

# INTERCOUNTRY No. 51 (issued on 09/15/2016)

ISSJ News

## Contents

\*Stateless Children

- \*What's New
- ① Search For Adoptees' Origins
  - ② Intercountry Adoption- Three brothers adopted by an American couple return to Japan for the first time in eight years.

\*REPORT

- Participation in ISS Headquarters Conference
- Conclusion of Cambodia Project

## STATELESS CHILDREN

ISSJ provides consultation on how to acquire nationality for stateless children placed in child care institutions. Since most Japanese acquire Japanese nationality automatically at birth, we take it for granted. However, having nationality is vital to one's livelihood and identity. When one lacks nationality, what kinds of problems could he/she face? The following illustrates how ISSJ assists a "statelessness" person acquire nationality.



### What is "Statelessness?"

Every country has developed the concept of a "national" and grants nationality based on its own laws. However, how one actually becomes a "national" of any given country also depends on its history, tradition, politics and economic situation. Statelessness often occurs in times of a given country's political instability and forced migration of its people. At present, 10 million people around the world are stateless and one third of them are children.

What happens when one is stateless? Under international law, a "stateless person" is defined as someone who is not legally recognized as a national by any state. A stateless person faces many difficulties in life. Often they cannot obtain a passport, receive education, get a job or even get married.

### **“Statelessness” in Japan**

According to the Ministry of Justice, there were 573 stateless persons in Japan as of the end of December 2015 but the actual number is estimated to be much higher. In Japan, under the “Immigration Control and Refugee Recognition Act”, the Ministry of Justice issues a residence card as an official identification for mid to long-term residents of foreign nationals on which “nationality or region” is indicated. Under Family Registration Law, when a child is born in Japan it is necessary to indicate his/her nationality in the notification of his/her birth if either or both of his parents are foreign nationals. However, this process in and of itself does not satisfy the requirements of acquiring nationality for the child.

### **“Stateless” Children**

When a foreign woman gives birth to a child in Japan, she has to report it to a local municipal office in Japan and to the embassy of the country of either the mother or the father. That is how the child can acquire the nationality of his/her mother’s or father’s country. ISSJ is often requested to provide consultation for stateless children of foreign nationals living in child care institutions. There are many cases where foreign parents fail to notify their child’s birth to the embassy of their country or where their whereabouts are unknown, in which case the child welfare officer, the child guidance center or the child care institution has to submit birth notification instead of the parents.

If the whereabouts of the foreign parents are known, many embassies will accept late birth notification if the parents can provide an explanation for the delay. However, if their whereabouts are unknown, additional steps are required to first establish their nationality such as asking the embassy to trace the missing parents’ background and records. It is up to each embassy to determine whether or not to accept the child’s report of birth.

In Japan, Article 2-(iii) of the Nationality Act provides that a child may acquire Japanese nationality “if born in Japan and both parents are unknown or are without nationality.” However, it is often not realistic to prove that both parents are unknown or are without nationality, and therefore, in reality, it is very difficult to acquire Japanese nationality.

### **The Case of a Filipino Mother with Unknown Whereabouts**

ISSJ was requested by a child care institution to provide consultation regarding acquisition of nationality for a male junior high school student. His Filipino mother gave birth to him at a hospital in Japan under a false name. After the childbirth she disappeared from the hospital and the baby was placed in a baby home. Thereafter, some Filipino woman identified herself as a friend of the mother and told the city office that the boy was fathered by a Japanese man. Based on this information, his name was entered into the Japanese man's family registry. However, this Japanese man filed a petition for "mediation for confirmation of absence of parent-child relationship" with a family court and his petition was granted. As a result, the boy was removed from the man's family registry and lost his Japanese nationality.

Since the whereabouts of his Filipino mother were unknown, the boy was later placed in a foster home from the baby home and has grown up healthy. When he entered junior high school, the child guidance center initiated the process for acquiring nationality for the boy and asked ISSJ to provide assistance in submitting his birth report to the Philippine Embassy. ISSJ social worker then consulted the Philippine Embassy, obtained necessary documents, and submitted them. The embassy then confirmed the nationality of the boy's mother as a Filipino and accepted his report of birth. From the time we were asked to provide assistance, it took 6 months to acquire his nationality. The boy has now obtained a Philippine passport and plans to travel abroad with his foster parents.

### **For A Child Not to Be at a Disadvantage**

Sometimes parents of foreign nationalities are unable to raise their child, who is then placed in a child care institution. ISSJ is committed to handling these cases diligently so that such children will not be at a disadvantage for being stateless.



# What's New?

ISSJ's Latest Activities

## 1. Search for Adoptees' Origins



Seven years ago, ISSJ was requested by ISS-Switzerland to provide assistance to a child in contacting her father with whom she had lost contact. She was born to a Japanese father and a South East Asian mother, and spent her childhood in Japan. When her parents got divorced, she went to live in Switzerland with her mother. However, her mother was not able to take care of her and she ended up at a child care institution in Switzerland. When she reached her late teens she wanted to search for her birth origins and contacted ISSJ through ISS-Switzerland.

### Tracing Family Registry

As a first step to establish contact, ISSJ social worker sent a letter to the child's father at his address shown in the family registry, but the letter was returned to the ISSJ office because he could not be located. Then, we sent a letter to his mother (the child's grandmother) and she replied. Her grandmother remembered the child with whom she had lived together in Japan but stated that because she had broken off the relationship with her son, she was reluctant to contact the child. The ISSJ social worker talked to her many times to discuss her feelings. Meanwhile, ISS-Switzerland also met and talked with the child regularly. Eventually, her grandmother came to think that she would contact the child when she came of age, and several years later, they started exchanging letters once a year.

### After Seven Years

Seven years after first contacting ISSJ, the granddaughter finally met her grandmother in the presence of a ISSJ social worker. She managed to talk to her grandmother in Japanese, English and French about her feelings. Talking with her grandmother gave her some idea about her childhood and what her parents were like. Our social worker was impressed by how they seemed to enjoy talking together and finding some things in common, despite the pain and sadness they must have been feeling after such a long separation. The granddaughter even told her grandmother about her future dreams.

## 2. Intercountry Adoption

Three brothers return to Japan for the first time in eight years

Three brothers, who were adopted eight years ago by an American couple then living in Japan, returned for the first time and visited the child care institution where they used to live. One year after the adoption, the couple went back to the U.S. with the three brothers. We had thought that they were living in the U.S. but received an e-mail from them in June saying that they were living in Korea



July 2016

for father's work. They asked us to contact the child care institution where the three brothers used to live because they wanted to visit it in the summer. An ISSJ social worker then spoke on the phone with the staff at the institution regarding their visit and was assured that the family would be welcomed.



April 2009 with ISSJ social worker

The adoptive parents and the three brothers visited the child care institution at the end of July and met with the staff members who had taken care of the brothers. The eldest brother, who used to live at the institution until seven years of age, was deeply moved when he met the staff for the first time in eight years. He told them about his life in the U.S. After the visit, the adoptive parents told us that they had a wonderful time and showed us photos taken with the staff members. We were very grateful for the warm reception the institution gave the brothers and his adoptive parents.

# REPORT

## Participation in ISS Headquarters Conference

From April 2nd to April 7th, 2016, ISSJ social workers went to Melbourne University in Australia to attend ISS-sponsored symposium entitled “Children and Families across Borders” and to participate in ISS Headquarters Conference and Workshop.



ISSJ is a Japanese branch of International Social Service (ISS), an advisory agency of the United Nations with headquarters in Geneva. ISS Headquarters Conference is held once every two years and in 2016, it coincided with a symposium focusing on difficulties faced by children and families forced to cross national borders. At the symposium, social workers of various ISS branches, researchers at Melbourne University, legal professionals, and representatives of various NGOs gave presentations.

As the number of people crossing national borders continues to increase, a myriad of social welfare problems involving more than one country is also emerging. The themes covered at the symposium included ① Intercountry Adoption, ② International Family Mediation, ③ International Parental Child Abduction, ④ Surrogacy and Donor Conception, ⑤ Intercountry Relative Adoption and Child Protection, ⑥ Unaccompanied Minors Arriving in Australia under Orphan Relative Visas, and ⑦ Child Trafficking and Forced Marriage. For each theme, the presenters discussed the present situation, the outlook, and the international trend. ISSJ social workers learnt a great deal from the symposium, such as differences between Japan and other countries, the role of a social worker in different cases, and many other issues.

At the breakout session on “Intercountry Adoption”, a representative of Intercountry Adoption Voices, an NGO founded by adoptees in Australia, described their mission of promoting public awareness. It is hard to imagine such activities in Japan where it is quite difficult for adoptees to admit in public about being adopted. ISSJ attendees were reminded about the need to ensure that the voices of all people affected by adoption are heard as part of ongoing discussions on adoption law in Japan.



About 80 people from ISS branches and correspondents in Europe, Africa, the Americas, Asia and Pacific Rim participated in the Conference and engaged in an active discussion on how to maximize the ISS network. ISS members usually contact one another by e-mail but meeting in-person can help establish closer relationships and facilitate smoother communication and cooperation. Taking part in this conference allowed ISSJ social workers to understand how the role of ISSJ fits into a global network of social welfare assistance across national boundaries.

### Conclusion of the Cambodia Project



August 2016  
Mr. Vong and children at Pteah NhorNhim

A small private school in Phnom Penh, Cambodia, established by ISSJ in 2008 achieved its objectives in developing a framework for providing education and social welfare to destitute children. In April 2016, the school was newly formed as “Pteah NhorNhim Organization”, an NGO in Cambodia. In addition, the Hiroshima Cambodia Civil Exchange, an NPO,

which runs “Hiroshima House” where this private school is located, took over from ISSJ the role of providing financial assistance to the school. Until then, the Cambodia Project had been supported by grants from various funding sources such as International Volunteer Savings, Osaka Community Foundation, The Peace Stone Foundation, and by donations from many of our individual members. All of us at ISSJ would like to sincerely thank all of you for the generous support for this project..

Mr. Vong, who is in charge of the new organization, provides updates on the events at school. Some of the children who attended the school when it was first established are now working and few of them have been able to continue their studies in high school. We believe that those who studied and spent some time at this school will help create a brighter and more spiritually-enriched Cambodia. Please stop by and see these children at “Hiroshima House” located near a national museum if you are ever in Phnom Penh.

## Notice for New General Director of ISSJ

I would like to announce that I resigned as General Director of ISSJ at the end of June, 2016. I started getting involved in ISSJ's activities as a social worker in June 1981 for resettlement of refugees from Indochina. In the ensuing years, I served as Secretary General and General Director. I would like to express my deepest gratitude for the support all of you have given me over the years and ask for your continued support of my successor, Mieko Ishikawa.



Kuniko Omori

I assumed the position of General Director of ISSJ as a successor to Kuniko Omori. I will devote myself in the discharge of increased responsibilities of ISSJ amidst the growing challenges facing child welfare and social welfare. I hope that I can count on your continued understanding and support as you did for my predecessor.



Mieko Ishikawa