



## Fact Sheet N° 32

### Inter-country adoption

#### THE GLOBAL CONTEXT OF INTERCOUNTRY ADOPTION

Inter-country adoption is reality on the move. It was rather rare just some 40 years ago, but has become more and more common so much so that today it is a widespread practice. According to estimates made, between 30,000 and 40,000 children are adopted every year around the world, and this has been going on for more than 20 years. These children generally come from developing countries or those in transition and are received by families living in the industrialized countries, particularly in Europe and North America. Nearly a half of inter-country adoptions involve the United States.

#### **A flagrant imbalance between children's needs and prospective adoptive parents' wishes**

Such an evolution of inter-country adoption allows some people to respond to the needs of children deprived of their family, for whom no appropriate solution can be found in their own community or country. However, for a number of years now, we can't but notice that the practice of inter-country adoption has come under ever greater pressure. On the one hand, Western societies are always more inclined to adopt children coming from the emerging countries to relieve, among others, the problem of infertility that they suffer from more and more. World globalisation, the speeding up of the means of communication, as well as the ever wider and faster circulation of pictures of child victims of poverty, war or natural disasters also contribute to the craze for inter-country adoption. But this "appetite" puts a lot of pressure on the countries of origin. This all the more, because on their side, the latter are now, more than ever in the past, able to practice birth control, reduce poverty, and encourage domestic adoption. Thus they propose fewer and fewer children for inter-country adoption and many of them are no longer able "to release" enough

children to respond to the adoption requests of the receiving countries.

It is henceforth common practice to analyse the situation in economic terms: the "demand" being greater than the "supply", the balances has been upset and can lead to all kinds of dangerous behaviour, at the expense of the child's best interests. This risk is all the greater since the imbalance is not only quantitative. It is also qualitative. In fact, the great majority of prospective adoptive parents wish to adopt a baby or a very young healthy child. Now, because of the changes that we have spoken of above, these children are less and less adoptable at the international level. On the other hand, numerous older children, suffering from disease or disabled, albeit benign, or sibling groups are in need of adoption. But it is often extremely difficult to find a family ready to adopt them.

#### **The situation in countries of origin at a certain period and the number of international adoptions taking place at the same time are related**

A detailed analysis of the statistics relating to intercountry adoption during the last thirty years clearly shows some links between the situation prevailing in countries of origin at a

certain period and the number of international adoptions taking place at the same time. The most obvious illustration of this was Romania after the fall of the communist regime in 1989. From one year to another, adoptions between Switzerland, for example, and Romania rose from 4 in 1989 to 154 the year after. More than 10,000 children were adopted by foreign parents during that same year in Romania, even though, at the same time, public services were almost inexistent. Other shifting contexts have also had significant influence on the possibilities to adopt in different countries. For instance, wars in Korea and Vietnam played an important role in sensitising Western opinion in relation to international adoptions and in initiating important displacements of children. Breakdowns of state institutions have sometimes led to real «baby markets», and economic crises, such as in Eastern Europe from the 1990s, have also shown an increase in the number of children adopted abroad. Yet, there are also positive factors influencing the possibilities for adoption in countries of origin. When authorities decide to promote domestic adoption, like Chile and India for instance, international adoptions are naturally decreasing. In the last decade, many countries endorsed new laws and regulations, requesting more guarantees about intermediary agencies and prospective parents. Stricter procedures and conditions are

now applied and adoption processes are no longer as easy as they used to be, putting greater emphasis on children's rights. China is the most recent example of this.

However, at the same time, the “demand” for children remains high and has to direct itself towards where international adoptions are still possible, taking into account that all these events have a direct influence on the choice of the prospective adopted child's country of origin.

#### **International standards have been set up to try to confront the pressure of the “demand” for children on countries of origin**

Nevertheless, international standards have been set up to try to address this evolution. The main ones are the principles enshrined in the UN Convention on the Rights of the Child, and in the 1993 Hague Convention. The different actors involved in this process, at each level, have an important role to play to better guarantee the best interest of the child. In this same perspective, to know which children are in need of international adoption, considering their age, their health and their social and ethnical origin, and to identify them, is probably a major challenge for the coming years.

ISS/IRC March 2007

#### **For more information:**

CANTWELL Nigel; UNICEF Innocenti Research Centre, “Inter-country Adoption. A Comment on the Number of “Adoptable” Children and the Number of Persons Seeking to Adopt Internationally”, in “The Judges’ Newsletter of The Hague Conference of Private International Law”, Volume V, Spring 2003, 3 pp. Available from [www.iss-ssi.org/Resource\\_Centre/Tronc\\_DI/documents/CantwellIntercountryAdoptionENG.pdf](http://www.iss-ssi.org/Resource_Centre/Tronc_DI/documents/CantwellIntercountryAdoptionENG.pdf)

Statistics available from the website of the Hague Conference on Private International Law: [http://hcch.e-vision.nl/upload/adostats\\_us.pdf](http://hcch.e-vision.nl/upload/adostats_us.pdf)

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The ISS/IRC would like to thank the Canton of Geneva, Switzerland, for its financial support for this Fact Sheet project and the Committee for Inter-country Adoption of the Presidency of the Council of Italy for its funding of the Handbook “The Best Interest of the Child and Adoption”, which is the basis of several Fact Sheets.