



Advocacy note : Need to reinforce efforts to respond to systemic illicit intercountry adoption practices (10 February 2025)¹

Intercountry adoption (ICA) is designed to be a child protection measure and is recognised as such in international standards, notably the [United Nations Convention on the Rights of the Child \(UN CRC\)](#) and the [1993 Adoption Convention](#). Thus, ICAs are in principle designed to respond to the rights, best interests and needs of the child concerned. When other objectives influence ICA decisions, illicit practices and violations of children’s rights ensue.

Child Identity Protection (CHIP) and its partners welcome the growing efforts by a number of States to address the systemic nature of past illicit ICA practices in line with their human rights obligations. Such efforts align themselves with, *inter alia*, the routine recommendations of the CRC Committee and Committee on Enforced Disappearances to States Parties, the conclusions and recommendations of all Special Commissions operating under the 1993 Adoption Convention since their inception, the 2016 [UN SR on sale and sexual exploitation’s study on illegal adoptions](#) and the 2022 statement on illegal ICAs by all relevant UN experts.²

Fact finding initiatives

To date, efforts have prioritised fact-finding initiatives including reports on adoptions from Sri Lanka by Switzerland in 2020, the Netherlands findings in 2021³ and research undertaken by academics mandated by the French Ministry of Foreign Affairs in 2022.⁴ They also include Chile’s approval in 2024 of the establishment of an interinstitutional working group on forced or irregular adoptions, which aims to offer efficient responses to this issue and to coordinate actions amongst competent bodies in order to ensure a comprehensive state response to these cases.⁵ In parallel, the Truth and Reconciliation Commission in South Korea agreed to include in its mandate the issue of children adopted from the country.⁶ Another example is the research on adoptions from Bangladesh, Brazil, Chile, Guatemala, India, Colombia, Korea, Lebanon, Peru and Romania to Switzerland published in 2023⁷ and Norway’s interim report on Colombia and Ecuador, with a final report covering 12 countries of origin planned for end 2025.⁸

Moratoriums as first response

In response to the ongoing confirmations of illicit practices, both receiving States and States of origin have imposed moratoriums on ICAs, which have intensified over the last few months. For example, in November 2024, the Flemish authorities in Belgium announced that they would prolong the suspension of ICAs for another year.⁹ In August 2024, China also introduced a moratorium.¹⁰ In November 2024, Quebec also suspended ICAs over trafficking concerns.¹¹ End of 2024, the Netherlands announced that they would phase out ICAs which would eventually stop in 2030.¹² In January 2025, the Swiss authorities announced their policy

to end ICAs as “based on the finding of a group of experts that even a thorough overhaul of the current system would not be enough to avoid all risk of irregular practices.”¹³

Other comprehensive responses needed

CHIP and its partners observe that while suspending ICAs ensures that new cases of illicit practices are prevented, concerted efforts are required to respond to the findings of illicit practices, which indicate that significant numbers of children were illegally separated from their families of origin. These practices have been demand-led, despite their being no right to a child. Despite Art.8(2) CRC, State responses in terms of restoring identities of children are rare and slower than the speedy standard expected of them. This includes facilitating efforts to search for origins within a framework that ensures the security of all actors.¹⁴ These efforts should be part of a holistic approach to post-adoption support. The needs of adoptees and both birth and adoptive families do not stop with the introduction of a moratorium on new cases. The child protection needs of children deprived of their families should equally be met.

Likewise, States are required to provide access to justice and effective remedies for the children and families that have been affected by the illicit practices, which are limited to date. A notable exception is Switzerland, which has expressed its regret for past practices.¹⁵ Discussions on reparations that have been emerging in parliamentary debates due to the advocacy work of adoptees are welcome. For example, in December 2024, a number of Belgian adoptees were heard by the External Relations Committee of the Belgian House of Representatives on the subject of illegal adoptions and the reparation that the State can provide to victims.¹⁶

CHIP and its partners call on all relevant States to accelerate their efforts to respond to the systemic nature of illicit ICAs in line with their human rights obligations including the establishment of truth, apologies, access to justice and effective remedies, as well as guarantees of non-recurrence. We stand ready to support States to ensure that every adoptee has a full, accurate and accessible identity. Where sale and other illicit practices have occurred, States should establish appropriate remedies and sanctions for those involved. Remedies should also in principle be provided to families of origin that have been illicitly separated from their children. Where there is evidence of such separation, State obligations to investigate are not necessarily dependent on the decision of an adoptee to conduct a search for origins.

Only in restoring the child’s identity at birth and that of their birth family, can the child fully enjoy their right to identity in family relations as foreseen in the Art.8(2) CRC and other human rights.

¹ Prepared by Child Identity Protection (www.child-identity.org) with input from Maud Buquicchio, Nigel Cantwell, Lynelle Long and David Smolin

² United Nations Human Rights Bodies and Special Procedures (2022) Joint statement on illegal intercountry adoptions https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/2022-09-29/JointstatementICA_HR_28September2022.pdf

³ Committee investigating intercountry adoption. (2021) Consideration, Analysis, Conclusions, Recommendations and Summary

⁴ Denéchère, Y. et Macedo, F. (2023) Étude historique sur les pratiques illicites dans l'adoption internationale <https://www.univ-angers.fr/fr/recherche/actualites/actus-2023/pratiques-illicites-dans-l-adoption-internationale.html>

⁵ Resolución Exenta 720/2024. Mesa Interinstitucional de trabajo sobre adopciones forzadas o irregulares.

⁶ ABC (2023) Truth and Reconciliation Commission to probe intercountry adoptions <https://abcnews.go.com/International/wireStory/south-koreas-truth-commission-probe-foreign-adoptions-94737669>

⁷ Federal Council. (2023) International adoption law: Federal Council sees need for action <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-99228.html>

⁸ Norwegian Investigation Committee for intercountry adoptions. (2025) Interim report on Colombia and Ecuador <https://utenlandsadopsjonsutvalget.no/2025/01/22/delrapport-om-ecuador-og-colombia/>

⁹ De Leebeek, E. (2024) Adoptiestop voor kinderen uit buitenland loopt nog zeker jaar door: “De veiligheid van het kind staat op de eerste plaats, HLN https://www.hln.be/binnenland/adoptiestop-voor-kinderen-uit-buitenland-loopt-nog-zeker-jaar-door-de-veiligheid-van-het-kind-staat-op-de-eerste-plaats~adde6449/?fbclid=IwZxh0BgNhZW0CMTEAAR252cEP09wKFMpUg_zodHhX4MWclE0vIAZPuD8U-Z2H3EK0ZDpJ2k3y4U_aem_uxHU1fXijIMSSwPUP1X-ug&referrer=https%3A%2F%2Fwww.linkedin.com%2F

¹⁰ US Department of State. (2024) Status of Intercountry Adoptions in People’s Republic of China <https://travel.state.gov/content/travel/en/News/Intercountry-Adoption-News/status-of-intercountry-adoptions-in-people-s-republic-of-china-.html>

¹¹ Santé et Services sociaux. (2024) Pour l'intérêt supérieur de l'enfant - L'ouverture de nouveaux dossiers d'adoption internationale est suspendue <https://www.quebec.ca/nouvelles/actualites/details/pour-linteret-superieur-de-lenfant-louverture-de-nouveaux-dossiers-dadoption-internationale-est-suspendue-59831> and Gentile, A. (2025) Quebec suspends most new international adoption applications over trafficking concerns, Montreal City News <https://montreal.citynews.ca/2025/01/05/quebec-suspends-most-new-international-adoption-applications-over-trafficking-concerns/>

¹² Government of the Netherlands. (2024). Careful phasing-out of inter-country adoption over six years <https://www.government.nl/topics/adoption/news/2024/12/09/careful-phasing-out-of-inter-country-adoption-over-six-years>

¹³ Federal Office of Justice. (2025) Policy decision to stop international adoptions <http://www.adoption.admin.ch>

¹⁴ CHIP. (2023) Briefing Note: Safeguarding search for origins from illicit post-adoption practices <https://www.child-identity.org/briefing-note-safeguarding-search-for-origins-from-illicit-post-adoption-practices/>

¹⁵ Federal Council. (2023) *Supra* 7

¹⁶ La chambre (2024) Relations extérieures (Erasmus) Résolutions relatives aux adoptions illégales-audition. <https://media.lachambre.be/media/index.html?sid=56U0215>