

A preface to the response to the FCC open letter from the CCAA from the presidents of the FCC Chapters of Greater New York, New England, Northern California and Southern California.

Dear FCC Members:

The Chinese Center for Adoption Affairs has responded to the open letter sent from the FCC Chapters of Greater New York, New England, Northern California and Southern California and subsequently co-signed by several other FCC chapters representing over one thousand additional FCC members.

We are extremely pleased to have received any response at all. When we wrote the letter, we *hoped* to receive an official response but did not necessarily expect to *receive* one. Frequently a Chinese government agency would not issue such a response except to a similar-level government agency. The fact that the government felt our letter warranted a response at all appears to be an indication of the respect and gratitude the CCAA holds for our community. To the extent that you may disagree with the views of the Chinese government or their analysis of appropriate placement guidelines, we do ask you to bear in mind that there appears to be great reciprocal respect for our community despite the differences of opinion between our community and that of the CCAA.

We have had the letter translated by two different people familiar with the Chinese adoption program and also had those translation reviewed by others who have extensive experience in the field. The translation(s) that we have posted represent our best efforts to render a faithful translation. Any errors, of course, belong to us.

A translation, however, can only go so far. When you read the letter we ask you to consider the following points:

-Although the tone may strike many American readers as overly formal and bureaucratic, this is normal for written communications from Chinese government agencies.

-Our goal was to provide feedback from the FCC community and to demonstrate our concern about the children of families now considered ineligible for adoption in China. From the CCAA's detailed response it is clear that our letter was carefully read and considered.

-We had no expectation that FCC would affect a change in China's policy. The letter confirms that the CCAA is comfortable at present with its prioritization. While this is bad news for those who have lost eligibility, it is good news for those who feared that any criticism, no matter how diplomatically couched, would jeopardize adoptions already in process.

-We hoped to receive further detail on the rationale behind the policy changes, and this letter does provide some greater explanation, especially with respect to single parent eligibility. The explanation is unlikely to bring comfort to those families no longer eligible for adoption and those of us who support them, but it does explicitly put on the record some information that had thus far been only speculative.

In closing we would like to thank those who have helped us to better understand the CCAA's response. We are also deeply grateful to the many, many FCC members who have emailed us. No other topic has engendered such a response from our members. The constructive feedback provided a new window into the diverse perspectives of our member families, yet underscored the true sense of community that we share from coast to coast. Your heartfelt words have touched and inspired us.

To all who have participated in this process, both in China and America, we express our heartfelt gratitude. The Chinese adoption program is undergoing one of its most profound changes since the program began. Over the last 15 years, we have seen many changes take place, and there may be other changes in the future. Families with Children from China values all its children and all its families - each and every one of them - and will continue to do so. Even as these changes may occur, we will keep faith with the diversity of FCC families all over the world.

Shanti Fry
FCC New England

Peggy Scott
FCC Northern California

Margie Berman
FCC Greater New York

Jeri Okamoto Floyd
FCC Southern California

China Centre of Adoption Affairs

Dear Ms. Shanti Fry,

Your letter was forwarded to me. Thank you for your concern for the cause of international adoption in China, and thank you for your help and support for adoptive families and adopted Chinese children.

As is well-known, a family is the most basic unit of society and the most natural and important environment in which children grow and develop their personality. The Hague Pact indicates "In order that children's character can develop perfectly and coordinately, children should live in a family environment full of happiness, affection and understanding." The aim of international adoption is just to help orphans who have lost their parents and families return to families and to ensure their right to live, right of health, etc. fundamentally. So, since its establishment, CCAA has set up "All for children" as its aim according to the principle of international adoption "Ensure children's best benefit". Through its own ceaseless endeavor and its staff members' dedication, CCAA has helped scores of thousands of orphans find their families abroad and get the warmth of a family and thrive under the care of their parents. In the recent ten years, CCAA received appreciation, friendly support and cooperation from governments of many countries, various adoption agencies, and a lot of adoptive families.

Because the international adoption undertaking in China has perfect laws and regulations, consummate management, normative programs, and transparency in operation, it enjoys good fame in the world. A great number of foreign adoptive parents apply for coming to China to adopt, and the number of applicants' dossiers CCAA receives increases year by year. At the same time, along with the development of Chinese society and the progress of people's idea as well as the increase of domestic adoption, the number of internationally adoptable children is decreasing gradually and can hardly satisfy the need of all foreign adoptive families. In such a situation, in order to ensure the best benefit of adopted Chinese children and to ensure that adoption will be most beneficial to their development, we should and have to choose those families for the adoptive children that have better conditions in all respects and are most suitable for their healthy development. This is also the realization of the principles and spirits of the Hague Pact.

As to the problem of single adoptive persons' adoption in China mentioned in your letter, we express our respect and understanding for their choice of personal life style first, but at the same time we think: 1. It is difficult to exclude homosexuals from single adoptive persons. Chinese laws do not recognize homosexuality, and traditional

Chinese culture also makes most Chinese hardly accept such a phenomenon of society. Social welfare institutions as placement persons also will not place children in such families. This may be a difference of different cultures. 2. Lack of a father or a mother in a single parent family and imperfection of family function is unfavorable to a child's healthy psychological development, about which most countries in the world have already had a common understanding. 3. If a single adoptive parent meets any accident, the adopted child in the family must have a larger probability of losing her/his family again. In addition, the purpose of the undertaking of adoption is to find families for children instead of finding children for families. So, when even a lot of double parent families' applications can not be satisfied in international adoption, we will give priority to married couples, and let the adopted Chinese children enter double parent families as far as possible to ensure their healthy development both physically and psychologically.

Considering adoptive families' mood of contributing love and eagerness for getting children, we sincerely provide convenient and better services for adoptive families. "Priority in handling" is just a measure of safeguarding adoptive families' benefit. Currently adoptive families' waiting time has already increased to 17-18 months, and it will be getting still longer, which nobody wishes. Some foreign adoption agencies suggested to us that families of different situations would better line up separately. In accordance with the responsibility for adoptive families and adoption agencies, we accept the suggestion. From May 1st, 2007, the way of "Priority in handling" is applied to adoptive families who have better conditions in all respects. So, the adoptive families can have a shorter waiting time and relax their anxiety, and the adoption agencies can adjust and arrange the number of application dossiers sent to China according to the practical situation. Therefore it is a choice needed for work to choose families having better conditions to come to China to adopt.

Any work should be adjusted according to practical situation in order to be adapted to the changes in work, and so should the work of international adoption. The way of "Priority in handling" is a measure which CCAA takes according to the practical situation of international adoption in order to solve the problem that the number of applicants is much larger than the number of internationally adoptable children. The policy of international adoption of China doesn't have any changes. Along with the carrying out of work and changes of practical situation, the way of "Priority in handling" may have further adjustment.

We hope you can correctly understand the way of "Priority in handling" taken by CCAA, and you can also explain it to American adoptive families who want to come to China to adopt. If you have any questions about the international adoption of China and the work of CCAA, please contact us at any time. Let us work together to preserve the hard-earned good order of international adoption between China and the United States and to protect the rights and benefits of adopted children and adoptive families.

Once again thank you very much for your understanding of and support for the international adoption undertaking of China.

With best regards.

Lu Ying (sig.)
Director
China Centre of Adoption Affairs

CHINA CENTER OF ADOPTION AFFAIRS

Dear Shanti Fry,

Your letter was forwarded to us. First, I would like to thank you for giving your attention to China's international adoption affairs. We are grateful for the assistance and support you have given to the adoption families and adopted children.

It's the universal truth that parents are the fundamental unit of a society. They play a vital role in a child's growth and character development. According to "Hague Convention", in order for children to develop their character to their full potential, they should be raised in a family environment that nurtures of happiness, love and with an emphasis on mutual respect for one another. International adoption aims to help those orphans who have lost their parents or family to establish a family that could ensure they have all the rights they are entitled to. Therefore, China Center of Adoption Affairs has been abiding by the principle of "ensuring children's best benefits" in international adoption since the beginning. The mission of our center is "all for the children". Through endless efforts and generations and generations of devotion can we assist ten thousands of orphans to find homes that could provide them with an environment that is conducive to establishing emotional stability within the family unit. During the past 10 years, China Center of Adoption Affairs has received the consent, support and collaboration of American government, adoption associations, and large number of adoption families.

China Center of Adoption Affairs has gained a reputation of having comprehensive policies, structured regulations, and transparency in the adoption process. It has attracted large amount of international adoption applicants, which resulted the increase of number of applications to China Center of Adoption Affairs. At the same time, as the Chinese society progressed and people become more aware of the issue, plus the rising of domestic adoption, the number of children for international adoption has decreased, which can no longer meet the demand of international adoption. Under the circumstance, in order to ensure adopted children's best interest, we also have to select the most suitable adoption family for these children in all areas. This was realized by the "Hague Convention" principle.

Your letter has mentioned the issue of single parent adopting children in China. We would like to express our respect and understanding toward their personal choices. Meanwhile, we believe 1) it is difficult to exclude homosexual single parent to apply

for adoption. The law of Chinese government doesn't empower the rights of homosexuals. In addition, due to Chinese traditional culture, it makes most Chinese families harder to accept this social phenomenon. Because of the culture differences, social welfare organizations who act as orphans' guardians are not willing to send children to homosexual families. 2) Due to the absence of mother or father in a single parent family, it can not function completely; it is not beneficial to children's psychological development. Countries around the world have recognized this issue as well. 3) If any accident were to happen to the parent of a single parent family, it is likely that the adopted children would lose the family again. Besides, the main purpose of adoption is to find a family for those children and not to find a child for the family. Thus, under the circumstances that international adoption can no longer satisfy the demand, we should consider married couple as priority to ensure our adopted children's mind and spirit can be developed in a proper family oriented environment.

Of course, we must consider adopted families' devotion and the desire of having a child as we sincerely provide most sufficient and quality service. Offering priority adoption process is one of the means to make sure the benefit of adopting families. As of now, the wait for international adoption applicants has been postponed to 17-18 months. It's expected that the waiting period would be longer, which is not what everyone hope to see. Other foreign adoption organization suggested that we should categorize adoption families according to their different situations. As responsible as we are to adopted families and organizations, we have taken the advice. Adoption families that have as better qualifications will be placed under priority adoption process, effective May 1, 2007. By doing so, it shortens the waiting period and eases the anxiety. For adoption organizations, they could make adjustments according to the actual situation and make further arrangement on the amount of international adoption applications. Therefore, to select most qualified adoption families is our job.

We all need to be more versatile and make adjustments when we perform any types of work based on its demand and current situation. It's the same for international adoption process. In order to accommodate the large number of applicants with limited number of available orphans, applying priority adoption process is a practical solution China Center of Adoption Affairs had adopted from international adoption. The policy of China's international adoption does not change. As the work progresses and the actual situation changes, it is possible there might be other adjustments on priority adoption process.

Hopefully you have a clear understanding of how China Center of Adoption Affairs

applies the priority adoption process. Other American families who are preparing for adoption in China can know about this matter through your organization. Should you have any question for China Center of Adoption Affairs and international adoption, please contact us. Let's work together to maintain the order of international adoption and the relationship we have built so earnestly between China and America. Together we protect the interests of adopted child and the adopted families.

Thank you again for your understanding and support for international adoption.

Director of China Center of Adoption Affairs – Lu Ying, June 7, 2007



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尊敬的 Shanti Fry 女士：

你们的来信已转至我处。在此，我要感谢你们多年来对中国涉外收养工作的关注，感谢你们对收养家庭和被收养中国儿童的帮助和支持。

人所共知，家是一个社会中最基本的单位；是儿童成长及人格发展中最自然重要的一个环境。《海牙公约》指出，“为了儿童性格的完美及协调的发展，儿童应该生长在一个充满幸福、亲爱和理解的家庭环境中”。涉外收养，正是为了帮助那些失去父母和家庭的孤残儿童重新回归家庭，从根本上保障他们的生存权、健康权等各项权益。因此，中国收养中心自成立伊始即按照“保证儿童最佳利益”的跨国收养原则，确立了“一切为了孩子”的工作宗旨，通过自身的不懈努力和一代又一代人的奉献，使数万名孤残儿童在国外找到了家庭，使她（她）们得到了家庭温暖，在父母的关爱下幸福成长。10年来中国收养中心的工作，也得到了各收养国政府、收养组织和广大收养家庭的赞同和友好支持与合作。

由于中国涉外收养工作法规健全、制度完善、程序规范、运作透明而在国际上享有良好的声誉，大量外国收养人申请来华收养，中国收养中心接收的收养申请文件数量逐年增长。同时，随着中国社会的发展和人们思想的进步，加之国内收养上升，可被涉外送养的儿童数

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量正在逐步减少,远远不能满足外国家庭的收养需求。基于目前涉外收养工作出现的情况,为了保证中国被收养儿童的最佳利益,保证收养最有利于他们的健康成长,我们应该也必须为被收养儿童选择各方面条件好的、最适合其健康成长的家庭,这也是对《海牙公约》原则和精神的具体体现。

你们在来信中提到的单身收养人在华收养问题,我们首先对个人的生活选择表示尊重和理解,同时我们认为,1、单身收养难以排除同性恋领养,中国法律不承认同性恋,中国的传统文化也使中国多数家庭难以接受这一社会现象,社会福利机构作为送养人,也不愿将儿童送给这样的家庭,这有不同文化之间的差异;2、单亲家庭中父亲或母亲角色缺失,家庭功能不健全,不利于儿童心理的健康成长,世界各国对此问题都已形成共识;3、单身收养的儿童在收养人出现意外时,面临再次失去家庭抚养的机率增大。而且,收养工作的目的是为孩子找家庭,而不是为家庭找孩子,因此,在目前跨国收养中许多双亲家庭的收养申请尚不能得到满足的情况下,我们提出优先考虑夫妻共同收养,使我国被收养儿童尽可能地进入双亲家庭,保证其身心均得到健康发展。

当然,考虑到收养家庭奉献爱心、渴望得到孩子的心情,我们也竭诚为收养家庭提供便捷优质服务,“优先办理”的做法正是为了维

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护收养家庭的利益而采取的一项措施。目前，外国收养家庭等待安置的时间已延至 17-18 个月，以此下去等待时间还会更长，这是大家都不希望的。一些外国收养组织向我们提出建议，希望对不同情况的家庭分别排队。本着对收养家庭和收养组织负责的态度，我们采纳了这些有益的建议，从 2007 年 5 月 1 日起，对各方面条件更好的收养家庭采取“优先办理”的做法，对于收养家庭来说，可以尽可能地缩短等待排队的等待时间，缓解因等待时间过长而产生的焦虑心情；对于收养组织来说，可以根据实际情况调整 and 安排来华收养文件的数量，所以，选择各方面条件更好的收养家庭来华收养，是工作需要的选择。

任何一项工作都需要根据实际情况进行调整，以适应工作变化的要求，涉外收养工作也是这样。采取“优先办理”的做法，是中国收养中心从涉外收养工作的实际出发，为解决目前收养申请数量大、可涉外送养儿童数量少这一矛盾而采取的具体措施，中国的涉外收养政策并没有发生改变。随着工作的开展，实际情况的变化，还有可能对“优先办理”的方法再做出调整。

希望你们正确解读中国收养中心采取的“优先办理”的做法，并通过你们向准备来华的美国收养家庭做好解释工作。如你们对中国的涉外收养工作和中国收养中心的工作有任何其他问题，请随时与我们联系。让我们携起手来，共同维护中美两国之间来之不易的、良好

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的跨国收养秩序，共同保护被收养儿童和收养家庭的各项权益。

再次感谢你们对中国涉外收养工作的理解和支持。

中国收养中心主任：陆颖

二〇〇七年六月七日

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