

## PRESS RELEASE

### Haiti earthquake and intercountry adoption of children

The recent tragic events in Haiti highlight the need to ensure appropriate safeguards are in place to protect vulnerable children at risk of illegal adoptions, abduction, sale and child trafficking.

The Secretariat of the Hague Conference on Private International Law has issued an Information Note (attached) to authorities designated under the 1993 Hague Convention on Intercountry Adoption, States and international organisations on the principles which should be observed to prevent risk of exploitation of internationally displaced children following a natural disaster. The following are extracts of the Information Note:

**"In a disaster situation, like that brought about by the earthquake, efforts to reunite a displaced child with his or her parents or family members must take priority. Premature and unregulated attempts to organise the adoption of such a child abroad should be avoided.**

**Where an adoption has already been completed by a court in Haiti and all safeguards have been applied, but certain administrative procedures (e.g. relating to travel documentation) remain to be completed, it may well be justifiable to expedite the transfer of the child to the State where the child is to live with the adoptive parents. It is essential that the identity of the child be verified before departure.**

**A humanitarian disaster such as the earthquake should not be the reason for by-passing essential safeguards for safe adoption.**

**The reason for such caution is to avoid a situation in which the child is placed with prospective adoptive parents, the process of bonding and integration begins, but then has to be terminated because legal obstacles or irregularities emerge, with all the potential for damage to the child and anguish for the prospective adoptive parents.**

**These considerations apply equally in an emergency situation. Indeed in a situation where child care and protection services have broken down such as in Haiti, the risks are even greater that the adoption may be "unsafe". This is why in these tragic situations the emphasis should first be on child protection, rather than adoption."**

A coordinated approach of all receiving States as well as international organizations and NGO should be taken in order to provide a common solution. Humanitarian aid and help should be provided to these children as well as other children in care in Haiti.

The 1993 Hague Convention on Intercountry Adoption reinforces principles of the UN Convention on the Rights of the Child. The 1993 Hague Convention establishes a framework to ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, the sale of, or traffic in children. More than 80 States, including almost all States receiving adopted children, are parties to the 1993 Hague Convention. Although Haiti is not a party to the Convention, receiving States should apply these standards and safeguards.

The Hague Conference appeals to Haiti and States receiving children to observe these safeguards to ensure that children are protected from further harm that might arise from an already tragic situation.

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The Hague Conference on Private International Law is an inter-governmental organisation based in The Netherlands working for the harmonisation of rules of private international law. It currently has 69 Members located on every continent and over 130 States party to one or more Hague Conventions. The Hague Conference seeks to build bridges between various legal systems, while respecting their diversity. In doing so it reinforces the legal security of private persons which is essential role in an age of globalisation. For more information see: <[www.hcch.net](http://www.hcch.net)>.