UNICEF's Position on Inter-country Adoption

The Convention on the Rights of the Child, which guides UNICEF's work, clearly states that every child has the right to grow up in a family environment, to know and be cared for by her or his own family, whenever possible. Recognising this, and the value and importance of families in children's lives, families needing assistance to care for their children have a right to receive it. When, despite this assistance, a child's family is unavailable, unable or unwilling to care for her/him, then appropriate and stable family-based solutions should be sought to enable the child to grow up in a loving, caring and supportive environment.

Inter-country adoption is among the range of stable care options. For individual children who cannot be cared for in a family setting in their country of origin, inter-country adoption may be the best permanent solution.

UNICEF supports inter-country adoption, when pursued in conformity with the standards and principles of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoptions – already ratified by more than 80 countries. This Convention is an important development for children, birth families and prospective foreign adopters. It sets out obligations for the authorities of countries from which children leave for adoption, and those that are receiving these children. The Convention is designed to ensure ethical and transparent processes. This international legislation gives paramount consideration to the best interests of the child and provides the framework for the practical application of the principles regarding inter-country adoption contained in the Convention on the Rights of the Child. These include ensuring that adoptions are authorised only by competent authorities, guided by informed consent of all concerned, that inter-country adoption enjoys the same safeguards and standards which apply in national adoptions, and that inter-country adoption does not result in improper financial gain for those involved in it. These provisions are meant first and foremost to protect children, but also have the positive effect of safeguarding the rights of their birth parents and providing assurance to prospective adoptive parents that their child has not been the subject of illegal practices.

The case of children separated from their families and communities during war or natural disasters merits special mention. Family tracing should be the first priority and inter-country adoption should only be envisaged for a child once these tracing efforts have proved fruitless, and stable in-country solutions are not available. This position is shared by UNICEF, UNHCR, the UN Committee on the Rights of the Child, the Hague Conference on Private International Law, the International Committee of the Red Cross, and international NGOs such as the Save the Children Alliance and International Social Service.

UNICEF offices around the world support the strengthening of child protection systems. We work with governments, UN partners and civil society to protect vulnerable families, to ensure that robust legal and policy frameworks are in place and to build capacity of the social welfare, justice and law enforcement sectors.

Most importantly, UNICEF focuses on preventing the underlying causes of child abuse, exploitation and violence.

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