PRESS RELEASE
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Terre des Hommes celebrates the 20th anniversary of the Hague Convention on Protection of Children and the Cooperation in Respect of Intercountry Adoption (The Hague Adoption Convention of 29th May 1993)

20 years of existence of the Hague Adoption Convention shows that its ratification is not enough. Without effective implementation measures, the Convention itself cannot prevent abusive practices in international adoption. The effective application of the Convention is contingent on the political will of States to introduce and enforce accompanying legislation and procedures.

The Convention has drawn considerable interest with 90 ratifying countries. As per Article 21 of the Convention on the Rights of the Child, the Convention aims to put in place a framework to prevent trafficking, selling and laundering of children. However, like all bilateral Conventions resulting from diplomatic negotiation, the Convention is an imperfect tool.

Terre des Hommes, as an intercountry adoption expert with over 50 years of experience, has been following the effects of the Convention in the receiving states as well as the countries of origin.

The number of intercountry adoptions increased significantly up to early 2000’s before dropping drastically over the last few years. In 2004, 45’000 children were adopted in the twenty main receiving states, while they were only 29’000 in 2010.

Why such a decrease in the number of international adoptions while thousands of children remain in institutions in need of a family? There are several reasons. According to estimates, 80% of children in institutions still have family and are therefore not adoptable. Countries of origin have also made considerable efforts to find alternatives to keep families together and to develop national adoption systems. These developments are within the Convention’s principle of subsidiarity where intercountry adoption is considered as last resort. Countries such as Russia and China, who previously approved thousands of international adoptions per year, have reviewed their systems and significantly reduced these numbers. Finally, the emergence of surrogate mothers as an option has led to a reduction in intercountry adoptions. More and more couples resort to this alternative method, often within an undefined legal environment that encourages the commercialisation of children even before they are born.

The initial objective of the Convention was to reform the intercountry adoption system, seen as “corrupt”, “chaotic” and particularly prone to abuse. It provides a frame with fundamental principles based on international collaboration and shared responsibilities between receiving states and countries of origin. Unfortunately, there are important lacks when it comes to the implementation of the Convention. Many countries of origin have ratified the Convention without revising neither their national legislation nor the adoption procedures. As for the receiving countries, they often pay too little attention to abusive practices within countries of origin. One recent and deplorable example is the one of Haiti.
after the 2010 earthquake where thousands of children were evacuated urgently to be adopted abroad despite the fact they still had family. In such cases, 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.

It is essential that Governments, institutions and those involved in international adoption take action to ensure necessary reforms. Too many actors in the field of intercountry adoption tend to minimise the frequency and importance of abusive practices. Without full recognition of the problems and corresponding action, the Convention will continue to serve as an alibi instead of an effective tool to implement an ethical, well organized and transparent international adoption system.

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Press corner and documentation on International Adoptions:
http://www.tdh.ch/en/topics/protection/adoption
http://www.tdh.de/was-wir-tun/themen-a-z/adoption.html

About Terre des Hommes
The Terre des Hommes International Federation (TDHIF) is a network of 11 national organizations working for the rights of children and promoting equitable development without racial, religious, political, cultural or gender-based discrimination.

The Federation ensures the coordination among the organizations and their representation at an international and European level, having a consultative status with the UN, UNICEF, the ILO and the Council of Europe.

The mission of the Terre des Hommes organisations is:

- To develop and implement projects designed to improve the living conditions of vulnerable children in their own environment (including families and communities).
- To bring to the attention of the public, including children and young people, the causes of poverty together with the rights of the child.
- To mobilise political will and advocate appropriate public policies on child rights and development.