through the Central Authority (or diplomatic bag) or Accredited Organism. Any applicant not residing in the country, must present the following documents, aside from the ones described above: 1. Letter of commitment for participation and information in during assessment, readiness and selection of the families for adoption (Letter of commitment to participate and information in the assessment, readiness and selection process for adoption form) 2. Application Form (Application for Adoption Form) 3. Certificate issued by the governmental or private entity officially authorized, stating the post-adoption of the child or adolescent, follow up commitment, until their nationalization in the country of residence of the adopting parents (Post-adoption follow up commitment for person/spouse/permanent companion residing in Colombia). 4. Authorization for entrance of the adoptable child or adolescent, by the government of the country of residency of the adopting parents (La Hague Convention. Art. 17). 5. Authorization for international adoption or suitability issued by the competent authority in the receiving country (La Hague Convention. Art. 5 and 15). 6. Psychological report of the applicants (Based on the Psychological Report Form)	It shall depend on the situation of the <i>persons, spouses or permanent companions</i> and the provisions of each country.	Accredited Organism, through the legal representative or consulate.

	<p>7. Psychosocial report of the applicants. (Based on the Psychosocial Report Form)</p> <p>8. Photographic registry of the applicants, family members and their environment, in physical or digital means, to use in preparing the child or adolescent.</p> <p>Documents must be provided to the Adoptions Sub-Directorate, through the document management office, in original, dutifully numbered, filed and legalized before competent authority¹¹¹, or before the IAPA through dutifully numbered, filed and legalized communication from the competent authority.</p> <p>If the documents are not in Spanish, they must come with their translation, made by a translator officially authorized by the Ministry of Foreign Affairs, attaching diligence or minutes of accreditation as such.</p> <p>In case of not coming dutifully numbered and filed, the documents shall be returned.</p> <p>Documentation that does not comply with the requirements of the law and what has been provided above, may not be considered for the respective analysis.</p>		
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Clarifications in case of international adoption applications:

To gain suitability or authorization for international adoption, the assessment and preparation of the applicants is provided by the Central Authority in the place of residency of them, by the Organism Authorized for Adoption in cases in which it is attributed by law of the host country or by the competent authorities in countries that are not part of La Hague Convention of 1993.

The results of the assessment must be contained in the psychological and psychosocial reports, which validity may not be of more than two (2) years of elaboration when filing the documents before ICBF or the IAPA. The medical and labor certificates and criminal records must have been issued up to six (6) months before filing the documents.

In case of countries in which the Central Authorities in terms of Adoptions are not the ones competent to prepare the reports that support the suitability or authorization for adoption, these organisms must prepare or endorse the supplementary psychological and social studies which have the objective of broadening and/or updating the information of the study that generated the approval in their country to comply with the criteria set forth in the Technical Guidelines of the Adoption Program, issued by the Colombian Institute of Family Welfare. Said studies must have a validity of a maximum of two (2) years, when filing before ICBF or a IAPA.

¹¹¹ In cases of countries signatories of the Apostille Convention, this certificate must be forwarded. In other cases, legalizations are made through the Ministry of Foreign Affairs.

In those countries in which the structure of the reports for approval of the family contemplate a comprehensive psychosocial study, this must include at least the information contained in the forms of the psychological and social reports pursuant to the contents of the formats of the psychological and social reports respectively.

Further to the endorsement of suitability by the Adoptions Sub Directorate or the IAPA, the studies are updated every two (2) years, from the date in which they are prepared. Likewise, the validity of the authorization for adoption or suitability and the documentation for filing the legal process must be certified.

It is an obligation of the families applying for adoption to report the Central Authorities or the Organisms Accredited for Adoption, the situations which may substantially change the granted suitability. At the same time, the Central Authorities or Organism Accredited for Adoption must report said situation to ICBF or to the IAPA according to case.

It is important that foreign families include learning of basic aspects of the Spanish language and Colombian culture in the preparation prior to adoption, in order to facilitate integration with the child or adolescent.

STEP 5: Analysis of the documents to accept or deny the request for adoption

Persons, spouses or permanent companions, living in Colombia:

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF or IAPA	Enter information to SIM – Adoptions Module and create request for adoption, assigning the single national code.	On the next (2) days following filing.	At ICBF: Family Defender who has been appointed to the case.
	Analysis of the documents: Letter of acceptance for persons, spouses or permanent companions for assessment of suitability and readiness (Acceptance by person/spouse/permanent companion for assessment of suitability process).	Seven (7) working days after filing.	At IAPA: Lawyer and psychosocial team of the institution. On SIM, information is entered by the administrative secretary.
	If the documents do not comply with the requirements of the law, submit writ in which the term for correction or supplement is set forth. In case of not submitting complete documentation in the fixed term, it shall be understood as waiver.	Ten (10) working days to writ the applicants, who shall have one (1) month to	

		complete it, correct it and submit it ¹¹²	
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Note: The Regional or Zonal Family Defender or the Lawyer of the IAPA must guarantee compliance with the requirements pursuant to the valid regulations.

Person, spouses or permanent companions residing abroad:

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Adoptions Sub Directorate – General Directorate Office IAPA	Enter information to SIM – Adoptions Module and create request for adoption, assigning the single national code.	On the next (2) days following filing at the most.	At ICBF: Adoptions Sub Directorate At IAPA: Administrative Professional.
	Analyze information, in case of being favorable endorse suitability or request expansions. For the case of IAPAS, communication of endorsement of an international adoption request shall be projected from the institution for the signature of the Adoptions Sub Directorate in the title of Central Authority.	Forty (40) working days from filing. Ten (10) working days for special cases.	At ICBF: Psychosocial team of the Adoptions Sub Directorate At IAPA: Adoptions Committee
	Preparation of the expansion of studies or submit missing documents	Sixty (60) working days to correct and complete missing information.	Legal representative of the Authorized Organism for Adoption or Central Authority
	Analyze expansion or missing documents, once filed.	Thirty (30) working days Ten (10) working days for special cases.	At ICBF: Psychosocial team of the Adoptions Sub Directorate At IAPA: Adoptions Committee

Instance where it starts	Technical Guidance	Times	Responsible one
	In case of not endorsing the suitability or authorization for international adoption, it must be communicated through a motivated writ ¹¹³ , reporting the applicants that they have the administrative appeal or appeal grant.	Ten (10) days to file an administrative appeal before the Adoptions Sub	At IAPAS: Adoptions Sub Directorate At IAPAS:

¹¹² Law 1437 of 2011, art. 17 (substituted by Law 1755 of 2015)

¹¹³ Pursuant to the guidance of the Legal Consulting Office of the General Directorate Office

	For the case of the IAPAS, communication of NO endorsement of the international adoption request shall be projected from the institution for the signature of the Adoptions Sub Directorate in the title of Central Authority.	Directorate or the Adoptions Committee of the IAPA or of appeal before ICBFs General Directorate.	Adoptions Committee (<i>Does not endorse suitability</i>). Legal representative of the Organism Authorized for Adoptions or the Central Authority (<i>Files appeals</i>)
	Respond to the administrative appeal.	Two (2) months.	At ICBF: Adoptions Sub Directorate At IAPA: Adoptions Committee
	Respond to the administrative appeal		At ICBF: General Directorate

In case of families residing abroad, assessment is carried out by the psychosocial and medical teams of the competent Central Authority and/or Accredited Organizations¹¹⁴.

STEP 6: Preparation of the applicants. Only for persons, spouses or permanent companions, residing in Colombia.

First Workshop: Preparation and psychosocial reflection¹¹⁵: “Adoption in the life project of the children and adolescents”.

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Report and clarify general psychosocial aspects of the Adoptions Program, addressing the following topics: <ul style="list-style-type: none"> Assessment and readiness route, including the general description of the psychological and social assessment stages. Identification of expectations about adoption Adoption project (motivation, emotional experiences and coping strategies) Profile of the children and adolescents with adoptability measure Profile of the children and adolescents with characteristics and needs 	Five (5) working days after notification of approval of documentation.	At ICBF: Psychologist and social worker of the Regional or Zonal Center.
IAPA		Minimum length of the workshop: five (5) hours.	At IAPA: Psychologist and social worker of the institution.

¹¹⁴ Pursuant to the regulations of each country, the studies prepared by the Authorized Organisms may be the support to grant authorization for international adoption or suitability or its supplementary by default.

¹¹⁵ When the number of applications at a Regional ICBF Zonal Center or Authorized Institution is not enough to make up a group to have the workshop, a personalized activity (according to the number of attendants) must be made, with the purpose of addressing the topics proposed in compliance with the terms of preparation and assessment.

	<ul style="list-style-type: none"> Differential approach (ethnicity, gender, disability, and movements of the vital cycle). Being parents through adoption Fears, myths and beliefs about adoption Enquire in the family the concept that they have about adoption The professionals are responsible for being facilitators of the reflection of the applicants, so they may assess and understand what adoption means, and also to identify their abilities, strengths and weaknesses to overtake this decision <p>Guide the applicants to start their construction of the history of personal life.</p>		
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Second Workshop: “Aspects regarding the adaptation of the child or adolescent to the new family environment”

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	It has the purpose of generating with the families, skills to understand with their children, in a constructive manner, their history of life. The topics to be developed are: <ul style="list-style-type: none"> Life history of the child or adolescent and how to tell about their adoption Definition of grief, losses related to infertility and other kinds of losses related to being parents through adoption. Elaboration of grief of the boy or girl who did not arrive, the real and the imagined. Strengthening of self-esteem in the child or adolescent. Inclusion and interaction with their new family and social environment. Frequent questions of children and adolescents regarding adoption. The professional must collect the personal life history for further analysis. 	Eight (8) working days after the first workshop	At ICBF: Psychologist and social worker of the Regional or Zonal Center.
IAPA		Minimum length of the workshop: five (5) hours.	At IAPA: Psychologist and social worker of the institution.

Third Workshop: “Going through the adoption project”

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	It has the purpose of fostering in the applicants, reflections on the stages of construction and evolution of the adoption project. The topics to be developed are: <ul style="list-style-type: none"> Childrearing patterns (rights and responsibilities) and their relation with the history of the applicant. Development of bonds in an appropriate environment for training. Preparation of the sons and daughters of the applicants, when there are any, at the coming of a new brother or sister through adoption. Childrearing patterns in children and adolescents of the protective system Children with special characteristics and needs, profile and importance of getting a family. 	Eight (8) working days after the second workshop	At ICBF: Psychologist and social worker of the Regional or Zonal Center.
IAPA		Minimum length of the workshop: five (5) hours.	At IAPA: Psychologist and social worker of the institution.

	<ul style="list-style-type: none"> • Childrearing patterns for children and adolescents with special needs and characteristics. • Special situations during the integration stage and tools for their management. <p>The professionals are responsible for being facilitators of the reflection of the applicants, so they may assess and understand what adoption means, and also to identify their abilities, strengths and weaknesses to overtake this decision.</p> <p>Provide the applicant families the forms of the exercise to hand in on the third workshop for consideration of children and adolescents with special characteristics and needs and to know the willingness of the applicants to accept children and adolescents with special characteristics and needs. Feedback of the for and its return to the professionals is done on the second psychological interview.</p>		
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Note: In cases in which the volume of applications that are filed in the Regionals or IAPAS allows to carry out the topics of workshops two and three in only one, it may be done this way, as long as all the topics are addressed and the respective attendance certificates are issued. When it is about applicants that have already adopted at least once, this is not a reason to be exempt from participating on the workshops.

STEP 7: First interview with social work (Individual with each applicant)

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Aspects to be assessed on the interview: Historical and evolution system of the family: <ul style="list-style-type: none"> • Personal life, educational and family history for each applicant, carrying out a discussion and in depth of them. • Construction of genogram • Motivation to adopt and coherence of it with the objectives of the Program. • Journey to become parents, decision making for adoption and preparation. • Age ranges and possible preselection of the child or adolescent. Legal System The professional must inquire on the possible criminal and/or legal antecedents, misdemeanors or contraventions. Guide and generate awareness on the applicants about the importance of beginning to make an album and to write a letter to prepare the child or adolescent for their adoption (<i>See guidance of each system in the Form of the social report</i>).	Fifteen (15) working days after the third workshop Minimum length of the interview: an hour and a half (1:30)	At ICBF: Psychologist and social worker of the Regional or Zonal Center. At IAPA: Psychologist and social worker of the institution.
IAPA			

NOTE: The order of the area to start the process is not a priority, as long as all the topics and the minimum interviews are addressed.

PASO 8: First interview with psychology.

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Aspects to be assessed on the interview: <ul style="list-style-type: none"> History of the applicants, family and personal antecedents of medical and psychiatric pathologies. Training and personal expectations Elaboration of life history and bonding capacities. Personal, relational characteristics and marital adjustment Antecedents of each one of the applicants, prior relationships and stability of the couple Application of psychometric tests as support to assess suitability. Other aspects that are deemed necessary to inquire. 	Eight (8) working days after the interview with social work Minimum length of the interview: one and a half hours (1:30 hours).	At ICBF: Psychologist of the Regional or Zonal Center. At IAPA: Psychologist of the institution.

Recommendations for the psychologist professional during assessment and readiness:

To establish if the person or the couple is mentally suitable for adoption, the psychologist must use all the available tools for assessment such as: interviews, application of tests, concepts issued by other professionals on mental health, observation and technological resources (virtual interviews among others).

For the case of the Adoptions Program in Colombia there is a request to consider the objectives of it in the selection of the psycho-technical material and the techniques used; have the professional training for application, correction and interpretation; observe the ethical aspects that have been dictated at national and international level and be in accordance with the legal aspects (for example copy right).

Psycho-technical material application session

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	The ones stipulated in the Deontological Code of the Psychologist, as well as in the application manuals and other provisions on the subject.	Four (4) working days after the first psychological interview.	At ICBF: Psychologist of the Regional or Zonal Center. At IAPA:

IAPA			Psychologist of the institution.
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In the case of assessments that are done in Colombian territory, it is relevant that the professional in psychology have the tests appropriately adapted, validated and standardized to allow valid and reliable results¹¹⁶¹¹⁷. The use of psycho-technical material and other assessment techniques deserves special attention: Paragraph 1 of article 1 of Law 1090 of 2006 refers that regardless of the area in which psychology is developed, it must be understood within the realm of health, thus it is a health professional.

The same law sets forth that the psychologist must “make appropriate use of the psycho-technical material in case it is needed, with diagnostic purposes, maintaining the ethical and methodological rigor prescribed for its dutiful management” and the general provisions in the use of it. (Idem art. 45 to 49).

Note: for the case of the selection of the minimum psycho-technical material that must be applied by the professionals in psychology of the Family Defenders’ Offices of ICBF, and psychologists from the IAPAS, the Adoptions Sub Directorate shall provide technical guidance of the material and shall favorably conceptualize, prior acquisition by the Regionals and IAPAS. If a professional needs to use another test they may do it additionally to the ones that are indicated, as long as they comply with what is set forth by Law 1090 of 2006 and it is relevant for the assessment objectives of the program.

In the case of psychological studies for an international adoption made by the Central Authorities, authorized bodies or delegated entities *choosing psychological-technical material that is adapted and validated in the country of residence of the applicants is suggested, regardless of the model that guides the test, as long as it complies with the objective of the adoptions program and that it is relevant for the purpose of this assessment*, linking their results to the Forms of psychological and social reports, avoiding delays or requests for further studies that dally the process.

¹¹⁶ Consider what is quoted in Law 1090/2006, art. 47, regarding that psychological tests, interviews, observations and behavior registry are not enough to do diagnostic assessments. They must all be part of a broader, deeper and comprehensive process.

¹¹⁷ The methodological tools employed during the process of assessment and readiness of applicants for adoption, must be applied in compliance with what is set forth in the legislation regarding copyright and the law of intellectual property.

Thus, attending national and international regulations, the parameters of the exercise must be framed within scientific knowledge.

Scientific work in psychology is framed within factual sciences¹¹⁸. Thus, the professional in psychology is requested by the legislation to make use of techniques, tools and instruments within the legal criteria that is accepted by the community, societies and associations dutifully certified in each country.

Additionally, in all cases, consider the recommendations developed by the Spanish Psychologist Association (International Commission for the use of the Test) that mentions some ethical recommendations regarding the use of psycho-technical material, within which some are indicated that are relevant for the professionals to consider, these are:

- **Ethics:** includes aspects such as maintaining and promoting ethical and professional standards, updates, respecting the sensitivity of the people tested, avoid use in circumstances evidencing conflict of interest.
- **Skills to use the test:** provide services and only use tests for which they have training, inform participants clearly including its ethical use and legislation, addressing unforeseen use, try to avoid damage or injury to persons evaluated.
- **Safety of the test:** ensure safe storage control access to the test, respect copyright, including electronic transmission, protect the integrity of the test, ensure that the technology of the test is not publicly exposed so that their usefulness may be impaired.
- **Confidentiality:** among others mentioned specify who will have access to the result, limit access only to people who have rights.

For practical effects, all aspects to be discussed are not mentioned, the need to fully document on the provisions and restrictions for the use of psycho-technical material at national and international level is stressed.

STEP 9: Interview with the children of the applicants, when there are.

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF:	Aspects to be assessed on the interview:	Eight (8) working	At ICBF:

¹¹⁸ Factual sciences are those that seek coherence between facts and the mental representation of them, they must make additional use of experimentation and observation. Factual sciences work on facts, imposing rigorous contrasting mechanisms that frame them within scientific knowledge. (Introducción a las Ciencias Sociales, Hector Martínez y Guadalupe Guerrero 2009).

Regional or Zonal Center as it corresponds.	<ul style="list-style-type: none"> Knowledge and readiness of the children: exercise of the paternal role, bonds and dynamics. Participation of the children in the adoption project and concepts on adoption. 	days after application of psycho-technical material	Psychologist and social worker of the Regional or Zonal Center.
IAPA		Minimum length of the interview: one and a half hours (1:30 hours)	At IAPA: Psychologist and social worker of the institution.

STEP 10: Second interview with social work: for the couple or person in case of application as single.

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Topics to be discussed: Filiation system <ul style="list-style-type: none"> Dynamics of the couple's relations, children that are within and outside the home. Establishment of relations with family of origin and other persons. Sociocultural system <ul style="list-style-type: none"> Educational models and values and beliefs systems that guide the relation between parents and children. Family support nets, level of bonding and support within the adoption project. <i>(see Guidance of each system, Social Report Form)</i>	Eight (8) working days after the interview with the children of the applicants or of the application of the psycho-technical material, according to case.	At ICBF: social worker of the Regional or Zonal Center.
IAPA		Minimum length of the interview: one and a half hours (1:30 hours)	At IAPA: social worker of the institution.

STEP 11: Second Interview with psychology:

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	The topics to be discussed are: <ul style="list-style-type: none"> Motivation and training for adoption, overcoming griefs and journey of adoption. Resilience and stress coping skills and dealing with difficulties. 	Eight (8) working	At ICBF: Psychologist of the Regional or Zonal Center.

IAPA	<ul style="list-style-type: none"> • Expectations regarding the child and flexibility for adoption. • Submission of the form of Exercise to be provided to the applicants on the third workshop for consideration of children or adolescents with special characteristics and needs, feedback to the family on inquiries and desires that they may have. • Retake pending issues from the previous interview and give feedback on the psycho-technical material. • Other issues that are considered relevant for the assessment. 	days ¹¹⁹ after the interview with social work. Minimum length of the interview: one hour (1:00 hour)	At IAPA: Psychologist of the institution.
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STEP 12: Home visit from social work: interview and observation

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	<ul style="list-style-type: none"> • Verify the conditions of the close environment of the domicile of the applicants. • Assess integration of the applicants to extended family, setting family, social and institutional support nets and their level of support for rearing their adoptive child and readiness for welcoming the adoptive relative. 	Five (5) working days after the second psychological interview.	At ICBF: social worker of the Regional or Zonal Center.
IAPA	<ul style="list-style-type: none"> • Broaden and verify the information of intrafamily relationships. • Verify the physical and living conditions of the domicile of the applicants. • Verify the socioeconomic conditions retaking the budget form prepared by the family. • In case the family support net of the applicants lives in another town, request commission office to the corresponding regional or carry out interview through technological tools. • If the extended net lives outside the national territory, do it through memorandum from authority to authority, from the Adoptions Sub Directorate • Prepare ecomap 	Minimum length of the workshop: two hours (2:00 hours).	At IAPA: social worker of the institution.

Note: considering the applicants own characteristics and conditions, it is possible that the social worker request an additional session, seeking to guarantee total coverage of the topics previously described and pursuant to each belonging system. This session may be done individually, as a couple or in group (with the family system) and requires previous revision of the documentary evidence.

It is also necessary to acknowledge that each person and family requesting adoption conforms a complex system that is integrated to other systems. Thus, each assessment and readiness process is different, leading to approaching unique and single topics. They must all be included in the social report.

¹¹⁹ Hereinafter, be understood as working days. Except in those cases in which it is specifically mentioned that they are calendar days.

STEP 13. Preparing the reports

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Summary of information pursuant to the content of the Psychological Report Form, Social Report Form, Interview Report Form.	Fifteen (15) working days after the home visit.	At ICBF: Family Defender's Office of the Regional or Zonal Center.
IAPA			At IAPA: Multidisciplinary team

STEP 14. Memorandum and review of the history of the applicants to the Adoptions Committee

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Forward the history of the family in the dossier dutifully filed and numbered, with the following documents: <ul style="list-style-type: none"> Letter of remission to the Secretary of the Adoptions Committee, issued by the Zonal Coordinator or the Regional's team, in which the number of folios of the dossier is included, the code of the family, the names of the applicants and certificate of registry of all the actions at SIM. Form of request for adoption dutifully completed with the respective photos and signatures. Post-adoption follow up commitment. In cases in which the family is open to national assignment, a letter or electronic communication in which they state their wish must be included in the dossier Social report and appendixes (<i>Geographical location of the home, genogram, ecomap, budget guide, home blueprints and others that are considered relevant are all appendixes</i>) Psychological report and appendixes. That is, the originals of the answer sheets of all the tests applied, profile in PDF form, and one of the tests, all of this per applicant. Reports of interview are attached and all those additional ones used during the process. Photocopies of the Colombian Citizenship ID of the applicants (or foreign citizen ID). Medical certificates of less than seven (7) months of validity, if it is national adoption. (Medical Physical Suitability Form for adoption applicants). Valid working and financial certificates, of no more than seven (7) months of issuance, if it is national adoption. Certificate of the Defender's Office on the review of the documents that support the moral and physical 	Immediately following the report and once the dossier is organized	At ICBF: Coordinator or Family Defender's Office of the Regional or Zonal Center.
IAPA			At IAPA: Assessing multi-disciplinary team

	<p>suitability concept issued by the Adoptions Committee and due supports.</p> <ul style="list-style-type: none"> • Criminal records (consider what is set forth in Decree 19 of January 12th, 2012) • Birth certificates and marriage certificates of applicants or evidence of common law marriage, statement of coexistence before Notary (CCA, Art. 68 No. 3 and Art. 124 paragraph)¹²⁰. • Birth certificates of children of the couple or of any of them. • Photograph album • Certificates or attendance to workshops stipulated in the process. • Appendixes that are required, including sheets of work done by applicants during the assessment and readiness sessions. <p>For foreign applicants residing in Colombia the study, intervention and assessment of the extended family, social net and other residents abroad, it must be supplied through the Adoptions Sub Directorate in the title of Central Authority, which at its turn shall process it through the Central Authority of the respective country.</p> <p>The documents coming from abroad must be provided in the terms set forth in art 125 of the Code of Childhood and Adolescence.</p>		
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Things to consider by the teams of the Family Defender's Offices and psychosocial teams of the IAPAS:

- The psychosocial teams of the Institutions Authorized to Develop the Adoptions Program or the Family Defender's Offices shall attend the Sessions of the Committee, when they are called, with the purpose of clarifying the matters regarding the reports or processes that have been carried out with the families or with the children and adolescents.
- The psychosocial studies of Colombian and foreign families residing in the national territory that are approved/on waiting list must be updated every two (2) years by the responsible teams and provide them to the Adoptions Committees. These updates must consider changes occurred in the families and evidence that the conditions that gave way to granting suitability by the Committee are maintained.
- The psychosocial teams of the Institutions Authorized to Develop the Adoptions Program or the Family Defender's Offices shall carry out the respective expansion of the reports or acts that are pending of process that are necessary so that the Adoptions Committee may determine if a family has suitability or not.

¹²⁰ Consider what is set forth in ruling SU 617/2014 for the ways of showing common law marriage.

- For the time of remittance of the family to the Adoptions Committee all the documentation must be valid and in the file, it must come with original documents and a copy.

NOTE: Under no circumstance shall the Zonal Coordinators, teams of the Family Defender's Offices, and multi-disciplinary teams of the Institutions Authorized to Develop the Adoptions Program be the instances who decide or communicate the applicants if they are suitable or not, nor shall they be the instances responsible for solving administrative appeals or resources. This is a decision that is solved through an administrative act motivated through the Regional Adoptions Committees or of the Institutions Authorized to Develop the Adoptions Program, and in appeal before the General Directorate.

STEP 15. Preparation of the comprehensive report and forwarding the history of the child or adolescent to the Adoptions Committee.

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional or Zonal Center as it corresponds.	Once all the resolutions of declaration of adoptability and the authorization for adoption are on firm standing, or the consent for adoption is valid and irrevocable, the Family Defender's Office carries out the comprehensive report of the child or adolescent, pursuant to the forms of the comprehensive report.	Ten (10) working days for preparing the comprehensive report of the child or adolescent, included in the month of presentation of it to the Adoptions Committee	At ICBF: Family Defender's Office of the Regional or Zonal Center.
IAPA	<p>This report must include all the actual data of the child, stressing on their evolution from the moment they arrived to protective services until the day of elaboration of the report.</p> <p>Under no circumstance relevant information must be omitted regarding the child or adolescent, given that its accuracy guarantees success in the transition for adaptation of the future parents.</p> <p>This report is made by the Family Defender's Office, based on the input provide by Foster Home or protective institution, social and health history, antecedents of the case, and overall, based in all the available material that the history has.</p> <p>Additionally, in the case of siblings, it is recommended to follow the guide for intervention for siblings in situation of adoptability and attach those concepts in the history of the children, whether separation is favorable or not.</p>		<p>At IAPA: Family Defender assigned to the institution.</p> <p><i>(The responsibility of the information contained in the document is of the Family Defender's Office in charge of the Administrative Process of Reestablishment of Rights, even if it has the support of the service teams of protective services)</i></p>
	The Family Defender, with the avail of the Coordinator of the Zonal Center, sends the Regional Committee the attention record of the child or adolescent, with all its appendixes. The photograph is attached to this document in	On month at the latest, after the situation of adoptability is	

	<p>post card size, it must be recent, with excellent appearance and without alterations.</p> <p>When the adoption request is of legalization of the foster child, the attention record of the child or adolescent must be sent with all its appendixes and a psychological, social, nutritional and medical report.</p> <p>When the child or adolescent is placed in a IAPA, their documents must be forwarded by the Family Defender with the avail of the Coordinator of the Zonal Center.</p> <p>The Family Defender responsible of the PARD, is the one who verifies the "due process". It must be adjusted to the law and forwarded to the IAPA.</p>	<p>on firm standing, authorization for adoption or declaration of adoptability on firm standing and the consent for adoption is valid.¹²¹</p>	
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Special considerations for classifying the types and degrees of disability in the Comprehensive Report:

With the purpose of providing clarity to the classification of the Forms of the Comprehensive Reports numbers 11.11 and 11.17 the provisions contained in the *Technical Guidelines for the Attention of Children and Adolescents and Older than 18 with Unattended Rights, Threatened or Infringed, with Disabilities* (Pages 17 to 20)

Considering that the disability indicates alteration in the functioning of the person in their body, individual and social levels, the degree of severity and the interaction with the environment, may be determined by the combination between the limitation of abilities to execute activities or tasks, and the restriction in participation that the person faces (See chart).

The degree of disability may be more or less serious depending on the recovery of the abilities and the availability of support or facilitators that the person has.

LEVEL	Capacity for developing activities:	Opportunity to participate in the implementation of activities
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¹²¹ What is contemplated in the Memorandum of the Protective Directorate file S-2015-434175-0101 of October 29th, 2015 that indicates "In case such term has been exceeded, the Technical Assistance Office of the respective Regional shall organize a team to be responsible of each case to determine, on the first place, if there are circumstances that explain the delay in complying with the fixed term for presentation to the Committee, and shall provide the guide and recommendations, and support that allow overcoming said circumstances. Also, the Regional shall define the commitments and times that from the Family Defender's Office shall be assumed to overcome the situations that justify the delay on said report", must be considered.

Mild	The person has capabilities to perform most activities of daily living, performing them with minimal difficulty. Slightly decreased independence for the realization of activities of its age occasionally requires support from others, of some support product or adjustments of the physical space.	Full participation: The person has necessary supports or facilitators to carry out the activities of daily living.
Moderate	Moderate degree of limitation: The person has the capacity to perform certain activities of daily living, performing them with some difficulty. Independence with support to do the activities of its age. Requires some support from others, product support or adjustments to physical space.	Restricted participation to a moderate extent: The person has partial supports or facilitators to carry out the activities of daily living.
Severe	Severe degree of limitation: The person does not have or has minimal capacity to perform activities of daily life, presenting a major challenge in those he/she can perform. Dependent to carry out the activities of his age, always requires the support of others, support products and adjustments to physical space.	Restricted participation in a severe degree: The child or adolescent and adult does not have support or facilitators to carry out activities of daily life.

With the purpose of organizing the response to the common needs within the differences that may appear from the deficit and the limitation the following categories of analysis have been stated¹²²:

Category	Definition	Required supports
Mobility	This category includes people who have permanent muscle weakness or stiffness, involuntary movements, bone or joint disorders, loss or absence of any part of the body. These people have different degrees of difficulty in the development of their everyday activities, such as walking, moving, changing or	To increase the degree of physical independence, people with impaired mobility in some cases require the help of others, as well as product support such as prosthetics (legs or artificial arms), orthotics, wheelchairs, canes, walkers or crutches, among others. Similarly, for participation in personal, educational, training, sports,

¹²² Technical Guidelines for the Attention of children, adolescents and over 18, with rights unattended, threatened or infringed, with disability, pages 17 to 20.

	maintaining body positions, carrying, handling or carrying objects and balance activities.	cultural and social activities; may require physical spaces and accessible transportation
Mental Cognitive	In this category we find those who permanently present alterations in the intellectual functions of consciousness, orientation, energy, momentum, attention, psychosocial, memory and calculation, among others. Learning ability and knowledge application are affected, presenting different degrees of difficulty in developing activities of personal care, household, community, educational, training, employment and social, among others; and to interact with others in an appropriate manner according to their age, within their social environment.	To achieve greater functional independence, these people require specialized therapeutic and educational support, among others. The adequacy of education and training programs tailored to their abilities and needs, as well as the development of strategies to facilitate learning tasks and activities of daily living is necessary. Personal supports are essential for their protection and as facilitators in their learning and social performance.
Mental Psycho-social	In this category those who have permanently alterations in their consciousness, orientation, energy, momentum, attention, temperament, memory, personality and psychosocial factors, among others, reflected in behavior or emotional expressions inappropriate for their age and social context in which they are located They are interacting. These people have different degrees of difficulty in carrying out their daily activities involving organized routines, manage stress and emotions, interact and relate to other people, as in the development of activities of education, work, and community, social and civic among others.	To achieve greater functional independence these people basically require specialized medical and therapeutic support according to their needs. Likewise, for their protection and participation in personal, educational, training, sports, cultural, social, labor and productive activities, they may require support of another person.

Sensory Hearing:	<p>This category includes people who have permanently altered hearing functions as location, pitch, loudness and quality of sounds. Also, deaf people without possibility of receiving some sound even when they are amplified; people with serious or important difficulties to hear sounds of sirens, alarms, warning devices; or persons that due to a loss or reduction of hearing have difficulty understanding conversation in a normal tone, either on one or both ears.</p> <p>These people have different degrees of difficulty in receiving and production of verbal messages, which alter the development of their daily activities.</p>	<p>To increase their degree of independence these people may require the help of interpreters, assistive products such as hearing aids or implants, among others. Similarly, for their participation they require accessible contexts and communication strategies including text messaging and visual signals information, guidance and prevention of risk situations.</p>
Visual Sensory:	<p>In this category those who have permanently alterations to perceive light, shape, size, or color. Also, blind people or people that despite using their best correction glasses or contact lenses, or having had surgery, have difficulty distinguishing shapes, colors, faces, objects on the street, to see at night, see far or near, either if it one or both eyes.</p> <p>These people have different degrees of difficulty in performing self-care activities, home or work, among others.</p>	<p>For more independence and autonomy, these people may require support products such as: canes, lenses or magnifiers, braille, large print (extended text) or auditory information, among others. Their participation requires accessible contexts in which they have informative, guiding and prevention signs of risk situations with contrasting colors, textures and floors with different messages, Braille or audio, among others.</p>
Sensory, taste, smell, touch:	<p>In this category people with deficiencies in any of the senses of taste, smell or touch, that could present in the development of their daily activities, different degrees of difficulty in learning, personal care, at home or at work.</p>	<p>For more independence and autonomy, these people may require warning signs, protective measures or adjustments in the physical environment, among others</p>
Voice and speech:	<p>People with permanent alterations of the tone of voice, vocalization, speech rate, inadequate production of sounds to the speaker in terms of their age or physical development are in this category; as well as those with serious or important difficulties to articulate word (muteness, stuttering). In this group are</p>	<p>For more independence, these people require therapeutic or technological support.</p>

	people who could present in the development of their daily activities, different degrees of difficulty in issuing verbal messages.	
Skin, hair and nails:	<p>This category includes those who may have impairments in:</p> <ul style="list-style-type: none"> – Protection functions of the skin, pigmentation, skin quality, insulation skin, calluses, hardening. – Repair functions of the skin in reference to scabbing, scarring, bruising and keloid formation. – Functions related to sweat gland functions of the skin and body odor. – Sensations related to the skin such as itching, burning or tingling, stinging and something crawling on the skin. – Protection functions, pigmentation and appearance of hair and nails. <p>People who have some degree of difficulty in the development of their daily activities or experiencing sometimes by their physical appearance, social participation restriction are in this category.</p>	For a better quality of life these people may need some support product that compensates its deficiency or limitation. In most cases a positive attitude of acceptance is required by other people, facilitating social participation of those who have these disorders.

STEP 16. Adoptions Committee Session

Instance where it starts	Technical Guidance	Times	Responsible one
ICBF: Regional to which it corresponds.	<p>The Regional Adoptions Committee and the Institutions Authorized to Develop the Adoptions Program have functions of the law that they must comply. Also, it is the instance responsible for the verification of the prior steps to comply with the law, and that these have been done efficiently, effectively and promptly during the administrative process of reestablishment of rights of the children and adolescents, and of the preparation and legal requirements of the adoptions applicants, guaranteeing the success in Reestablishment of Rights through adoption.</p> <p>Those who preside the Adoptions Committees of ICBF's Regionals and of the IAPAS are responsible for setting the actions and necessary corrective measures with the purpose of not omitting recording all the information on the dossiers of the family, on the comprehensive reports of the children and adolescents, and their appendixes, or that the information that is processed does not correspond to the reality.</p>	The Adoptions Committee sessions at least once (1) per week.	At ICBF: Regional Adoptions Committee
IAPA		In an extraordinary manner, additional committees may be held during the week, pursuant to the need.	At IAPA: Adoptions Committee of the Institution

	<p>Within the next (5) days after the session of the Adoptions Committee, the Secretary of the Adoptions Committee must upload the information of the decisions made in the Committee and those regarding the Adoptions Module into the SIM.</p> <p>If the ICBF Committee in which the child is presented, does not assign the child to any family, for being of special characteristics and needs, the Secretary of the Committee shall proceed to forward the comprehensive report electronically to the Adoptions Sub Directorate and shall return the attention record of the child or adolescent to the Defender's Office so they continue recording the interventions made.</p> <p>If they are boys and girls without special characteristics or needs, it proceeded accordingly to carry out the match. For this, a family may be requested to the Adoptions Sub Directorate with the purpose of getting at least three (3) families.¹²³ In these cases, the Sub Directorate first verifies the availability of the Colombian family open to national crossing, and by lack of family with a foreign family.</p> <p>For each boy or girl without special characteristics or needs there must be at least three (3) families postulated for their analysis.</p> <p>In the cases in which it has been verified by the Adoptions Committee that there are no three (3) Colombian or foreign families according to the profile of the child in the Regional, IAPA, Adoptions Sub Directorate for their match, a possible match may be analyzed with two (2) or one (1) family.</p>		
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Aspects regarding the study of adoptions requests for suitability

concept:

For this the Adoptions Committee, must analyze and prove:

1. Review that the documents of the family are valid.
2. The Committee must verify before approval that the adoption requests of nationals and foreigners, *residing in the national territory* have complete documentation pursuant to the law and to the Technical Guidelines, that the actions of the process are totally uploaded in the Missional Information System (SIM) and that the supports of the activities carried out during the elaboration and assessment come included in the dossier of the family (Psychological report, psychosocial report, both with the contents pursuant to the Guidelines, genogram, autobiographical summary, eco map, answer sheets to the psychometric material, profile or results of the tests, reports of interpretation of each test used, supports of attendance to workshops, photographs, interviews, etc.).

¹²³ Pursuant to ruling C-104 of 2016 "It shall be procured in as much as possible to present at least three different options to ICBF's or IAPA's Adoptions Committee for each child or adolescent, for which the mechanisms of coordination from input of information to the Missional System Information (SIM) must be provided".

3. Analyze the documents provided.
4. When the family or applicant to adoption has previously adopted a Colombian child through ICBF or the IAPAS, before uttering on suitability, the Adoptions Committee must verify that the post-adoption reports are favorable in terms of adaptation and integration of the child to the family and their environment, that all the reports have been made pursuant to the date of ruling, and that the information has been registered in the Missional Information System.
5. Another aspect that must be reviewed prior issuance of the certificate of suitability is the verification that the applicants have not had failed adoptions or processes for *causes imputable to them*. The analysis of the circumstances that surrounded these events must be done always considering the best interest of the child, minimizing the risks and the effective capacity to exercise paternity through adoption.
6. The Adoptions Committee has the power to request expansions that they deem relevant in the Process to the teams of the Family Defender's Offices or IAPAS, that have had the process with the families, whether it is because they were not clearly addressed, for having inconsistencies, for not complying with the process or that are contradictory to what is set forth by the regulations. These must be corrected and clarified in the least possible time, pursuant to each case¹²⁴. In these cases, as it has been previously set forth, written evidence must be left for the record, on the aspects in which the information must be expanded and register act in SIM and/or changes form.
7. Attendance to the sessions of the Committee of the professionals of the Defender's Offices or of outside expert professionals may be requested, as guests to provide knowledge, experience or tools in those aspects that must be clarified. Guests will be heard but they will not be part of the deliberating quorum, that is, they shall not have vote. The record of the remarks made by the guests shall be recorded in the Adoptions Committee minutes.
8. The Adoptions Committee must carry out the necessary actions so that the Family Defender's Office guarantees that the information is recorded on the comprehensive report of the child or adolescent, is true and accurate to the circumstances of the boy, avoiding any omission that may lead to an error in the approval and selection of the family and noncompliance to what is provided in paragraphs a) through d), of article 16 of La Hague Convention in the subject of Protection and International Adoption (report on the child).
9. The decision of not granting suitability is an Administrative Act (motivated writ in case of IAPAS) against which there is administrative appeal before the Adoptions Committee that made

¹²⁴ Under no circumstances it must exceed two months. In case of needing interventions or situations that require more time evidence must be left on the record, and the request shall not be approved.

the decision and of appeal before the General Directorate. This decision shall be communicated in the next five (5) working days to the session of the committee in which the decision was made.

10. Once all the aforementioned aspects have been considered and all documents analyzed, the Adoptions Committee may:

Grant suitability: case in which it determines if the person, spouses or permanent companions have been selected to be assigned a child or adolescent with determined characteristics. For which:

- a.** It issues certificate of mental, physical, moral and social suitability of the adopting candidates, who enter the waiting list.
- b.** In communication to the family, reporting the approval of the request and certificate of suitability, it shall report the preselection made, date of approval, clarifying the compulsiveness of reporting the Regional or the IAPAS Committee any circumstance that alters, modifies or changes the conditions under which suitability was granted.
- c.** Record information of actions in SIM.

The adoption requests approved shall enter the waiting list in strict chronological order. For those cases in which they are transferred from one Committee to another, the Regional or IAPA of reception incorporates it on their waiting list, considering the date of approval.

In cases in which there is evidence of changes in the circumstances or conditions that led to granting suitability (for example, change of residence), these conditions must be analyzed by the Adoptions Committee, if these negatively affect it, the Process (Step 17) may be temporarily suspended with the purpose of carrying out the necessary investigations, request or elaborate reports. These must be analyzed by the Committee with the purpose of making a decision of keeping suitability to the family or not.

When the family presents availability to transfer to any Regional or IAPA to carry out assignment and other steps of the process without specifying which, the documents together with the certificate of suitability is forwarded to the Adoptions Sub Directorate of the General Directorate Office for further move to any Committee. This change shall also be reported in SIM. In cases in which a determined Regional or IAPA is specified, the Adoptions Committee that approves it forwards it directly and uploads on SIM.

Not granting suitability: If from the analysis of the request it is found that the family does not have the requirements of suitability set forth by the rules of the Adoptions Program, through motivated Resolution (ICBF Committee) or motivated writ (for the case of IAPAS), shall report in

writing to the family the reasons for this decision, and the administrative resources that they have the right to before the decision. If no resource is filed, the documents shall be available for the applicants to be withdrawn from the moment in which the communication is sent. If during the thirty (30) calendar days after sending the communication to formal request is received of withdrawal of documents, they shall be returned to the address provided.

Adoption requests that have been previously “not approved”, WILL NOT be considered again, while no valid and sufficient evidence that accredits that they have overcome or solved the causes that lead to a negative valuation be provided. In any case, once the process with its resources has been exhausted, and the decision of non-approval has been ratified, between one and the other request at least six (6) months must have passed. A new petition in SIM will be assigned to the family, they shall provide all the documents and all the elements will be assessed again, and a new process will be started.¹²⁵

Request expansion of Study or Remittance to Intervention by Psychology or another professional: If from the analysis of the dossier by the members of the Adoptions Committee it is found that the content does not provide enough clarity to grant or not suitability to some applicants (inconsistent reports, incomplete, or not very in depth, missing documents, expiration of them, therapeutic support, among others), the Regional or the IAPA Committee may ask the team or the Defender’s Office (multidisciplinary team in other cases) to forward the dossier, the missing issues be clarified and the relevant actions be carried out to make the decision.

In case that the Adoptions Committee requests expansion it shall leave record on the minutes of the aspects that thus determine it and it shall proceed to report, to the requesting family and to the psychosocial team that intervened in the readiness of the family, the aspects that need in depth or the missing documents. Also, they shall be informed that they have a maximum term of two (2) months to return the documents and the required expansion of the information for a new analysis.

¹²⁵ Rosser, A. (2009) Refers that NO suitability in a certain moment may vary and that usually this concept is fluctuating, as well as he also states that No suitability does not mean dysfunctionality in the family in their every day. On that respect, he quotes “On the first place, in valuation of suitability for families for adoption, temporality must be considered, that is, that it refers to the moment in which it was assessed. Thus, it does not prevent interested parties from presenting a new request in the future, once the problems that motivated the decision have been solved. Regarding this, suitability must be understood as something circumstantial: it may occur that a family that was declared suitable on one day may not be considered as such on a further revision, when their personal and/or social circumstances have changed, or even the opposite. Another important question to be indicated is the fact that a declaration of non-suitability of the family in other realms of everyday life, even for performance of biological paternity. It is about a specific valuation of some very concrete items (page 107)

If from the review or expansion the Adoptions Committee thus considers it, they may remit the person, spouse or permanent companion to intervention by psychology or of any other kind of professional that they deem necessary leaving the request on study until the reasons for remittance have been solved. For these cases, the requests of families residing in Colombia registered in SIM with status “on study”, and the term for such status may not be more than two (2) months. Once such term has expired the request shall be waived.

STEP 17. Cases of suspension of the adoption process.

Suspension of the adoption requests of Colombian or foreign family, residing in the national territory¹²⁶.

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional to which it corresponds IAPA	<p>The person/spouse/permanent companion report the situation to the Zonal Center, ICBF Regional or Authorized Institution</p> <p>Requests of adoption that have been <u>approved and have suitability</u> of the Regional Committee or from the IAPA shall be suspended, of writ or upon request of the applicants, one time only, for the following reasons:</p> <ul style="list-style-type: none"> • Pregnancy • Health situations, whether from the applicants or by any member of their family net that directly affects family stability of the applicants • Drastic modification of economic conditions • Travel because of work depending on 	<p>One (1) month since learning about the situation.</p> <p>In pregnancy, it shall be suspended for one (1) year from notification of communication.</p> <p>Five (5) months from notification of communication.</p>	<p>At ICBF: Regional Adoptions Committee</p> <p>At IAPA. Adoptions Committee of the Institution</p>

¹²⁶ Consider that in the legal stage a special rule is set forth in the Code of Childhood and Adolescence art. 126 numbers 2 and 3. Cases in which it shall proceed pursuant to what is set forth in the law. The causes for suspension and waiver stated herein and their actions shall be made exclusively in the administrative stage of the process.

	<p>the length of time and if they affect the process in any of its stages</p> <ul style="list-style-type: none"> • Changes that may significantly affect the conditions for welcoming the child <p>For one time only through the process of assessment, the request may be suspended when the Adoptions Committee approves written remittance to psychological therapy considering the report of the professional who assesses the family as support.</p> <p>The family may request in writing to the Adoptions Committee the suspension of their process during preparation and assessment for the following reasons:</p> <ul style="list-style-type: none"> • Health situations, whether from the applicants or by any member of their family net that directly affects family stability of the applicants • Drastic modification of economic conditions • Travel because of work depending on the length of time and if they affect the process in any of its stages • Changes that may significantly affect the conditions for welcoming the child 	<p>Five (5) months from notification of communication.</p>	
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	<p>The Adoptions Committee analyzes the situation and grants suspension in the terms set forth, reporting the decision through writ, and carrying out act on SIM.</p> <p>In case that no communication is received within set time and after one of the described situation is set, ICBF or IAPA Adoptions Committee order suspension of the request and/or analyze if they lead to waiver of it.</p> <p>There shall be no room for more than one suspension to a new request at any time in the process (assessment, readiness, waiting list), when a second suspension is requested, it proceeds to waive the request for adoption, and to carry out return of documents.</p>		
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Suspension of adoption requests from Colombian or foreign families, residing abroad

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional to which it corresponds IAPA	Central Authority, Accredited Organism, or official entity must inform ICBF or IAPA if some of the following situations occur, to suspend the process temporarily.	3 months max	Central Authority, Accredited Organism, or official entity At ICBF: Professional from Adoptions Sub Directorate
	<p>Adoption applications which have been approved or are under consideration for the approval of suitability by the Sub Directorate or by the Adoptions Committee of the IAPA, may be suspended only once for the following reasons:</p> <p><input type="checkbox"/> Pregnancy, preadoptive or foster care adoption in another country</p> <p><input type="checkbox"/> health situations, whether applicants or a member of your family</p>	<p>In pregnancy, foster care or adoption in another country, suspended for one (1) year from the notification of the communication</p> <p>Five (5) months from the notification of the communication.</p>	<p>At IAPAS: Professionals for the study of families</p> <p>Adoptions Committee of the Institution</p>

	<p>network that directly affects family stability of applicants.</p> <p><input type="checkbox"/> drastic change in economic conditions.</p> <p><input type="checkbox"/> Travel for work depending on duration thereof and whether they affect the process in any stage.</p> <p><input type="checkbox"/> changes that can significantly affect the conditions for the reception of the child.</p> <p>Adoptions Committee of the IAPA or Adoptions Sub Directorate analyze the situation and define the suspension informing the decision and register in the SIM.</p> <p>In the event that no communication is received within the period stipulated, and afterwards one of the situations described is found, the ICBF or he authorized institution, order the suspension of the application and analyze if these result in waiver of it.</p> <p>The suspension can only be requested once if not it is necessary to withdraw the application for adoption and return the documents.</p>		
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STEP 18. Cases of reactivation of temporary suspension

Reactivations of requests for adoption of Colombian or foreign families residing in the national territory

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional to which it corresponds IAPA	For reactivation of the request for adoption of Colombians or foreigners living in a jurisdiction of a Regional Committee, or IAPA, in the letter that they report of the suspension of the process	Five (5) months to one (1) year for pregnancy.	Applicants send communication.

	<p>they are informed that they have a term of no more than five (5) months, or 1 year, pursuant to case, to communicate the team of the Family Defender's Office or the IAPAS that they have overcome the reasons that led to the suspension and that the respective processes of study be started to be led by the Committee. The previous period is set forth so the family has the possibility to re-accommodate the change that took place in the family dynamics</p>		
	<p>The applicants shall report in writing to the Adoptions Committee that the situations that generated the suspension have ceased with the necessary support. The Adoptions Committee carries out act at SIM (reactivation of temporary suspension). And reports through memorandum to the Defender's Office or the multi disciplinary team in case of IAPA, so that the route is continued pursuant to the stage in which it was suspended and the terms.</p> <p>In cases in which the suspension emerges during the waiting list and once it has been communicated by the family that the reasons for temporary suspension of the process have been overcome, the team of the Family Defender's Office or the multi-disciplinary team of the IAPA elaborates the reports for the adoptions Committee. The following documents are sent:</p> <ul style="list-style-type: none"> • Elaboration of Update of psychological study with emphasis on the aspects that led 	<p>Within five (5) working days after the Committee.</p> <p>Within the fifteen (15) working days after communication with the family.</p>	<p>At ICBF: Family Defender's Office of the Zonal Center or Regional</p> <p>In IAPAS: Multi-disciplinary team of the institution</p>

	<p>to the suspension and the modifications made.</p> <ul style="list-style-type: none"> • Updating the psychosocial study with emphasis on the aspects that led to suspension and the modifications made. • Medical certificates in cases of suspension due to a health condition. • Labor and /or economic certificate in case the reason for suspension obeys an economic condition. 		
	<p>The request is submitted to a new study and decision by the Regional Committee or the IAPA, according to case. Once the updating documents of the family conditions are received and studied, it shall be determined if there is approval or not and/or a new presentation.</p> <p>The requests of families who have been valued that there are conditions to avail suitability, shall be reactivated on the waiting list on the next working day of the date of filing the temporary suspension in the information system.</p> <p>The actions of reactivation of request shall be made, presentation and step to waiting list in SIM, and the decision shall be reported to the family in writing.</p>	<p>In the next committee after receipt of the report and documents.</p>	<p>In ICBF: Regional adoptions Committee</p> <p>In IAPA: Adoptions Committee of the Institution.</p>

Reactivation of adoptions requests of Colombian or foreign family living abroad.

Where should it be filed	Technical Orientation	Terms	Responsible
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<p>ICBF: Adoptions Sub Directorate – National Directorate Office</p> <p>IAPA</p>	<p>For reactivation of the request for adoption of Colombians or foreigners living abroad, in the letter that they report of the suspension of the process they are informed that they have a term of no more than five (5) months, or 1 year, pursuant to case, to communicate the team of the IAPAS or the Adoptions Sub Directorate that they have overcome the reasons that led to the suspension and that the respective processes of study be started to be led by the Committee. The previous period is set forth so the family has the possibility to re-accommodate the change that took place in the family dynamics</p>	<p>Five (5) months to one (1) year for pregnancy.</p>	<p>Central authority, accredited organisms, or Official Entity.</p>
	<p>Once the terms are expired, letter of request for reactivation of temporary suspension is submitted to the Adoptions Sub Directorate, with the following documents:</p> <ul style="list-style-type: none"> • Update of suitability, or authorization for international adoption. When it corresponds. • Update of psychological report that supports new suitability • Update of psychosocial report that supports new suitability • Medical certificates in cases of suspension due to a health condition. • Labor and /or economic certificate in case the reason for suspension obeys an 	<p>Within fifteen (15) working days after communication with documents for reactivation has been received.</p> <p>Within the fifteen (15) working days after communication with the family.</p>	<p>Central authority, accredited organisms, or Official Entity.</p> <p>At ICBF: Family Professional assigned by the Adoptions Sub Directorate</p> <p>In IAPAS: Adoptions Committee of the Institution</p>

	economic condition.		
	<p>The request is submitted to a new study and decision by the Regional Committee or the IAPA, or the Adoptions Sub Directorate of the General Directorate Office according to case. Once the updating documents of the family conditions are received and studied, it shall be determined if there is approval or not and/or a new presentation.</p> <p>The requests of families who have been valued that there are conditions to avail suitability, shall be reactivated on the waiting list on the next working day of the date of filing the temporary suspension in the information system.</p> <p>The actions of reactivation of request shall be made, presentation and step to waiting list in SIM, and writ is issued reporting. In case of IAPAS, avail or not of an international adoption request shall be projected for signature of the Adoptions Sub Directorate in the quality of Central Authority</p>	In the next committee after receipt of the report and documents.	<p>In ICBF: Regional adoptions Committee</p> <p>In IAPA: Adoptions Committee of the Institution.</p>

STEP 19. Cases of waiver

Waiver of adoption requests of Colombian or foreign families residing in the national territory or not.

Where should it be filed	Technical Orientation	Terms	Responsible
<p>ICBF: Adoptions Sub Directorate – National Directorate Office</p> <p>Regional Adoptions Committee</p>	When a Colombian or foreign requesting family, residing in or outside the country, voluntarily waivers directly or through their representative they must report the reasons that led to this decision.	Those set forth in the technical guidelines for each situation	<p>In ICBF: Professional assigned by the Adoptions Sub Directorate</p> <p>Regional Adoptions Committee</p> <p>In IAPAS:</p>

IAPA	<p>Tacit causes of waiver are:</p> <ul style="list-style-type: none"> • Not providing the documents set forth in Step 5. • Not coming to three (3) summons by the teams of the family defender's offices or IAPAS or adoptions committees. Evidence of the summons must be recorded within the dossier of the applicants and in SIM • In case of death of one of the spouses, divorce, or separation waiver and return of documents shall immediately proceed by ICBF National Level, or Regional or IAPA to the family or legal representative, representative of the Accredited Organism in Colombia or Central Authority (consider what is indicated in article 26 number 3 of the Code of Childhood and Adolescence for legal process as an exception, in which case waiver does not apply). • If three (3) months have passed from the request of documents for avail of suitability, or of 		Adoptions Committee of the Institution.
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	<p>granting suitability the Regional or the IAPA's Adoption Committee, and the persons, spouses or permanent companions or the Accredited Organism or the Central Authority have not sent the documents, or have not requested extension to send them.</p> <ul style="list-style-type: none"> • In case of national adoption, if more than ten (10) days have passed of having assigned a child or adolescent to persons, spouses or permanent companions, residing in Colombia do not respond on assignment. • In case of international adoption, if thirty (30) days have passed since being assigned to a child or adolescent, the persons, spouses or permanent companions, and the Central Authority or the Accredited Organism do not respond to assignment • For no issuance of a new suitability or authorization for international adoption • During the stage of preparation and assessment 		
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	<p>the person, spouse or permanent companion, Colombian or foreign, <u>residing in the national territory</u>, report that they are pregnant.</p> <ul style="list-style-type: none"> • If the term for reactivation of suspension has passed and the family does not forward communication or does not request reactivation of the process. • When the person/spouse/companion DOES NOT accept the second assignment without due technical-legal support. 		

Note: in cases of waiver of the applicants on the preparation and assessment stages, the team of the Family Defender's Office of ICBF, or the team of the IAPA must report the Adoptions Committee so it elaborates communication addressed to the family and records corresponding acts on SIM.

STEP 20. Entry of applicants with approved request to waiting list

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Adoptions Sub Directorate – National Directorate Office IAPA	Every family requesting adoption that is approved, enters the waiting list, whether it is of the Adoptions Sub Directorate, of the	According to the need of the family of the children and adolescents reported to the Adoptions Committee.	At ICBF: Professional assigned by the Adoptions Sub Directorate

	<p>regional, or of the IAPA, in strict chronological order of approval.</p> <p>The waiting list of families shall move pursuant to the characteristics and conditions of the children presented to the Committees (Regionals or IAPAS), as well as by the preselection of approved families. Requests for adoption of children and adolescents with special characteristics and needs are excluded from the waiting list through assessment.¹²⁷ These requests shall enjoy a preferential and immediate process for family match (Special Matching). Requests of foster child, child of the spouse or permanent companion, or of a relative to third degree of kinship or second in law are excluded from the waiting list.</p> <p>At the time of match each Regional Adoptions Committee verifies the existence of Colombian families in the waiting list, and they shall prefer in equality of conditions, requests presented by Colombians at the Regionals and national level (Art. 71 and 73 of the Code of Childhood and Adolescence).</p> <p>In default, requests that enter through the Convention regarding the Protection of the Child and cooperation in terms of international adoption that indicates the subsidiarity of the foreign family when there is no national family. In case of no Colombian families the Secretary of the Adoptions Committee, for</p>		<p>Regional Adoptions Committee</p> <p>In IAPAS: Adoptions Committee of the Institution.</p>
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¹²⁷ These children have been postulated through manuals, strategies and initiatives for Getting Families for Children and Adolescents with Special Characteristics and needs declared in adoptability on firm standing and presented to the Adoptions Committee.

	<p>the case of ICBF, and the Legal Representative, for the authorized institutions shall certify this circumstance and assign foreign families, preferring those of countries bonded to the La Hague Convention, or to another convention of bilateral or multilateral character in the same sense, and leaving record in the Minutes Committee.</p> <p>In cases in which there has been proof by the Adoptions Committee that there are not three (3) Colombian or foreign families according to the profile of the child in the Regional, IAPA, Adoptions Sub Directorate for match, the analysis for possible match may be done with two (2) or one (1) family.</p>		
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STEP 21. Presentation of the children and adolescents to the Adoptions Committee¹²⁸

Where should it be filed	Technical Orientation	Terms	Responsible
<p>ICBF: Regional or Zonal Center, as it corresponds</p> <p>IAPA</p>	<p>ICBF regionals and IAPAS shall fully guarantee the rights of children and adolescents susceptible of being adopted, while they remain under their care, and they may not give them out to any person without complying with the requirements set forth in the Code of Childhood and Adolescence, and all the Technical Guidelines of ICBF that cover them in their different modalities and services.</p> <p>The presentation of the child or adolescent to the Committee is understood that the entry of them</p>	<p>One (1) month after the declaration of adoptability is on firm standing, the authorization for adoption or the consent has been declared valid.</p>	<p>At ICBF: Regional adoptions committee</p> <p>In IAPAS: Adoptions Committee of the Institution.</p>

¹²⁸ With the purpose of expediting the process of presenting a child or adolescent to the Adoptions Committee the Family Defender's Offices may, prior to formal forwarding of dossier of the child to the committee, submit it digitally.

	<p>into the adoptions program is made official and it corresponds to the committee to guarantee that the match with the family is made immediately.</p> <p>If they are girls, boys or adolescents with special characteristics or needs, it is proceeded with the match accordingly. A family may be requested to the Adoptions Sub Directorate with the purpose of getting at least three (3) families.¹²⁹ In these cases, the Sub Directorate first verifies the availability of a Colombian family open to national match and, in default of a foreign family. For each boy or girl without special characteristics or needs, three (3) families must be postulated for their analysis.</p> <p>In cases in which it has been proved by the Adoptions Committee that there are no three (3) Colombian or foreign families pursuant to the profile of the child in the Regional, IAPA, Adoptions Sub Directorate for match, analysis may be done for possible assignment with two (2) or one (1) family.</p>		
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Presentation of the children and adolescents with special needs and characteristics to the Adoptions Committees of the Regionals and IAPAS:

¹²⁹ Pursuant to ruling C-104 of 2016 “It shall be procured in as much as possible to present at least three different options to ICBF’s or IAPA’s Adoptions Committee for each child or adolescent, for which the mechanisms of coordination from input of information to the Missional System Information (SIM) must be provided”.

Children and adolescents with special characteristics and needs are those who¹³⁰:

- Are ten (10) years old or older
- Belong to a group of two or more siblings, in which one of them is ten (10) or older
- Belongs to a group of three or more siblings
- Is of any age and has certain permanent disability (consider the classification set forth in paragraph of step 15, Special considerations to classify the kinds and degrees of disability in the comprehensive report).
- Is of any age and has some chronic serious disease or condition that requires specialized attention in the health system. For example, CP, moderate, serious or severe mental delay, hydrocephalic, microcephalia, HIV, club foot, developmental delay, respiratory problems, clef palate, hypertoroids, congenital heart disease, congenital syphilis, deafness, sequels of sexual abuse, severe behavior or learning problems, generalized developmental disorders, among others.

With the profile of the child or adolescent, it is intended to provide clarity to the applicants for adoption at the time of match, which must be expressly defined within the Comprehensive Report Form given that the resources and conditions of the parents that adopt children and adolescents of special characteristics and needs must be superior than those who are usually expected when adopting children without these characteristics.

It is important to make it clear that, there are situations that must NOT be proposed to “determine” boy or girl or adolescent as of special characteristics and needs, such as the following:

- General and proper lacks of all children who are in the Administrative Process of Reestablishment of Rights: on this regard, it is necessary to make it clear that Colombia is aware that after the development of the child in their four most important areas progresses. Motor, language, adaptive/cognitive behavior and persona social behavior (social affectionate)¹³¹ the behavior becomes more complex requiring that the adopting parents of greater conditions to successfully face the lacks of children who are under reestablishment of rights, without this implying that they be categorized as special children because of their antecedents or history of life.

¹³⁰ In Colombia, children and adolescents with special characteristics and needs are defined as those whose profile makes it difficult to get a national or foreign family.

¹³¹ DIAZ, R. Cornejo, W. Neurología Infantil. Texto de Diferencia y Guía para el Diagnóstico de los Problemas Neurológicos de la Niñez. Ed. Universidad de Antioquia. Medellín, 2002.

- The institutionalization of less than four years: Consequences of institutionalization in children are well known in literature, for example, in the text cited¹³² refers that for every three months that the child spends in an institution during the first year of life, they miss one month in language and psychomotor development. Also, Acad J. M. (2005)¹³³ indicates that institutionalization, the externalizing symptoms, those of attachment and the post-traumatic stress disorders may arise in adopted children. The American Academy of Childhood and Adolescence Psychiatry (2002)¹³⁴ indicates that as they get older, adoption generates more risks, but that these may be overcome as long as the adopting parents have enough preparation and knowledge of the medical – psychological antecedents of the child or adolescent, an aspect that is broadly debated in favor by said studies.
- Some health conditions: Another aspect, aside from the situations that are inherent to their history of life and institutionalization, are the specific health conditions that the biological or adopted children may have and that are not attributable to the incidental variables related to adoption. For this, the adopting parents must be able to understand, accept and “de-stigmatize” these aspects. These conditions are pathological that all children present, they are not permanent, and they are temporary. For example, measles, scabies, chicken pox, flu, parasites, rubella, etc.

The concept of the boy/girl at risk must be differentiated from the one of special characteristics and needs. Children at risk are among others: a) premature children without neurological, physical alterations nor clinical manifestations; b) children with family, genetic antecedents of deficiencies, psychiatric, perinatal complications, toxicomania, and alcohol consumption during pregnancy that have not evolved into syndrome, and relevant pre, peri and postnatal situations and that do not have clinical manifestations. In all cases these situations have not evolved into a specific pathology or this has been cured. If a child at risk is detected, valuation by a competent health professional, shall be what allows us to establish if they may be considered as boys or girls with special characteristics and needs.

¹³² Idem

¹³³ ACAD, J. Children in Adoptive Families: Overview and Update. In Psychiatry Magazine. 2005 no. 44 p 987-995.

¹³⁴ AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY. Family Facts. The Adopted Child. Available at. <http://leesplace.org/wp-content/uploads/2012/2013/The-Adopted-Child.pdf> (retrieved on February 12th, 2016)

Thus, it shall be understood that the real special needs are those that demand the health system, psychosocial follow up teams, therapists and school system, a more specialized approach than the current one within protective services.

The proposal is that for this match of family for children and adolescents with special characteristics and needs not only has valuations through the Accredited Organism or strategies for getting a family at an international level, but that the Regional carry out the entailing of Colombian families, whether through the alternative of families of psycho-social welcoming, or to seek for strategies aiming to guarantee the right to have a family, which may be obtained deepening on the preparation and potentializing them with the purpose of transforming and evolving the expectation of those families that have the resources to assume those children. (See Manual for valuation by Colombian and foreign families with permanent residence in Colombia for children and adolescents of special needs and characteristics).

Of the actions carried out with the children and adolescents, with special characteristics and needs, the Adoptions Sub Directorate shall consider the actions carried out by Organisms, or Authorized Institutions on the report of children and adolescents valued and getting families to be considered on the renewal of the Authorization and licenses.

All valuations that International Organism carry out to the child or adolescent must be submitted or reported to the Adoptions Sub Directorate and to the Secretary of the Committee from which the child or adolescent comes from, so that they are included in the attention record. In case of valuations with Colombian families, the results of it shall be included in the Comprehensive Record and in the Comprehensive Report.

STEP 22. Match of a family with request for adoption (Only dutifully approved adoption requests and in waiting list may be matched)

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional or Zonal Center, as it corresponds IAPA	This is the crucial moment of the Adoptions Program given that from the decisions made in the Regional Committees or the IAAPAS it may be determined if the adoption shall effectively correspond to the best interest of the child. From the appropriate selection of a family for the child or	Immediately	At ICBF: Regional adoptions committee In IAPAS: Adoptions Committee of the Institution.

	adolescent, depends the success of the adoption.		
ICBF: Regional or Zonal Center, as it corresponds IAPA	<p>The decision of match falls on the Regional Adoptions Committee of the IAPAS, for which not only the conditions and suitabilities of the applicants must be considered, but also the profile of the child or adolescent.</p> <p>If they are children or adolescents with special needs and characteristics, match is proceeded pursuantly. For which a family may be requested to the Adoptions Sub Directorate with the purpose of getting at least three (3) families. In these cases, the Sub Directorate first verifies the availability of a Colombian family open to national match and, in default of a foreign family. For each boy or girl without special characteristics or needs, three (3) families must be postulated for their analysis.¹³⁵</p> <p>In cases in which it has been proved by the Adoptions Committee that there are no three (3) Colombian or foreign families pursuant to the profile of the child in the Regional, IAPA, Adoptions Sub Directorate for match, analysis may be done for possible assignment with two (2) or one (1) family.</p> <p>If there were two foreign families, one of a country not bonded to the Hague Convention of to another bilateral or multilateral</p>	Immediately	<p>At ICBF: Regional adoptions committee</p> <p>In IAPAS: Adoptions Committee of the Institution.</p>

¹³⁵ Pursuant to ruling C-104 of 2016 "It shall be procured in as much as possible to present at least three different options to ICBF's or IAPA's Adoptions Committee for each child or adolescent, for which the mechanisms of coordination from input of information to the Missional System Information (SIM) must be provided".

	<p>Convention in the same sense, and one that is, the one that is from the country that is signatory of said convention shall be preferred.</p> <p>Requests of families residing abroad, who have not had a match in a period of two months, shall be returned to the Adoptions Sub Directorate.</p>		
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For cases in which the applicants state their wish to change of preselection, intervention by the Family Defender's Office, the psychosocial teams of the IAPAS or regionals must be carried out with the purpose of technically supporting the increase of the age range or characteristics of the child or adolescent and forward it to the Adoptions Committee.

In case of international adoption requests in which the applicants state their wish to change preselection the legal and relevant documents that support it, must be submitted by the Authority or Authorized Organism together with the letter of intention by the interested persons.

Exceptionally and because of a dutifully justified cause, and in the best interest of the child with special characteristics or needs, which protective measure is the beginning of the adoption process, the Adoptions Sub Directorate with the Regionals, or IAPAS, shall coordinate transfer of the child or adolescent to other protective services or Regionals/Institutions, with due preparation and support from the psychosocial area as a transition period and gradual detachment for match with a family.

STEP 23. Notification of match to the person, spouse of permanent companion.

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional or Zonal Center, as it corresponds	Once the match is done and having consigned in the minutes the respective records, the Secretary of the Adoptions Committee shall elaborate the communication addressed to the family and/or to the Central Authority of the Receiving country reporting that they have	Five (5) days after the session of the Adoptions Committee	At ICBF: The Secretary of the Regional Adoptions Committee

	been matched to one or several children or adolescents.		
ICBF: Regional or Zonal Center, as it corresponds IAPA	<p>The following must be included in the communication:</p> <ul style="list-style-type: none"> • Comprehensive report • Appendixes • Photocopy of the Resolution of Adoptability, consent or authorization for adoption <p>In that same communication, the commitment of confidentiality of data must be reported, seeking to safeguard the right to privacy.</p> <p>The term that they have to respond to the acceptance or not of the match must be included in the communication. Additionally, the option of requesting expansion on the medical information of the child or adolescent is informed. Finally, the communication shall report the approximate time of integration and legal process in the place of domicile of the child or adolescent, so that the family and/or organism carry out the corresponding dealings. It is worth stressing that in said communication it is reported that the average of stay in the country is of at least two (2) months, nevertheless it is important to suggest to request the Colombian Chancellery of the respective country to issue a temporary visa TP-8 for a period of no less than six (6) months¹³⁶</p>		In IAPAS: Secretary of the Adoptions Committee of the Institution.

¹³⁶ It is important to not that occasionally adoption applicants must request permits of stay to leave the country due to the expiration of their visas, and it must be considered that for regulations, the Ministry of Foreign Affairs the visa of the Adopting TP-8, is granted for terms of up to one (1) year.

Once the family is assigned to a child or adolescent, the Secretary of the Committee has five (5) working days further to the respective session and shall communicate the decision through a letter to the family, in which the age of the child or adolescent is included, and the time that they have, ten (10) working days or thirty (30) working days for the international adoption process) to report if they accept the child or adolescent or not. Also, with the letter of assignment to the family a copy of the resolution of adoptability is provided, of consent or authorization, depending on the case, birth certificate with due subscription in the book of miscellaneous and comprehensive report with all appendixes. It will also be made in the Authorized Institutions in which the communication must be signed by the Secretary of the Adoptions Committee.

STEP 24. Presentation of the child or adolescent to the family.

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional or Zonal Center, as it corresponds	Once the family is assigned to the child or adolescent, it is proceeded to present them through the comprehensive report including a photograph, a photocopy of the birth certificate and an informal copy of the administrative act that resolved the legal situation of the child or adolescent, with the respective secretarial records. The comprehensive report has a validity of two months, after this period it must be updated to be forwarded to the family.	Five (5) days after the session of the Adoptions Committee in which the match is done.	At ICBF: The Family Defender's Offices and Members of the Committee
IAPA		In case of international Adoption, the presentation shall be done in a prudential time that allows analysis within the response times.	In IAPAS: Team of the institution In case of countries that do not belong to the Convention, other entities of the Government.

Note: in case of national and international adoption it is the duty of the teams of the Family Defender's Offices to provide the totality of the comprehensive report of the child or adolescent and ALL its appendixes.

In case of international adoption, it is the duty of the Accredited Organism, for the presentation of the child or adolescent to the family and *prior response to assignment*, to provide it, together with the translation of all the comprehensive report.

This includes the translation and submission of ALL the appendixes provided by the Secretaries of the Committee. Omission of this requirement leads to relevant actions at ICBF.

STEP 25. Response to assignment

Person, spouse or permanent companion residing in national territory

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional Adoptions Committee or IAPA	<p>In case of positive response, the family sends communication and information on adopting person/spouse/permanent companion of the child or adolescent Form. The Secretary of the Adoptions Committee starts, together with the Family Defender's Office team the readiness plan for the child or adolescent and sets the date and time of encounter. Within this term the family may request expansion of information or clarification of the comprehensive report. When additional tests are required, proceed to apply the manual for valuation of Colombian and foreign families with permanent residence in Colombia for children and adolescents of special needs and characteristics. If the answer is negative and not justified, or if there is no response, the Adoptions Committee shall analyze the suitability of the family, shall revoke assignment and shall proceed to reassign the child or adolescent to another family. After a family has rejected two (2) assignments without due support, the request for adoption shall be waived, suitability shall be revoked and the respective acts shall be placed on SIM. Proceed to return documents.</p>	Ten (10) working days.	The applicants

Response to assignment of person, spouse or permanent companion residing abroad

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional Adoptions Committee or IAPA	<p>In case of positive response, the family sends communication and comprehensive report for Readiness of the Child or Adolescent. The Secretary of the Adoptions Committee starts, together with the Family Defender's Office team the readiness plan for the child or adolescent and sets the date and time of encounter.</p> <p>Within this term, the family may request expansion of the information or clarification of the comprehensive report.</p> <p>If the answer is negative and not justified, or if there is no response, the Adoptions Committee shall analyze the suitability of the family, shall revoke assignment and shall proceed to reassign the child or adolescent to another family.</p> <p>After a family has rejected two (2) assignments without due support, the request for adoption shall be waived, suitability shall be revoked and the respective acts shall be placed on SIM. Proceed to return documents.</p>	Thirty (30) working days.	The applicants

STEP 26. Readiness for the encounter

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional or Zonal Center, as it corresponds. IAPA	<p>This stage considers preparation of the child or adolescent, which involves the stages "past", "present" and "future". Readiness begins from the arrival of the child or adolescent to the Administrative Process and entry into the protective system, which is aimed at strengthening the child or adolescent at</p>	<p>At least ten (10) working days for boys and girls who are less than one year old, and at least twenty (20) working days for children older than one.</p> <p>This term may be extended in case of boys and girls older than seven (7), and with greater emphasis for children and</p>	<p>In ICBF: Family Defender's Office of the Zonal Center.</p> <p>In IAPAS: Multi-disciplinary team of the institution.</p>

	<p>personal level and prepare them to structure a life project, whether it is with an adopting family or towards the projection of an autonomous and independent life.</p> <p>Once a specific family is assigned to the child or adolescent, the future stage begins, which includes familiarization with their future parents, familiarization with changes, explore fantasies and fears, minimize secondary losses and facilitate good byes. On the other side, it is also important to prepare the family for the encounter with a specific child or adolescent.</p> <p>To prepare the child or adolescent, regarding the “future” stage, it is important that the Adoptions Committee, through the Secretary, notify ICBF’s zonal center to carry out preparation for at least 20 days before the encounter. Longer times shall depend on the characteristics of each child or adolescent and on the family. Also, they shall provide the information Form of adopting person/spouse/permanent companion of the child or adolescent, complete photograph album, letters and other objects that are available¹³⁷ to ICBF’s zonal center; considering the knowledge of some basic communication expressions in the other language.</p> <p>In case of ICBF, the psychosocial team of the Zonal Center (the one that decided on the situation of the child or adolescent), is responsible</p>	<p>adolescents who have participated in the strategies that lead to adoption.</p>	
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¹³⁷ In case it is considered favorable by the Family Defender’s Office team that is in charge, virtual interviews may be arranged when dealing with children and adolescents with special characteristics and needs. These encounters shall take place with the due supervision and support by the professionals of the Family Defender’s Offices.

	<p>for the preparation of the child or adolescent, in coordination with the foster home and institution. In any case the ones responsible must outline the individual plan for preparation of the child or adolescent and the family in which the child or adolescent, in which the child or adolescent, depending on their age and characteristics, actively participates. Always considering the right of the child to be heard and their opinions shall be taken into account, this does not necessarily constitute the grounds for the decision.</p> <p>Under no circumstance the foster mother shall be responsible for preparation. Her valuable knowledge is considered, she shall provide relevant information on the child or adolescent but she is not the responsible person for preparing them.</p> <p>Additionally, during preparation, there shall be closing and good bye with emotional references, significant persons, school and friends.</p> <p>The psychosocial team of the Zonal Center of the IAPA may, prior coordination with the Secretary of the Committee, have access to more information of the family, with the help of a professional from the adoptions area. But, in no case, there shall be issuance of copies of documents or valuations of the family that are in the dossier.</p> <p>When the child or adolescent is placed in a IAPA and/or ICBF regional</p>		
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	and it does the match, it is the multi-disciplinary team from them the one that prepares them during the minimum term that has been set.		
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STEP 27. Encounter

Where should it be filed	Technical Orientation	Terms	Responsible
<p>ICBF: Regional or Zonal Center, as it corresponds.</p> <p>IAPA</p>	<p>The encounter between the child or adolescent and their family constitutes the first evidence of recognition and acceptance or not of both parties. This stage requires support and advise from the professionals of the competent psychosocial area with the purpose of verifying that the family interaction is positive and /or to provide support when it is needed, considering the different situations that may arise.</p> <p>The child or adolescent must stay in the institution, foster home or IAPA, until the time of the encounter, which is held at the Regional, or at the IAPA. If it is necessary, the Committee shall authorize the encounter in the Zonal Center that defined the legal situation of the child or adolescent for which they must consider the conditions of public order in which ICBF's zonal center is located. This transfer must be done with the least possible anticipation to avoid long stays that demand that the child or adolescent make new adaptations and familiarizations, with the physical and emotional cost that the addition of losses and separations implies, unless it is considered that a stay at a second welcoming place guarantees more emotional stability in the</p>	<p>The date and time that the Secretary of the Adoptions Committee of the Regional or of the IAPA sets for the encounter.</p>	<p>In ICBF: Family Defender's Office in charge.</p> <p>Regional Adoptions Committee.</p> <p>In IAPAS: Director and multi-disciplinary team of the institution.</p>

	<p>child or adolescent and it guarantees adaptation to their new family setting.</p> <p>The Family Defender or the Regional Adoptions Committee Secretary, according to case, shall carry out the change in measure pursuant to the powers granted in Art. 53 of the Code of Childhood and Adolescence, number 3, "Immediate Location in family setting", which shall be done through minutes subscribed by the adopters and the Family Defender. This also applies for the children or adolescents who have been assigned a family through the IAPA. The IAPAS must invite the Family Defender responsible for the case as Administrative Authority, who shall carry out the change of measure.</p> <p>Foster mother, under no circumstances, may attend the diligence of encounter, nor shall she be provided data of the adopting family.</p>		
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Considering the best interest of the child or adolescent, it may be feasible to set the encounter of the child or adolescent, with the family in another Regional or Authorized Institution. Thus, in case a Colombian or foreign family residing in Colombia or residing abroad that was assigned to a child or adolescent, states their wish through communication to the Adoptions Committee, ICBF's regional director or the Authorized Institution, in the title of president of the Committee, shall utter on said request, prior study from the Committee. On the other side, it is necessary to arrange the encounter specifically for families residing abroad in a date that is not near to the courts recess.

Setting a space for exchange between the adopting family and the Family Defender's Office responsible for the child or adolescent, prior to the encounter, is very relevant as part of support and guidance of the family, both in Colombia as abroad, to clarify or expand information of the children or adolescents. Record of this interview, and from the information provided in the

comprehensive report, must be set in the minutes of the meeting that is attached to the Minutes of the next session of the Adoptions Committee.

This interview must be held at least 24 hours before. The Family Defender's Office, the psychosocial team of the IAPA, or the adoptions psychosocial professionals, shall carry out a meeting with the future parents in which:

1. A report on habits, routines, preferences, photographs and other elements that it is considered that may facilitate the process are submitted.
2. If the child or adolescent is taking any medication, the prescription, dosage, medical recommendations for intake and are given.
3. Doubts regarding information provided are clarified.
4. The family is guided on care techniques that facilitate integration according to the characteristics of the child.
5. If between the time of match by the Adoptions Committee and the encounter there have been medical assessments, any diagnosis that was unknown to date is provided, or if there is new information on the conditions of the child, it is the duty of the Family Defender's Office responsible for the case to immediately report¹³⁸ to the Adoptions Committee so that the family (Accredited Organism) be reported by said Committee¹³⁹, the communication with the clarifications and correction of the comprehensive report addressed to the Central Authority and the Family (Accredited Organism) shall be issued on the next working day from its reception. The omission, alteration or simulation of the actual physical and psychological conditions of the child or adolescent when preparing the comprehensive report, shall be cause of claim to the Internal Disciplinary Control Office for the respective actions for the cases of public officers and collaborators, and in the case of IAPAS, suspension of the license. The response of the family (Accredited Organism) and the Central Authority on the reported changes, the case shall be analyzed again by the Adoptions Committee that did the assignment to establish if the continuity of the process is feasible, confirming or revoking the act, and it is proceeded to assign another family to the child or adolescent. The aforesaid, without prejudice of the specific situations that are derived in each case.
6. If for any extraordinary circumstance the day of the encounter or the day before, there was knowledge of changes in the physical and psychological health conditions of the child or adolescent, in the encounter, the medical evidence that supports the changes

¹³⁸ Through writ and updating the documents of the comprehensive report.

¹³⁹ For which the communication must be expanded to the Central Authority in cases of international adoption.

shall be supplied to the family and the basis of these reasons and conditions shall be explained to the family.

7. In the meeting, record is left regarding the availability of ICBF to provide psychosocial support regarding the child or adolescent in case it is needed during the integration, contact data of the professionals is left to assist them on any situation.
8. In cases of applicants living abroad, the obligation of the Accredited Organism to provide assistance and support during their stay in Colombia is reported.
9. A written certificate from this meeting is subscribed and act on SIM is made.

STEP 28. Integration and issuance of the favorable concept for adoption.

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Regional or Zonal Center, as it corresponds. IAPA	<p>This is the period of mutual adaptation, accommodation and affective bonding between the child or adolescent and the adopting family, which has stages that begin when the family receives the comprehensive report of the child or adolescent, together with the other documents; and the child or adolescent receives the photographs and other preparation elements that allow them to identify their new family (Integration Report Form and Certificate of personal integration of the child or adolescent with the adopting Form).</p> <p>For the time of issuance of the personal integration of the child or adolescent with the adopting certificate, absence of one of the parents is not allowed for any reason, when the request is joint. The presence of the children of the family is also deemed important.</p> <p>In cases in which elaboration of the integration report for is not under the</p>	<p>For boys and girls under 12 months of age, the date for valuation and issuance of the certificate of integration must be fixed at least three (3) working days after the encounter.</p> <p>For boys and girls 13 months and older, the minimum term is five (5) working days after the encounter.</p> <p>These terms may be extended depending on the characteristics and needs of each child or adolescent, of the resources and the family dynamics and/or of the support and professional interventions required.</p>	<p>In ICBF: Family Defender's Office of the Regional or Zonal Center.</p> <p>In IAPAS: Psychosocial team assigned</p> <p>Representative of the Accredited organism.</p>

	responsibility of the team Secretary of Adoptions, but of a Zonal Center, this must be immediately forwarded in copy to the Adoptions Committee.		
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After the encounter, the coexistence period begins, which is supported, advised and valued by ICBF's Psychosocial Team and the Authorized Institution, jointly with the support psychosocial professional from the Authorized Organism for the case of international adoptions, who shall guarantee the presence of an interpreter in cases in which the family does not speak the language. It is important that within the support, field work is done and record of the actions or remarks carried out that serve as input for the final concept. Within this integration stage, at least one home visit must be done to the families. In cases in which difficulties arise during integration support by professionals of the Family Defender's Offices and the Authorized Institutions must be made, using techniques that allow facilitation of integration.

Note: At the end of this term, certificate of personal integration of the child or adolescent with the adopting is a substantial requirement for the legal process, it corresponds to ICBF's Regional Adoptions Committee Secretary to subscribe it. When the encounter is held at the Zonal Center, it is subscribed by the Family Defender who defined the legal situation of the child or adolescent. At IAPAS the favorable concept for adoption (integration) shall be issued by the Family Defender responsible for the child's or adolescent's PARD.

Cases of failed encounter or integration

In case for different circumstances the encounter or integration is not successful, an extraordinary Committee shall be summoned, with the purpose of analyzing the situation and measure to adopt in favor of the child or adolescent, and to establish the causes that led to failure. The criteria for approval and match of the family, the kind of information that was provided on the child or adolescent, the readiness route both for the child or adolescent as for the family, the terms in which the encounter was held, and the kind of support that the family received during integration must be reviewed for this.

For cases of families residing in Colombia to whom suitability is confirmed after analysis of the extraordinary Adoptions Committee, it is necessary that a time of reflection pass by with support for the parties. In the same sense, it is not convenient to carry out a new match immediately, given that no space is given for elaboration of the loss both for the parents as for the children

or adolescents. This seeks to protect the child or adolescent, and the family of a new emotional and affective failure.

For the case of families residing abroad, ICBF Regional must send report to the psychosocial team that supported the process, with the corresponding concept, and the Minutes of the Adoptions Committee, to the Adoptions Sub Directorate. Also, the family must come to the General Directorate Office so that the psychosocial team that approved request analyze the situation and define if the family continues with avail of suitability to adopt in Colombia or not.

In any case, it is necessary that a reflection term of at least one month passes by, considering it not convenient to carry out a new assignment immediately.

For these situations suitability (or its endorsement) is assessed, and in case of withdrawal of it, the respective act must be uploaded in SIM. When there is an adoption ruling, it is appropriate to talk of failed adoption and the child, or adolescent enters the Administrative Process of Reestablishment of Rights. Or by default, for international adoption, the relevant actions of art. 21 of La Hague Convention of 1993 regarding the Protection of the Child and Cooperation in terms of international adoption must be carried out.

Legal Process.

STEP 29. Delivery to proxy

Once all the preparation, assessment, approval, encounter and integration of the family and the child or adolescent have been complied, the Secretary of the Committee issues favorable concept for adoption (in international adoption), certificate of suitability and certificate of personal integration of the child or adolescent with the adopting¹⁴⁰ with photocopy of the power of attorney, provided the family's proxy, prior presentation of power of attorney, the documents demanded in art. 124 and 125 of the Code of Childhood and Adolescence.

Compulsiveness of providing the ruling and the new Birth Certificate within the fifteen (15) days following firm standing of the ruling is also reported, considering that this omission does not allow the Secretary of the Adoptions Committee to carry out writ of reserve of adoption and orders remittance of the dossier to the file.

¹⁴⁰ In case of IAPAS this is issued by the Family Defender responsible for the case.

Under no circumstance other documents shall be provided except if the Judge that knows the process requires so. In any case, the Secretary of the Committee must ensure that in the attention record of the child or adolescent, lies a formal copy of the documents provided to the proxy which must be dutifully numbered and organized. At IAPAS documents shall be provided to the proxy by the Family Defender responsible for the case.

Submission of documents is done through written communication (Document Submission for Legal Process Form) which copy of receipt is attached to the documents that are in the Regional or Authorized Institution. In case the lawyer quits to the power or attorney, or that the family determines so, written notification shall be provided to the Secretary of the Committee, providing photocopy of the new one.

STEP 30. Legal and reserve stage

It shall follow the special rules contemplated in articles 124, 125, 126, 127 and 128 of the Code of Childhood and Adolescence.

Once the Adoption Ruling is executed, the Secretary of the Adoptions Committee, through writ, shall order the reserve mentioned in article 75 of the Code of Childhood and Adolescence. In case of IAPAS, the writ is issued by the Family Defender responsible for the case.

Once the legal stage has been completed and, with the purpose of exercising control in the departure of children or adolescents adopted by families residing abroad in countries that are part of the La Hague Convention, the Secretary of the Committee both from ICBF as from the IAPAS shall prepare (with copy or ruling and of the new Birth Certificate of the child or adolescent) the draft of Conformity, which shall be submitted to the Adoptions Sub Directorate for its elaboration and signature by the Adoptions Sub Director, or whoever acts as such, or from the General Director of ICBF (Certificate of Conformity in an International Adoption Form).

STEP 31. Issuance of the Certificate of Conformity

Exclusive for cases of international adoption of the States Party of La Hague Convention in Matters of Protection and Cooperation in International Adoption.

This certificate shall be exclusively by the Adoptions Sub Director or whoever acts as such, in compliance with what is set forth in said convention:

CHAPTER V. – RECOGNITION AND EFFECTS OF ADOPTION

Article 23

1. An adoption that is certified by the competent authority of the State in which it occurred, pursuant to the Convention, shall be fully recognized in right in other contracting States. The certification shall specify when and by whom have the acceptances mentioned in article 17, point c) have been granted.

2. At the moment of signature, ratification, acceptance, approval or adherence, every contracting State shall notify the depository of the Convention, the identity and the functions of the authority or authorities that, in such State, are competent to issue the certificate. It shall also notify any amendment in the appointment of these authorities. La Hague Convention in Matters of Protection and Cooperation in International Adoption).

The Functions as Central Authority in terms of Adoptions are responsibility of the Adoptions Sub Directorate pursuant to what is set forth in Decree Law 937 of 2012, article 41¹⁴¹.

Post-adoption Stage

STEP 32. Post-adoption follow up

The objective of post-adoption follow up is to learn about the reality of the children and adolescents in their new family setting, social and cultural environment, with the purpose of guaranteeing their emotional wellbeing, implementing accompaniment with the families lead from ICBF and the IAPAS, coordinated with the Central Authorities and accredited organisms.

The term for post adoption follow up accompaniment begins from the date of the execution of the ruling of adoption, being a requirement of the law. This follow up is the responsibility of suitable psychology or social work professionals from ICBF or from the Authorized Institution,

¹⁴¹ Art. 41 number 16. Exercise functions of Central Authority and coordinate compliance with La Hague Conventions regarding protection of the child or adolescent, cooperation regarding International Adoption of 1993, the civil aspects of the international subtraction of children and adolescents of 1980 and the Convention for obtaining food abroad from New York 1956 in which the Colombian Institute of Family Welfare is intermediary, aside from the Conventions in which the Colombian Institute of Family Welfare is appointed as Central Authority.

for residents in Colombia, and of the psychosocial teams or of trained and suitable professionals appointed by the corresponding Accredited Organism or by the Central Authority, in case of residents abroad, who shall follow the specs in this section and shall present the respective report to the Adoptions Committee of the Regional or Authorized Institution, for its analysis and decisions.

The *person, spouse, or permanent companion* are aware of their commitment to allow post-adoption follow up by the psychosocial team from ICBF, the IAPA, Accredited Organism or Central Authority, pursuant to case, and as such there is record is consigned in the adoptions request.

Activities that must be included in the post-adoption follow up:

Carry out a home visit to the families established of at least three hours (3) in which there must be:

1. An interview with parents and other adults that coexist with the adopted children and/or adolescents.
2. Interview with the children and adolescents that live at home, when their age and development allow it.
3. In cases in which the age or the development does not allow an interview, interaction with the children and adolescents is a must, through techniques such as direct observation and play activities (drawing, puppets, etc.).
4. Provide accompaniment, advise, guidance and intervention to the adoptive families, that facilitates and enhances family adjustment during the visit made by the professional.
5. Utter a concept and fill the post-adoptions follow up report form or the corresponding form pursuant to the guidelines of the Adoptions Sub Directorate
6. In cases in which the family dynamics, the characteristics or the conditions of the adoptive children or adolescents or their parents require specialized psychotherapeutic intervention, it shall be immediately reported to the Adoptions Committee and to the Health System entities for its respective process.
7. In cases in which there is evidence of sexual abuse, child abuse or inappropriate handling to the children and adolescents with their adopting family are identified, it shall be immediately reported so that the relevant actions are carried out.

8. In cases in which situations of sexual abuse, child abuse or inappropriate handling of the children and adolescents while they were under protective services are identified, it shall be immediately reported to the Adoptions Committee for its respective management with the purpose of taking the actions that should be carried out, pursuant to valid regulations.
9. In cases of national adoption, post-adoption follow up that corresponds must be submitted to the respective Regional within the five (5) working days from its due date: the first on the six (6) months after the legal ruling of adoption has been issued, the second on the twelve (12) months of the ruling, the third on the eighteen months (18) and the fourth on the twenty-four (24) months of issuance of the adoption ruling, carrying out the respective acts on the Missional Information System.
10. In cases of international adoption, the post-adoption follow up report that corresponds must be submitted to the respective Regional dutifully translated by a translator officially authorized by the Ministry of Foreign Affairs, and legalized (apostille) on the following month of completion of the term from the due date at the most¹⁴²: the first on the six (6) months after the legal ruling of adoption has been issued, the second on the twelve (12) months of the ruling, the third on the eighteen months (18) and the fourth on the twenty-four (24) months of issuance of the adoption ruling, carrying out the respective acts on the Missional Information System.
11. In cases in which the family has changed domicile, the professional must request the Adoptions Committee to carry out the active search through the available means to locate them.
12. Keep confidentiality of information obtained in each follow up report, with the purpose of safekeeping the reserve pursuant to what is set forth in Article 75 of the Code of Childhood and Adolescence – Law 1098 of 2006.

Post-adoption follow up for adoptions of a child's spouse, adoption of kin and adoption by legalization of foster child residing in Colombia.

For these cases, post-adoption follow up shall be done for one (1) year after the adoption ruling, and two follow up reports shall be elaborated, the first on the six months and the second after the first (19) year. This report shall follow the criteria and the post-adoption follow up report

¹⁴² Term granted for translation, apostille and delivery of correspondence reasons.

form and the suitable professionals in psychology or social work from ICBF shall be responsible for it.

The reports must be filed in the Attention Record of the children and adolescents, jointly with the family's dossier, in a special file from ICBF that guarantees what is mentioned in article 75 of Law 1098 of 2006. It must also be recorded on SIM and such indicator for each case must be controlled, taking as base the date of the adoption ruling, the traffic light and the post-adoption follow up indicator.

The Regional Adoptions Committee or the Authorized Institution are responsible and competent for:

- Demanding compliance to post-adoption follow ups in the terms set forth.
- Carry out or coordinate practice of post-adoption follow ups for the case of families residing in Colombia
- Demand compliance to the Central Authority or the accredited Organism, pursuant to case, when the families reside abroad.

In case of noncompliance:

In cases of international adoption:

1. At first noncompliance, the Regional or IAPA shall make a requirement in writing to the Accredited Organism or Central Authority, pursuant to case, with copy to the Adoptions Sub Directorate.
2. If noncompliance persists, the Regional shall report to the Adoptions Sub Directorate, which shall make a second requirement to the Central Authority.
3. If noncompliance persists, the Adoptions Sub Directorate shall report to the Committee of Authorization of Organisms.

STEP 33. Closing

Once the post-adoption follow up stage is completed, the Secretary of the Adoptions Committee of the ICBF Regionals, or the Family Defender in charge of the case at IAPAS, through writ closes the Administrative Process of Reestablishment of Rights, process that includes the whole Comprehensive History of the child or adolescent, and the family dossier.

The files of procedural reserve must rest in the Regional, or in the place assigned by the General Directorate Office, following the rules of documentary management, for a term of twenty (20) years.

What is set forth in art. 75 of the Code of Childhood and Adolescence must be obeyed in order to lift the reserve.

STEP 34. Search for origins

The children or adolescents and adults who have been adopted have the right to learn about their filiation (Art. 76 of the Code of Childhood and Adolescence), and their adoptive parents have the duty to share information considering, among other things, the specific developmental conditions of the child or adolescent, and their age. The adopted person that reaches their legal age has the right to have and to know the information that is available on their family and social life history, and the circumstances that surrounded their adoption, considering what is set forth in Art. 75 of the Code of Childhood and Adolescence.

The process of search for origins begins by the psychological needs, and it is related to the development of identity. Every child and adolescent, whether adopted or not, builds a family story that is modified through the life of people. Thus, adoption is part of this family novel, since it becomes the way in which the child or adolescent comes into the family. The lack of information may generate anxiety, uncertainty and feelings of insecurity, all of this projected to the adolescence period, when the person starts to consider themselves independent from their own family, it necessarily generates questions about “who am I?” and “Who could I have been?”. Said questions may lead the person to want to get information and/ or contact, considering that they are different concepts, and not necessarily come together.

Not all the adopted persons search their biological family, and this is an individual choice. The reasons that motivate their search may vary: to know the reasons that led their parents not to exercise rearing, to imagine that they may help them financially, to need this information for personal reassurance, and the establishment of their identity, for curiosity, among others.

Considering how important it is for some persons to search for their origins, in some cases the biological family may leave a letter to their child or relative explaining the reasons that led to their separation, which is attached to the attention record and is part of the documentation. Occasionally the biological family shows their wish to update their contact data, which must be

registered at ICBF or the Authorized Institution, as many times as necessary, and kept in a special file created for such purpose. In any case, the adoptive parents who wish, once the Adoption Ruling and the new Birth Certificate of the child or adolescent is obtained, they may request the Secretary of the Committee, in writing, photocopy of the complete Attention Record of their child, reserving the moment and the conditions in which they want to share with their child.

Since the history of the children and adolescents “declared adoptable” is many times “painful”, it becomes necessary that the adoptee previously know that there are risks when establishing contact with the biological family, and that they are not obliged to accept communication or encounters. It is important to indicate that this right is set forth by the law for the adoptee, but not for the biological or family of origin of the child, given that it is through the ruling of adoption that they lose all rights concerning the child or adolescent.

The Code of Childhood and Adolescence, in its Article 75, sets forth that who can be issued copies of the documents, and who may require to carry out lifting the reserve. In all cases the request is filed to the Adoptions Sub Directorate, who coordinates with the Secretary of the Committee who carried out the adoption to send the search record of the existing information and proceed to submit information or reenounters, with psychosocial support, so as to minimize impact and contribute to a harmonic encounter. There are no approved services for searching for roots in Colombia, thus they DO NOT generate additional costs. (See Search for Origins of adopted children, adolescents and adults’ manual).

Specific situations in cases of determined adoption:

STEP 35. Cases of intention of adoption of persons residing abroad for a child or adolescent with whom they have kinship or affiliation bonds.

Where should it be filed	Technical Orientation	Terms	Responsible
ICBF: Adoptions Sub Directorate – General Directorate Office Corresponding Regional or Zonal Center	1. Person/spouse/ permanent companions who request must send via email or conventional mail, a letter of intention of adoption to the Adoptions Sub Directorate,	Depends on the request.	The applicants.

	<p>with the following information:</p> <ul style="list-style-type: none"> • Motivation for adoption • Relation between the person/spouse/ permanent companion and the child or adolescent. • Clear identification of the child or adolescent, report the exact location in Colombia, indicate phone numbers and addresses, who they live with or has custody and personal care, who are their parents, etc. and pinpoint on their current situation. • Domicile and permanent residence of the adoption candidates, email, phone number, postal code, city, state and country. 		
	1. Writ to the Adoptions Committee of the regional of domicile of the child or adolescent requesting study of feasibility for adoption.	Five (5) days following receipt.	Adoptions Sub Directorate / Follow Up professional
	2. Writ to Zonal Center for appointment of Family Defender's Office.	Five (5) days following receipt.	Secretary of the Adoptions Committee
	3. Appointment of the Family Defender's Office to carry out social legal feasibility study.	Three (3) days following receipt of communication.	Zonal Center coordinator.
		Fifteen (15) working days.	

	4. Carry out social legal feasibility study for adoption and prepare reports. 5. Submit study and social and legal report to the Adoptions Committee for analysis.	Next three (3) working days.	Family Defender's Office Zonal Center. Family Defender's Office Zonal Center.
	6. Send analysis and concept to the Adoptions Sub Directorate, attaching the reports of the Family Defender's Office.	Next five (5) working days.	Secretary of the Regional Adoptions Committee
	7. Writ of response to the family	Next five 85) working days after receiving communication.	Adoptions Sub Directorate / follow up professional

The following processes are carried out according to each particular case.

Note: It is important that the team of the Family Defender's Office define what rights are reestablished to the child or adolescent through adoption, and that the adoption does not correspond to other particular interests, for example, easiness in getting visas (adoption as a migratory mechanism), or privileges abroad.

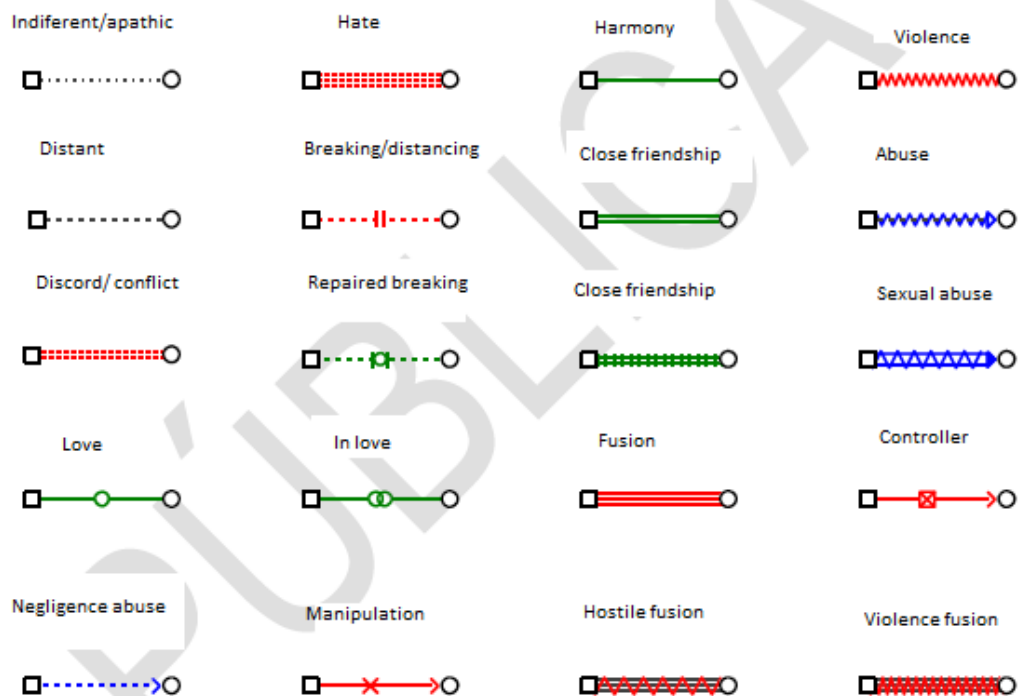
STEP 36. Assessment and preparation of person/spouse/permanent companions residing in the national territory for the process of adoption of children and adolescents with bonds (legalization of foster child, kinship, adoption of the spouse's child).

APPENDIXES PART 1

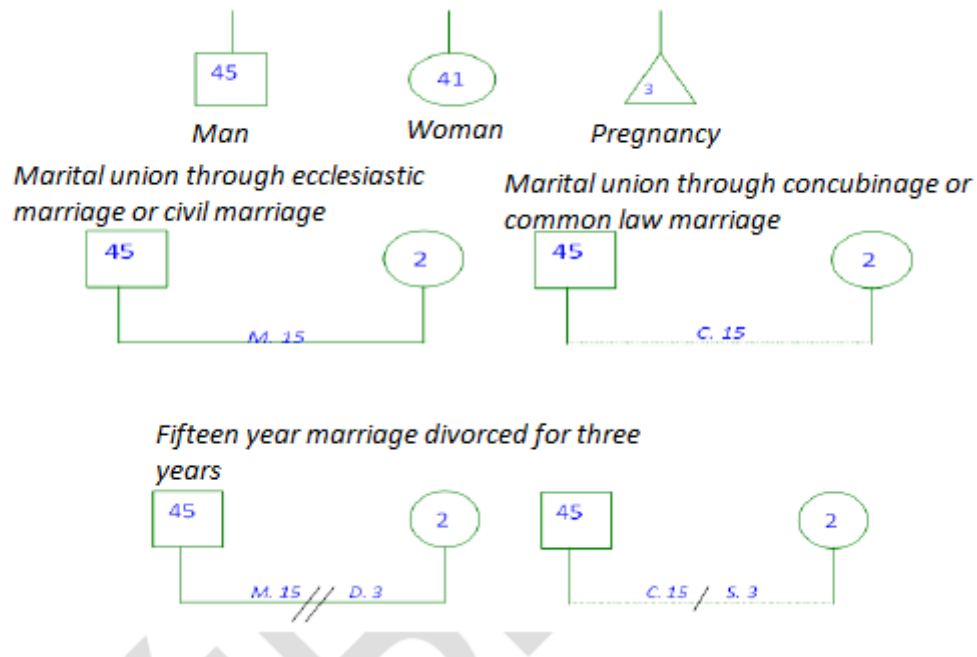
REGARDING THE ADOPTIONS PROGRAM

Appendix 2. Recommendations for social report.

It is necessary that social workers consider the following conventions to determine the kind of relation that is set forth in each case to prepare the genogram provided in the Social Report Form.



Gender representation



Appendix 3. Valuation of bond between siblings with adoptability.

OBJECTIVE:

To design a strategy to determine in a technical, clear and objective manner the treatment of the cases of siblings with declaration of adoptability, consent or authorization for adoption. This shall be used by the psychosocial teams of ICBF Family Defender's Offices and IAPAS.

WHEREAS:

1. The best interest of the child or adolescent to have a family.
2. The right of the child or adolescent to participate in decisions that regard them.
3. The first option is getting a family for the siblings group
4. The second option is getting a family for the group of siblings, with the commitment that they stay in the same country.

STEPS TO FOLLOW TO MAKE THE DECISION

1. ANALYSIS OF THE DOSSIER OF THE CHILDREN OR ADOLESCENTS:

1.1. Collect all the attention record or the dossier of the case (medical, psychological, social work, occupational therapy concepts, report cards, comprehensive report, vacations abroad form and reports of experience, etc.)

1.2. Critically and analytically read all the documents of the attention record, identifying situations and experiences that may be important to know about each child and adolescent, determine their real needs and make decisions for their actual benefit.

2. DIRECT OBSERVATION OF THE CHILDREN AND ADOLESCENTS

Record behavior of the children and adolescents in their daily environment, determining their behavior and interaction with adults, peers and siblings.

3. INDIVIDUAL AND GROUP ASSESSMENT OF CHILDREN AND ADOLESCENTS:

Interview the child or adolescent in an appropriate, quiet environment, without distractors and then establishing appropriate empathy and considering their vital cycle:

3.1. Assess the experiences of each child and adolescent before and after the process of reestablishment of rights.

3.2. Identify the coping styles of the children and adolescents, facing these experiences, dealing with losses and grief, lacks and weaknesses.

3.3. Identify strengths, psychological resources, resilience.

3.4. Identify therapeutic aspects and interventions received.

3.5. Identify primary needs (attention, affect, care, protection, belonging, emotional support, etc.)

3.6. Identify appropriate and inappropriate behaviors (Possible dysfunctional behaviors).

3.7. Use tests if needed (anxiety, depression, social skills, etc.)

3.8. Identify expectations facing adoption, readiness and grief management.

3.9. Identify the role of each sibling.

At this point, it is important to objectively assess, the actual expectations of the children and adolescents for their adoption and their concept facing possible separation from siblings, identifying their position.

3.10. Identify the kind of interaction between siblings (affection, aggressiveness, indifference, protective role, competitiveness, etc.) determining time shared between siblings and common activities.

3.11. If there is a protective role identify if it is appropriate or harmful.

4. INTERVIEW TO CAREGIVERS AND AUTHORITY FIGURES WHO KNOW THE CHILDREN AND ADOLESCENTS

4.1. Inquire on behavior and interaction as siblings of the children and adolescents.

4.2. Inquire about possible changes in behavior due to their declaration of adoptability and the possibility of their adoption, acceptance or resistance and dealing of grief for possible separation between siblings.

After these 4 steps, you shall have the necessary and sufficient elements to objectively determine the kind of bond between siblings and relevance or not of a possible separation, as well as projecting a possible intervention if required.

Appendix 4. Preparation of the child and adolescent for the encounter and adoption.

Preparation of the child or adolescent seeks that their bond to a new family be the least traumatic and to facilitate their adaptation to the new situation with the least emotional cost. Thus, the importance of carrying out a wide, appropriate and responsible readiness, which begins at the moment that the child and adolescent arrives at protective services.

Readiness of the child or adolescent for adoption, regardless of the age, involves several stages that may vary from one child and adolescent to another and that may be overlapped.

Stage 1. Past

The life history of each child and adolescent is different and intervention may substantially change. The attention of the children and adolescents shall consider the personal life history and from there, design with active participation of the child and adolescent, an attention plan that also enables access to the basic services, restitution of their rights.

The intervention is the period during which the child and adolescent coexist in a foster home or institutional setting and a comprehensive individual attention plan (PLATIN for its Spanish acronym) is developed with participation of the child, their family, if they exist, and the multi-disciplinary team of the institution, of the contracting entity or from the zonal center taking into account the results of a comprehensive diagnosis that involves the areas of right. With the data obtained from this assessment, the set of actions tending to strengthen the child and adolescent in the weakest aspects is defined.

During attention, if the child and adolescent has real possibilities of adoption, the psychosocial team of the zonal center and the authorized institution shall explain that their situation is temporary and that arrangements are being made to integrate them into a family.

This stage shall be aimed at:

- Restoring beliefs, values, ideas on themselves, the family and society overall.
- Favor the expression of feelings and of specific fears and access to positive affectionate ideas and experiences of repairing nature.
- Increase the level of self-esteem and thus, their capacity to give and receive affect through their interaction with adults.
- Develop self-care behaviors that allow them to be independent and acquire autonomy.
- Foster decision making and tolerance to frustration.
- Create a setting that is appropriate in which each child and adolescent may experience the importance of limits and rules, when living in a group.
- Reduce inappropriate feelings of aggressiveness and anxiety.
- Foster emotional and affective stability.

A fundamental premise is that the history of life of the child and adolescent be completely recorded by the professionals, and any other person who is linked to the intervention of protection, including the personnel of foster home and the institutions in which the child and adolescent or young person interacts, given that this information is vital for the adopting parents, who, informed of the experiences of the child and adolescent, may offer them the best conditions for their development.

It is important that foster families and institutions keep a record of the history lived by the child and adolescent in that context because it allows professionals to collect elements to prepare the comprehensive report.

All antecedents of origin of the child and adolescent shall be recorded, including pictures, using technical, respectful terms and as harmless as possible, considering that in the future, the child and adolescent shall have access to that information and it shall enable their personal and social reassurance.

Stage 3 – Future

It is the stage of *specific* preparation for adoption and it is related with the family and the family and social setting to which the child and adolescent will enter into once adopted, thus at least 20d days are required, it also requires setting a determined readiness plan based on the age of the children and adolescents, if it is a group of siblings, the life history, their performance while on protective services, the time that they have been in protective services, the bonds that have been created and the expectations facing adoption.

Readiness seeks that the child or adolescent:

- Understands and accept the idea of adoption, providing them information on its meaning, its advantages as an alternative for a fulfilling life, the legal process, and its social implications.
- Express their expectations and fears regarding adoption and their new family.
- Clarify confusing ideas about the fact of being adopted.
- Set the difference between their family of origin or prior parental models and their new family.
- Understand the different kinds of families (consider the new family typology indicated in the regulations)
- Understand that their new family shall also have rights, duties, limits and rules, avoiding the idealization of the adopting family.
- Assume that as another member of this family, they shall have rights and duties.
- Understand that the feelings of attachment, affect and belonging to their new family are progressively developed, in a natural and spontaneous manner in coexistence.
- Have a concrete image of their adopting family and of the place in which they will live, favoring exchange of photographs, album prepared for the child or adolescent, correspondence, video, among others.
- Transmit to the child and adolescent what it means to have “new parents” and thus a new family (grandparents, uncles, aunts, cousins, etc.) and a new social group.
- Explain the meaning of permanence (irrevocability) and of belonging, including change of last name.
- Facilitate their detachment from close persons, whether from foster home or from the protective institution.
- Reduce anxiety and fear generated from facing new situations and experiences.
- Elaborate the losses inherent to the change of context and setting (even cultural).
- Favor the establishment of new bonds.

Familiarization with future parents:

It is important that, through pedagogical tools, the child and adolescent learn that there are different kinds of families: single parent, nuclear, extended, homo-parental, hetero-parental, with or without biological and/or adoptive children, the functions that the family complies, the roles of their members, this with the purpose of preparing the child and adolescent in the specific role that they shall have in their new family.

The recognition of the child and adolescent with strangers is made easier when they are familiar with several expressions and attitudes. It is recommended that the adopters provide photographs of themselves, and of their family and social net, in different activities and situations that enable the child or adolescent to project themselves in their future family, physical setting and overall in their environment. Just as the adoptive parents shall be forwarded all information regarding the children and adolescents.

In this stage, it is relevant to use different media, strategies and techniques so the preparation is more humane and efficient. Visual, auditory and smelling familiarization is very important in the case of very young children and adolescents and even babies. The future parents may help sending CD's with their voice, music and children's songs, family videos or internet messages, familiar fragrances, that may be frequently put to the child, on their clothes or in a toy. These elements, assimilated by the child become tools that help reduce their anxiety and the feeling of strangeness at new persons and their context in all.

Familiarization with changes:

A good strategy is that the child and adolescent keep transitional objects and that they prepare a gift for their parents. When families reside on regionals aside the one in which the child or adolescent is placed in or they live abroad, it is necessary to identify where the region or country is, the weather, food, habits, language, among others and give them examples of words or phrases in the other language, if it is necessary (see basic communication expressions in other languages).

It is important that they previously see the place, home, neighborhood or hotel, where their parents will be staying, the airport, transport terminal so they are related to this context, and if necessary, to facilitate prior approaches of the child and adolescent with the family before the encounter.

Describe the child or adolescent as accurately as possible how the encounter with their parents will be like, the activities that will take place (if they will travel within the country), their stay in the hotel, and even work through the experience of the travel and plane, with reassuring details such as being able to sleep, going to the bathroom during the trip. It is necessary to consider that experiences that are very common for adults may be scary for a child or adolescent who, overall, has lived in a very restricted world.

Explore fantasies and fears:

The idea of a home and wonderful parents is usually shown to the child and adolescent, and a lot of information is transmitted, but they are not heard and their fears are avoided or minimized, or their doubts and negative impressions are suppressed or undervalued, which shall be recognized, accepted and worked through.

A frequent fear in children and adolescents who have been abandoned is not satisfying their parents expectations and being rejected again. It shall be explained that their parents, even if they do not know them personally, they know about them and they love them, they know some of their likes, their possibilities and history and they accept them as they are.

It is necessary to teach the child and adolescent to appropriately express their emotions and feelings and the pictures, game, role playing, socio drama, story, are tools that allow them to express emotions facing positive and negative situations. It is important that the child and adolescent know that they have duties and behavior rules that they must comply and rights that shall be recognized to facilitate adjustment, accommodation and personal, family and social development. Also, it must be explained that at the beginning they may feel odd, insecure and emotionally distant but with time they shall develop a feeling of trust and love.

Minimize secondary losses:

It is important that the child and adolescent keep the greatest number of stable elements so that rupture with their environment is not abrupt and radical. It shall be insisted on the need to make an album, or an animated notebook which compiles photographs and/or significant memories lived before and during their stay at foster homes or institutions and what they expect of their life in the future. This with the purpose of contributing to closing past cycles and opening anew future perspective.

Parents shall be informed of the routines of the child and adolescent (feeding times, bath times, bedtime rituals, etc.), try to keep them at first and then slowly modify them.

In every adoption, parents will be given a bottle, pacifier, blanket, clothes or some element that is familiar for the child and that facilitates transition without trauma.

The child's or adolescent's belongings, that are meaningful for them (called bonding or transitional objects) reduce anxiety, provide confidence and are spontaneously abandoned when new objects and affects from their new environment become valuable for them.

Some children and adolescents waive to their belongings or reject them openly as an expression of rejection of their experience of abandonment and everything related to it such as the institution or foster home; in such cases, they shall be given to their parents and they will keep them to use them at times of anxiety and as part of the memories that may further help them rebuild their story.

Facilitate goodbyes

It is indispensable to understand the importance of goodbyes and rituals, given that they mark the end of a relationship and the beginning of detachment and grief, which facilitate the child and adolescent and the people who care for them open up to new relationships. Thus, the importance of assessing the degree of attachment they have with different persons who are close to them which determines the magnitude of the intervention.

Goodbye is of vital importance for children and adolescents who were abandoned and whose loved ones simply disappeared leaving a relationship on hold. Additionally, it allows expressing affection, and gratitude felt, stimulating self-esteem and repairing the relation difficulties usually present in coexistence and leaving a good memory.

Thus, the child and adolescent shall be fostered to say goodbye and according to their age, to leave souvenirs to the persons who are important for them (foster mothers, teachers, professionals, caregivers, peers at home or institution, etc.), which shall be an object that belongs to them, a photograph or something made by them for such purpose. The fact of leaving souvenirs to be kept, means for them that they were loved and will not be forgotten, giving an affective meaning and an existential value to this stage of their lives.

Appendix 5. Considerations for assessment of integration

Situations that may come up during the integration stage and that require the accompaniment of professionals from the psychosocial area.

- Acceptance of babies by their parents, is usually immediate, parents receive them with joy or they present an intense emotional reaction. Babies, especially after three months, may present manifestations of “missing” their caregivers.
- Some children who have been waiting for parents for some time, have an intense emotional response at those long waiting parents, usually idealized. Further this idealization, they may cede to know them just as they really are.

- Other children may establish anxious bonds, and they “attach” easily with those who show affection. These children do not detach physically from the applicants and they seek permanent body contact (being hugged and held). Although this attitude may seem a little bit embarrassing for the parents, it is usually well received and handled appropriately.
- Children and fathers, mothers who set clear empathy even when their reactions are moderate.
- Integration between fathers and mothers with older children may be difficult both for total lack of empathy, as for specific conditions of the children who, with preparation, appropriate management and immediate accompaniment by ICBF, or the IAPA team may be overcome.
- Some children may feel disappointed at first sight because the physical appearance of the adopting parents does not match the expectations or fantasies that they had created about them. There are even some children that in express their disappointment in their language like this “I don’t like you because you are ugly”, “I want parents like the ones who came for Jimmy”, etc. Thus the importance of preparing the children and to explore the feelings and doubts that arise before the encounter. A comprehensive, warm and discrete attitude from parents, without the anxiety of buying or conquering the children’s love at all costs, shall facilitate the development of empathy.
- Little children, between 8 months and two and a half years of age approximately, may accept and interact with parents if they are in their physical environment and/or the person who are familiar to them and violently reject them when they are taken or if they are alone. This rejection is not addressed towards the parents themselves, but it constitutes a protest when being separated from their figures of attachment. The adopting parents are experienced as a kind of “kidnappers”, who take them away from their loved ones.
- Children who have suffered multiple losses develop a defense against possible figures of affection, assuming a detaching attitude: indifference, uninterested and even hostile, which hides their fear of attaching and losing again.
- Children who have been abused have a hard time trusting strangers and may react elusively and/or aggressively until incipient trust is developed.
- Shy children that show great separation anxiety or fears may be elusive, not very spontaneous, cold and even scared at the intense expressions of affection by their parents.

- There are children who have to “measure and calibrate their parents”, thus they behave in an unpleasant manner to prove if they are going to be accepted despite their reactions.
- In cases of international adoption, psychosocial, legal and interpreting support must be provided to the adoption applicants having to immediately report the ICBF or IAPA of possible situations that indicate difficulties in integrations.

It is relevant that the psychosocial area professional that has participated in the preparation for adoption, explain to parents the reasons for their reaction and design with them actions that facilitate the transition of the child, that allow them to acquire trust and reduce the understandable anxiety, feeling of frustration and rejection.

APPENDIXES PART II
REGARDING THE STRATEGIES THAT MAKE ADOPTION POSSIBLE

Appendix 6. Guidance for participation of children, adolescents and young men in the Super Friend Strategy