

<b>Title</b>	<b>Analysis of the responses to the 2025 Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention</b>
<b>Document</b>	<b>Prel. Doc. No 3 of March 2026</b> This document replicates Prel. Doc. No 7B of January 2026, as presented to CGAP. Only this Dashboard and Section V have been adapted for the SC 1993 Adoption.
<b>Author</b>	PB
<b>Agenda Item</b>	N/A
<b>Mandate(s)</b>	C&D Nos 42 and 77 of CGAP 2025
<b>Objective</b>	To summarise the responses, received from Members and Contracting Parties to the 1993 Adoption Convention, to the 2025 Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention
<b>Action to be Taken</b>	For Decision <input type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
<b>Annexes</b>	Annex I: Overview of responses to the 2025 Questionnaire Annex II: Summary of the comments to the responses
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>- <a href="#">Prel. Doc. No 7B of January 2026</a> - Analysis of the responses to the 2025 Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention (SC)</li> <li>- <a href="#">Prel. Doc. No 1 of May 2025</a> – Conclusions and Recommendations from previous meetings of the (SC)</li> <li>- <a href="#">Prel. Doc. No 2 of May 2025</a> – Questionnaire on possible topics for discussion at the Sixth Meeting of the SC</li> </ul>

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# Analysis of the responses to the 2025 Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention

## I. Introduction

- 1 In March 2025, the Council on General Affairs and Policy (CGAP) mandated the Permanent Bureau (PB) to “start preparations for a Sixth Meeting of the Special Commission (SC) on the practical operation of the 1993 Adoption Convention, by circulating a questionnaire on the possible topics and format of the SC meeting. The PB will report on the outcomes of this questionnaire to Members and Contracting Parties and commence the other preparations for the SC meeting in accordance with the responses that are received”.<sup>1</sup>
- 2 In May 2025, the PB circulated the *Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention* (2025 Questionnaire).<sup>2</sup> This Prel. Doc. analyses the responses received to the 2025 Questionnaire, and based on these responses provides some suggestions for the preparations of the Sixth Meeting of the SC. In addition, Annex I includes a compilation of the responses received and Annex II summarises the comments included in the responses to the 2025 Questionnaire indicating why respondents considered that a topic should or should not be discussed, as well as other remarks.
- 3 The topics included in the 2025 Questionnaire were based on the feedback provided by Contracting Parties during various meetings (e.g., Working Group (WG) meetings, workshops, conferences, seminars, technical assistance missions), current work being undertaken by the HCCH and suggestions made to the PB by different authorities and stakeholders since the last meeting of the SC in 2022.
- 4 In the 2025 Questionnaire, Members and Contracting Parties were asked to rate **specific topics** (numbered 1 to 27) by degree of relevance to be discussed at the SC meeting, and to select a maximum of five **overall topics** (categorised A to I) that they considered the highest priority to discuss at the meeting. The summary of the responses below refers to these topic numbers and lettered categories.
- 5 The results of the rating provided by States are mainly presented in statistical format,<sup>3</sup> as well as summarised when applicable (for further details, please see the Annexes). It has also to be recalled that the rating is **not** about the **importance of a specific topic on adoption** in general terms. Rather, it only reflects the **preferred choice of topics to be discussed at this upcoming SC meeting**.
- 6 The next meeting of the SC is tentatively scheduled to take place in 2027; however, the exact timing will be determined in accordance with the full Work Programme of the HCCH. The proposals in this document for the next meeting of the SC take into consideration the large number of Contracting Parties to the 1993 Adoption Convention (currently, 107 Contracting Parties and two signatory

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<sup>1</sup> “Conclusions and Decisions of CGAP 2025 (5-7 March 2025)”, C&D No 42 (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under “Governance” => “Council on General Affairs and Policy” and “Archive (2000-2025)”).

<sup>2</sup> Prel. Doc. No 2 of May 2025, “Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention” (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under “Adoption Section”, => “Special Commission meeting” and “Special Commission of 2027 (Date to be confirmed)”).

<sup>3</sup> To facilitate readability, the statistics have been rounded. This, however, means that not all totals add up to 100%. Please also note that 18 States which responded to the 2025 Questionnaire requested that their responses not be made available on the HCCH website. Therefore, the charts in Sections III and IV below include data from all responding States, Annex I excludes data from those States that requested that their responses not be posted on the HCCH website, and Annex II includes data from all responding States but does not mention the names of the States that requested that their responses not be posted on the HCCH website.

States),<sup>4</sup> as well as budgetary and logistical considerations. Accordingly, at this stage, the total duration of such a meeting would be three-and-a-half-day (commencing on a Tuesday in the morning and concluding on a Friday at lunchtime).

## II. Summary of the responses and comments to the 2025 Questionnaire

7 The PB wishes to express its gratitude to the 74 Contracting Parties to the 1993 Adoption Convention and three Observers that responded to the 2025 Questionnaire. They can be presented as:

- 58 Members of the HCCH. Amongst which:
  - ⇒ 28 Contracting Parties identify themselves<sup>5</sup> as States of origin: Albania, Armenia, Azerbaijan, Brazil, Bulgaria, Burkina Faso, Chile, China (Mainland),<sup>6</sup> Costa Rica, Cyprus, Ecuador, El Salvador, Honduras, Hungary, India, Lithuania, North Macedonia, Philippines, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Sri Lanka, Thailand, Uruguay, and Viet Nam.
  - ⇒ 20 Contracting Parties identify themselves as receiving States: Andorra, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Malta, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, and United Kingdom (England).
  - ⇒ 10 Contracting Parties identify themselves as both States of origin and receiving States: Croatia, Czech Republic, Dominican Republic, Mauritius, Mexico, Panama, Portugal, Türkiye, United States of America, and Venezuela.
- 16 Contracting Parties which are not Member States of the HCCH and identify themselves as States of origin: Belize, Benin, Burundi, Cabo Verde, Colombia, Congo, Côte D'Ivoire, Cuba, Ghana, Guatemala, Guinea, Guyana, Madagascar, San Marino, Senegal, and Togo.
- 3 Observers: United Nations Children's Fund (UNICEF), Child Identity Protection (CHIP), and the International Social Service (ISS).<sup>7</sup>

8 This Prel. Doc. mainly focuses on the responses submitted by Members and Contracting Parties to the 1993 Adoption Convention. The responses of Observers have been included in the overview of responses (Annex I) and in the summary of comments (Annex II); however, following the HCCH Rules of Procedure, which state that "Observers do not participate in the decision-making process" (Art. J.5), Observers' responses have not been counted in the statistical and percentage analyses presented below.

### A. Topics for the next meeting of the SC

9 The responses show that States generally agree with the main subjects proposed in the 2025 Questionnaire, as all subjects received a majority of "yes" responses (although the degree of priority varies from one subject to another). For the majority of topics, relatively few received very low scores or attracted no response from States.

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<sup>4</sup> Since the last SC in 2022, the 1993 Adoption Convention has been ratified by one Member of the HCCH (Republic of Korea) and acceded to by two non-Members of the HCCH (Angola and Botswana).

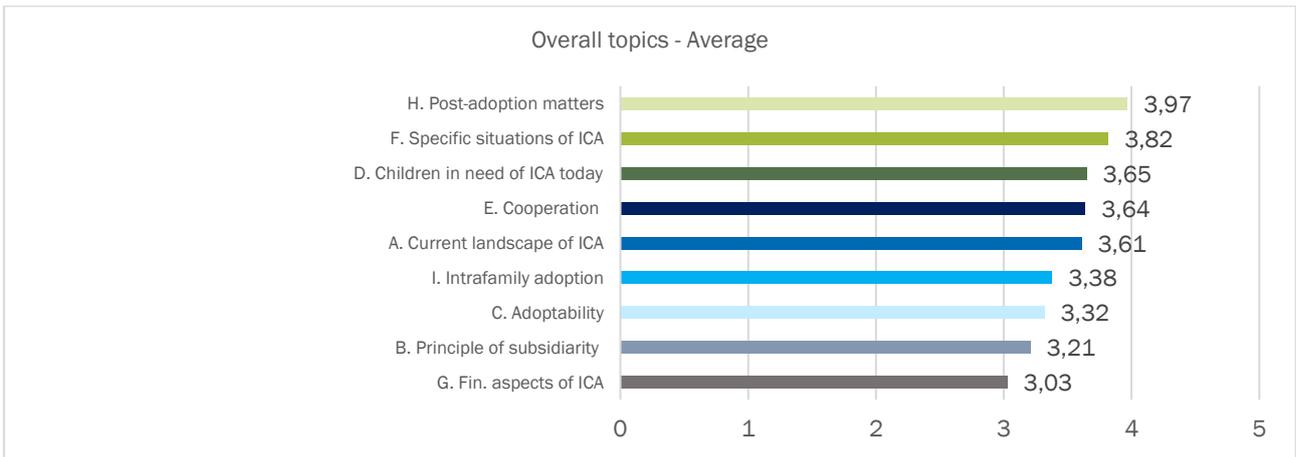
<sup>5</sup> The categorisation of States as States of origin, receiving States or both is based on the responses of each State to the [Country Profiles](#) on the 1993 Adoption Convention.

<sup>6</sup> According to the responses to the Country Profiles, China (Mainland) appears only as a State of origin, while China (Hong Kong SAR) and China (Macao SAR) appear as both States of origin and receiving States. For the purposes of counting responses by State, China has been counted only once, under States of origin.

<sup>7</sup> Following the HCCH Rules of Procedure which state that "Observers do not participate in the decision-making process" (Art. J.5), the responses of Observers have not been considered when determining the discussion topics for the SC meeting (*i.e.*, when rating the different topics). However, a summary of their comments and suggestions have been included in the Annexes as appropriate.

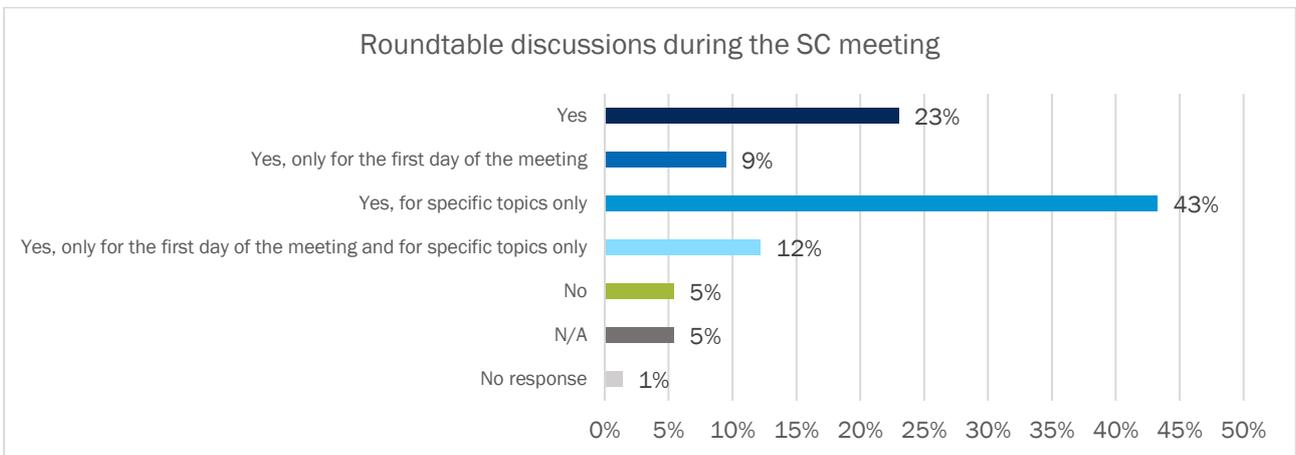
- 10 Considering the fact that this is the sixth meeting of the SC on the 1993 Adoption Convention, and the limited time for the meeting, it is suggested that the meeting focus on certain specific topics. While this may mean that some topics and / or areas may not be discussed, this should allow for in-depth discussions. Should States wish to discuss other topics not addressed at the SC meeting, other avenues could be used (e.g., workshops, seminars, trainings).
- 11 To determine which topics could be discussed at the next meeting of the SC, the PB looked at, for each topic, both the individual counts (1, 2, 3, 4, 5 or no response) and the average score, as well as the comments provided by States. It did so for both specific and overall topics. Individual ratings for the specific topics, as well as the average scores for both specific and overall topics, are presented in the charts below.





## B. Format of the next meeting of the SC

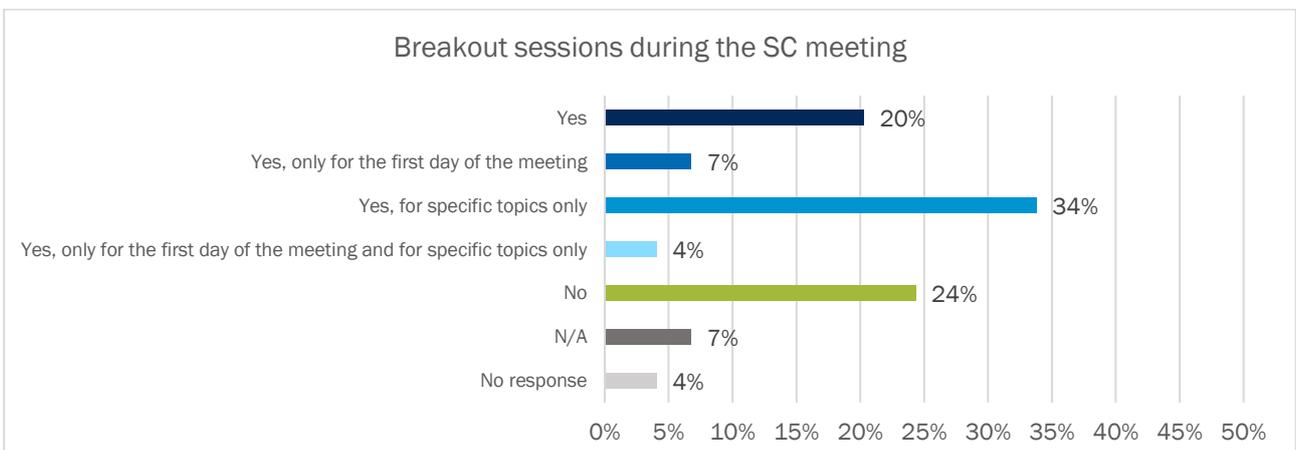
### 1. Roundtable discussions



12 Approximately 87% of the responses were in favour of having roundtable discussions, but with a clear indication that this should be for specific topics only and confined to the first day of the meeting.

13 Based on the responses to the topics to be discussed at the next SC meeting, as well as the comments received to this question, topics that could be discussed as part of roundtable sessions may include lived experiences and the current landscape of intercountry adoptions.

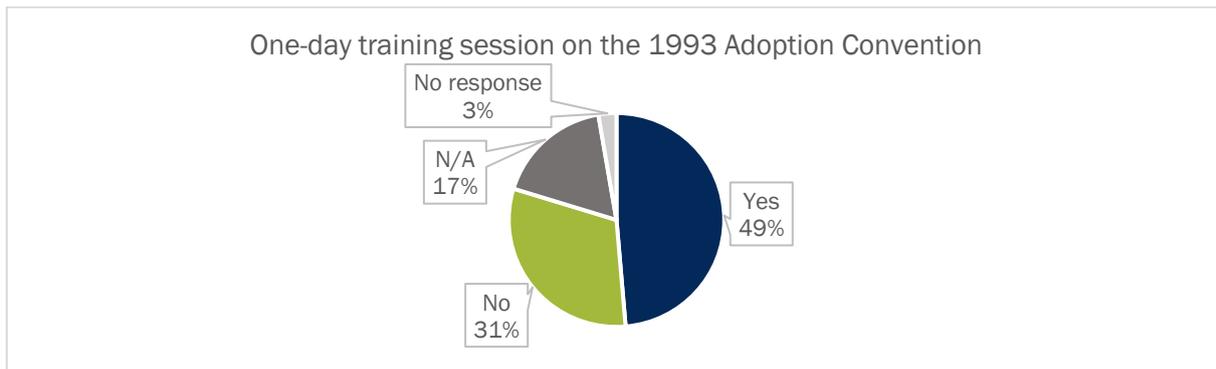
### 2. Breakout sessions



14 Approximately 65% of the responses were in favour of having breakout sessions, but as with the roundtables, the sessions should be limited to specific topics and only take place during some parts of the meeting.

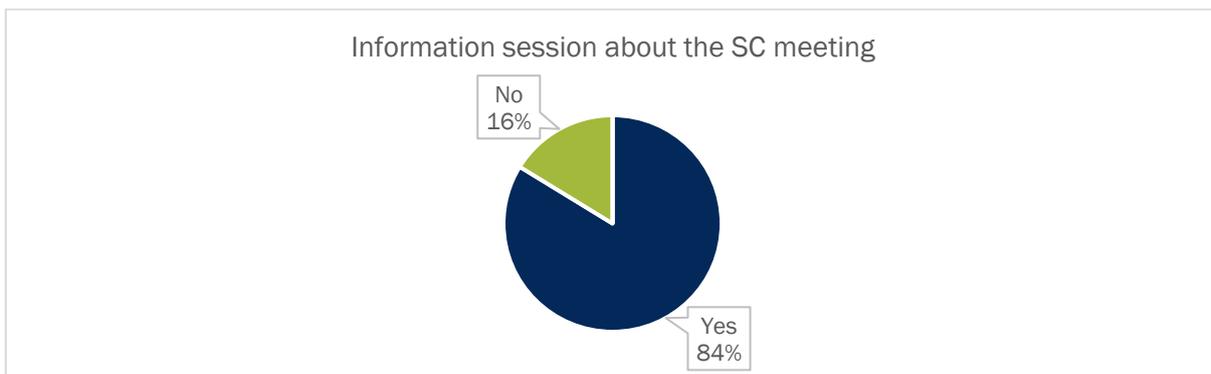
15 Based on the responses, topics related to specific situations of intercountry adoption could be discussed through breakout sessions. While a large number of States expressed interest in discussing specific situations of intercountry adoptions, their interests vary as to which specific situations should be discussed. Breakout sessions would therefore allow focused discussions on issues most relevant to the States concerned.

### 3. One-day training session on the 1993 Adoption Convention



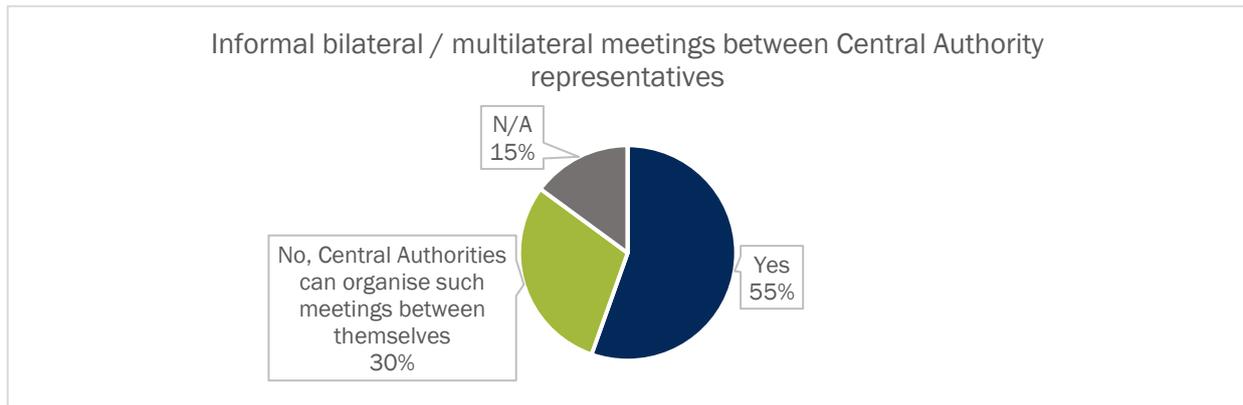
16 Some States noted the particular relevance of a one-day training session for new Contracting Parties. This type of training was held in person in 2015 prior to the Fourth Meeting of the SC to ensure that staff from new Contracting Parties to the Convention and some States of origin could better benefit from participating in the meeting. Likewise, in 2022, prior to the Fifth Meeting of the SC, a similar training was held; however, it lasted only half a day and, due to the Covid-19 pandemic, took place entirely online.

### 4. Information session about the SC meeting



17 A clear majority of responses were in favour of the holding of an information session on the SC meeting, particularly for participants not previously having attended a meeting of the SC. Such a session was held online in 2022 prior to the Fifth Meeting of the SC.

## 5. Informal bilateral / multilateral meetings between Central Authority representatives attending the SC meeting



- 18 There was a clear interest in informal bilateral / multilateral meetings between Central Authority representatives during the SC meeting. Many States (55%) expressed interest in having the PB facilitate such meetings at its offices, while others (30%) considered that Central Authorities could organise the meetings themselves.

### III. Proposed topics and format for the next meeting of the SC

#### A. Proposed topics

- 19 Considering the compact schedule of the SC meeting (*i.e.*, three and a half days), only a limited number of topics can be addressed. Half a day would need to be devoted to discussing and approving the Conclusions & Recommendations (C&R) of the meeting, leaving effectively three days for discussions (with four sessions per day; this would allow for a total of 12 discussion sessions).
- 20 Based on the responses received, the following topics could be discussed at the next SC meeting:
- **Post-adoption matters** (H.), including all specific topics. *I.e.*:
    - ⇒ Practices regarding the implementation of post-adoption services (Art. 9(c)), with particular focus on supporting the child's integration into the adoptive family (H.20);
    - ⇒ Practices regarding the collection and preservation of information on the child's origin (Art. 9(a)), including the use of DNA databases (H.21);
    - ⇒ Practices relating to access to information on the child's origin (Art. 30) (*e.g.*, use of DNA technology, search for origins requests linked to illegal adoptions and / or adoptions with illicit practices) (H.22);
    - ⇒ Disruption and breakdown of adoptions (H.23); and
    - ⇒ Virtual State-led workshops on post-adoption (H.24).
  - **Current landscape of intercountry adoption** (A.), including the following specific topics:
    - ⇒ Changes in the current landscape of intercountry adoption (*e.g.*, number of intercountry adoptions, investigations of intercountry adoption practices, impact of suspension of intercountry adoptions) (A.2); and
    - ⇒ Challenges and promising practices in the practical operation of the 1993 Adoption Convention today (A.3).
  - **Children in need of intercountry adoption today** (D.), including both specific topics, *i.e.*:
    - ⇒ Profile of children in need of adoption, categorisation and regulation of special needs (D.7); and
    - ⇒ Strategies to ensure that intercountry adoption meets the current needs of children as a measure of child protection (D.8).

- **Specific situations of intercountry adoption** (F.), which could include the following specific topics:
  - ⇒ Reversal of the flow of the files (F.16);
  - ⇒ Adoptions between States which do not have a pre-established cooperation mechanism in place (F.12);
  - ⇒ Adoption by persons who are temporarily living in a State of origin or a receiving State (F.14);
  - ⇒ Adoption of children already under the care (informal placement) of prospective adoptive parents (F.15); and
  - ⇒ Adoptions by “new” receiving States (F.13): please note that while this topic did not receive a high score, several States suggested this topic under the section “other topics”.
- **Cooperation between States** (E.), in particular to enhance the understanding of the Convention (E.9).
- **Lived experiences:** this topic was suggested by a certain number of States in their comments to the topics.

21 The general topic of intrafamily adoptions received a relatively low score, although some of the specific topics within it received a higher score. Nevertheless, several States mentioned that since this topic had already been discussed at the previous meeting of the SC, in 2022, it was not relevant to discuss it again. These topics may, however, be touched upon during the discussions on the current landscape of intercountry adoption.

## B. Proposed format

22 It is proposed that the meeting **take place in person**, with the possibility for online participation.

23 A preparatory **online information session** could take place approximately one month prior to the meeting. Additionally, depending on space availability, a **one-day in-person training session** for new Contracting Parties and new staff at Central Authorities could take place on the day preceding the meeting, at the premises of the PB (thus, with limited participation). Alternatively, this training could be held online one month before the meeting.

24 On the first day of the meeting, a roundtable discussion on lived experiences could be organised. A **breakout session** and a plenary discussion focusing on specific situations of intercountry adoption could also be organised during the meeting.

25 Finally, States could organise **informal bilateral / multilateral meetings** between Central Authority representatives attending the SC meeting at the PB offices (please note, however, that the PB will not be involved in the organisation of such meetings). These meetings could take place on the Sunday before the meeting as well as on the Friday afternoon / Saturday morning after the meeting.

## IV. Next steps

26 Based on the topics suggested for discussion at the meeting, the PB will circulate a *Questionnaire on the Practical Operation of the 1993 Adoption Convention*, taking into consideration all the information already gathered in Country Profiles and other documents.

27 Contracting Parties are kindly reminded to update the **Country Profile(s)**, **statistics**, **table on costs** and **contact details** of their Central Authorities, competent authorities and accredited bodies as relevant. In particular, Contracting Parties are reminded of the importance that the e-mail addresses of Central Authorities are up to date in order to receive all the information regarding the preparations for the Sixth Meeting of the SC.

## **V. Conclusions and Decisions of CGAP**

- 28 The CGAP 2026 approved the following C&D:
- 30 *CGAP mandated the PB to continue preparations for the Sixth Meeting of the Special Commission to review the practical operation of the 1993 Adoption Convention, taking into account, the responses received to the questionnaire on possible topics and format of the Special Commission meeting. The meeting of the Special Commission is scheduled for May/June 2027 for 3.5 working days.*
- 31 *CGAP reiterated the importance of in-person participation at the Special Commission meeting and to that end, encouraged Members to consider making a voluntary contribution to support the in-person participation of delegates representing States of origin.*

## **ANNEXES**

## **Annex I**

## Overview of responses

The numbering and lettering below correspond to those used in the [Questionnaire on possible topics for discussion at the Sixth Meeting of the Special Commission on the practical operation of the 1993 Adoption Convention](#) (Prel. Doc. No 2 of May 2025 for the SC).<sup>8</sup>

### Specific topics

States	A.01	A.02	A.03	B.04	C.05	C.06	D.07	D.08	E.09	F.10	F.11	F.12	F.13	F.14
Albania	4	5	5	5	3	4	4	4	5	4	4	5	5	5
Andorra	3	5	5	5	5	5	5	5	4	4	4	5	4	2
Armenia	3	3	3	3	4	3	4	4	4	3	3	3	3	5
Australia	2	3	2	4	3	4	3	4	3	2	4	1	1	4
Austria	1	4	3	2	2	1	1	1	5	3	2	4	4	3
Azerbaijan	3	3	3	3	4	4	2	2	2	2	2	3	3	3
Belgium	1	5	4	5	1	3	5	3	5	1	1	1	1	3
Belize	4	5	5	5	4	5	5	5	3	4	5	3	4	4
Benin		3		3	2		4		4		5			
Brazil	1	3	4	3	2	2	3	4	4	2	4	3	3	5
Burkina Faso	2	4	4	1	3	3	4	5	5	1	3	5	1	5
Burundi	3	5	5	5	1	5	1	3	5	1	5	5	5	
Cabo Verde	2	4	4	4	3	5	4	4	3	2	3	3	3	4
Canada	5	5	5	4	3	2	4	5	5	4	2	3	2	5
Chile	3	3	4	3	4	4	4	4	4	4	3	2	5	2
China (Hong Kong SAR)	2	2	2	2	2	2	2	2	3	2	2	2	3	2
China (Macao SAR)	2	3	4	2	2	2	2	4	5	4	2	4	2	4
Colombia	1	1	1	4	1	3	5	5	1	1	1	5	1	3
Congo	4	4	4	5	5	4	4	4	5	4	3	3	4	2
Costa Rica	2	3	5	2	3	2	5	5	5	2	5	2	2	5
Côte D'Ivoire	3	4	5	5	3	5	5	5	5	1	1	1	3	5
Cyprus	3	5	5	4	5	5	5	5	5	4	5	5	4	4
Cuba	1	3	4	3	2	2	3	3	5	2	3	2	2	2
Czech Republic	1	2	2	2	2	2	4	4	4	4	4	4	4	4
Denmark	2	2	4	4	4	3	5	5	2	2	4	4	2	2
Dominican Republic	3	5	5	5	4	4	4	3	5	5	3	3	3	4
Ecuador	2	5	5	5	4	4	4	4	3	3	5	4	3	4
Finland	4	5	5	5	1	1	1	2	2	5	5	5	2	5

<sup>8</sup> See, *supra* note 3.

<b>Germany</b>	2	2	2	5	5	5	5	5	4	1	1	1	1	2
<b>Ghana</b>	2	4	3	5	3	4	5	5	5	4	3	4	5	5
<b>Guatemala</b>	2	4	3	5	4	5	5	5	5	5	5	5	4	5
<b>Guinea</b>	3	5	3	3	5	2	2	3	5	2	3	3	2	3
<b>Guyana</b>	1	1	3	2	1	3	5	4	5	3	5	5	5	5
<b>Honduras</b>	2	5	4	4	3	5	4	4	4	5	5	5	5	2
<b>Hungary</b>	1	3	4	3	3	4	5	5	3	1	2	1	3	5
<b>India</b>	1	2	2	2	2	5	4	3	5	3	1	1	1	5
<b>Ireland</b>	1	5	3	5	3	3	4	5	4	4	5	5	4	3
<b>Italy</b>	3	5	5	4	3	3	5	3	5	5	3	4	3	3
<b>Lithuania</b>	2	5	3	2	3	4	5	4	1	2	5	3	2	2
<b>Malta</b>	1	4	4	3	2	2	2	4	4	3	4	5	2	2
<b>Mauritius</b>	2	4	4	4	5	5	4	5	5	5	5	5	5	5
<b>Mexico</b>	3	3	4	5	4	4	5	4	5	4	5	4	4	5
<b>Netherlands</b>	1	4	4	4	3	3	3	3	3	3	4	3	3	4
<b>New Zealand</b>	2	4	5	5	5	2	4	4	4	2	2	2	2	3
<b>Norway</b>	1	4	5	4	3	3	2	3	4	3	5	4	1	3
<b>Philippines</b>	1	5	5	2	3	4	5	5	5	5	4	4	4	4
<b>Portugal</b>	2	5	2	2	1	1	3	5	3	2	1	5	1	2
<b>Republic of Moldova</b>	3	4	4	5	4	4	4	5	4	3	4	3	2	3
<b>Romania</b>	2	2	2	1	1	1	3	3	3	1	3	1	3	3
<b>San Marino</b>	2	2	3	3	3	4	5	5	3	4	5	5	2	2
<b>Serbia</b>	5	5	5	5	5	5	5	5	5	4	4			4
<b>Slovakia</b>	1	3	4		2	1	5	5	1	5	1	5	1	2
<b>Slovenia</b>	2	2	2	2	2	2	4	2	2	2	3	4	2	4
<b>Sri Lanka</b>	2	2	4	5	2	2		4	5	2	2	3	2	3
<b>Switzerland</b>		5	3	5	3	5	5	3	3	4	5	4		3
<b>Togo</b>		5							5					
<b>United States of America</b>	2	4	4	2	2	2	2	3	3	5	2	2	3	2
<b>Uruguay</b>	2	2	5	2	4	5	2	3	5	2	2	4	2	4
<b>UNICEF</b>	1	2	2	2	2	2	2	4	1	3	5	4	3	3
<b>CHIP</b>	1	4	3	4	5	3	3	3	5	2	2	2	2	2
<b>ISS</b>	2	4	4	2	2	2	2	5	2	2	3	2	2	4

States	F.15	F.16	G.17	G.18	G.19	H.20	H.21	H.22	H.23	H.24	I.25	I.26	I.27
Albania	4	5	4	4	4	5	4	4	5	5	4	4	5
Andorra	4	4	3	3	3	5	5	5	5	5	2	2	3
Armenia	4	3	5	3	4	4	3	3	4	3	3	4	3
Australia	2	3	2	3	4	3	3	4	3	2	2	4	2
Austria	3	3	5	5	4	2	3	4	3	5	4	3	4
Azerbaijan	5	3	1	2	2	5	5	5	3	3	4	4	3
Belgium	1	5	1	4	1	2	5	5	1	1	3	3	4
Belize	4	5	4	4	4	5	5	5	5	2	5	3	5
Benin			2			3	2	3	3	4	3	3	4
Brazil	4	4	3	3	3	5	4	4	3	4	3	4	3
Burkina Faso	3	2	5	1	2	2	4	4	4	3	1	4	1
Burundi	4	5	2	3	5	4	2	3	5	5	5	1	3
Cabo Verde	5	5	3	1	3	3	3	3	5	2	4	4	5
Canada	3	4	5			2	2	3	4		4	5	4
Chile	5	4	2	2	2	4	5	5	3	5	3	3	3
China (Hong Kong SAR)	2	2	2	2	2	2	3	3	2	2	2	2	2
China (Macao SAR)	2	2	2	2	2	3	2	3	2	2	3	5	3
Colombia	4	5	5	5	5	2	5	1	5	1	5	5	5
Congo	3	4	5	5	4	5	5	5			4	4	4
Costa Rica	2	5	2	2	2	2	5	3	4	3	5	2	5
Côte D'Ivoire	5	5	3	3	5	5	3	4	5	4	4	5	5
Cyprus	5	5	4	3	3	5	5	5	5	5	5	5	5
Cuba	3	2	2	2	3	4	3	3	4	5	4	3	5
Czech Republic	4	4	3	2	2	4	5	5	4	2	4	4	4
Denmark	2	2	3	3	2	5	5	5	3	3	2	2	2
Dominican Republic	5	3	3	3	3	5	4	3	3	3	3	3	3
Ecuador	5	4	3	3	3	5	4	4	5	5	3	5	4
Finland	5	2	4	3	3	2	5	5	4	3	5	5	5
Germany	1	1	2	1	1	5	5	5	5	4	2	2	2
Ghana	4	5	4	4	3	5	4	3	5	5	5	4	4
Guatemala	5	4	5	5	5	5	5	5	5	5	5	5	5
Guinea	3	3					5	3		3			5
Guyana	5	5	4	5	5	5	1	1	5	5	1	5	5
Honduras	5	1	3	4	2	5	4	5	5	3	5	5	5
Hungary	1	5	2	2	2	4	2	2	4	2	2	2	2

<b>India</b>	3	3	1	1	1	5	3	1	5	5	5	1	5
<b>Ireland</b>	3	3	2	1	1	4	5	5	5	4	5	5	5
<b>Italy</b>	3	4	5	5	3	5	4	5	5	4	3	3	3
<b>Lithuania</b>	4	5	1	1	2	3	4	4	3	2	4	1	1
<b>Malta</b>	3	2	4			4	4	4	4	2	2	3	3
<b>Mauritius</b>	5	5	5	5	5	3	3	5	5	4	5	5	5
<b>Mexico</b>	4	4	3	3	4	4	4	4	4	4	5	5	5
<b>Netherlands</b>	3	4	4	4	3	4	4	4	4	4	3	3	3
<b>New Zealand</b>	4	3	2	2	3	2	4	4	2	3	5	5	5
<b>Norway</b>	2	2	4	1	3	2	3	4	3	2	2	2	2
<b>Philippines</b>	5	4	5	5	5	3	3	3	4	4	3	3	3
<b>Portugal</b>	1	4	1	1	1	2	2	2	5	3	2	1	2
<b>Republic of Moldova</b>	5	2	2	3	1	5	3	3	3	3	2	2	2
<b>Romania</b>	1	3	1	1	1	2	1	2	4	2	2	1	2
<b>San Marino</b>	5	4	2	2	2	4	4	4	3	3	1	1	1
<b>Serbia</b>		5	5	4	4	5	4	5	5	5			5
<b>Slovakia</b>	3	4	3	3	3	5	5	5	5	3	4	4	4
<b>Slovenia</b>	2	2	2	2	2	4	4	4	2	2	2	2	2
<b>Sri Lanka</b>	5	2	4	2	3	4	2	5	4	2	2	2	5
<b>Switzerland</b>	4	5	5	5	5	4	5	5	4	5	5	5	5
<b>Togo</b>			5			5		5				5	
<b>United States of America</b>	2	2	3	4		2	2	2	5	2	1	2	3
<b>Uruguay</b>	4	3	2	2	2	3	3	3	5	2	2	2	2
<b>UNICEF</b>	2	4	3	4	2	3	4	5	5	1	2	2	2
<b>CHIP</b>	2	2	4	2	2	5	5	5	4	4	5	3	3
<b>ISS</b>	2	5	5	2	2	3	5	5	3	4	4	4	4

## Overall topics

States	A.	B.	C.	D.	E.	F.	G.	H.	I.
Albania	4	4	4	5	5	4	4	5	5
Andorra	5	5	5	5	5	5	3	5	3
Armenia	3	3	4	4	4	3	4	4	3
Australia	2	4	3	3	2	3	2	4	3
Austria	2	2	3	1	4	3	5	3	2
Azerbaijan	3	3	4	2	2	3	2	5	4
Belgium	2	4	2	5	4	5	4	5	5
Belize	5	4	5	4	3	3	3	5	5
Benin	2	3	2	4	4	4	3	3	
Brazil	5			5	5			5	5
Burkina Faso	5	1	2	3	4	3	1	4	4
Burundi		4		5	5				
Cabo Verde	3	5	5		2	3	3	3	5
Canada	5	4	3	4	5	2	5	4	5
Chile	4	3	3	4	4		3	4	2
China (Hong Kong SAR)	2	2	2	2	3	3	2	3	2
China (Macao SAR)	3	2	2	2	5	4	2	3	4
Colombia	1	3	4	4	1	5	4	2	5
Congo	4	4	4	3	4	4		4	
Costa Rica	5	3	3	3	5	3	2	5	5
Côte D'Ivoire	4	4	4	4	4	5	3	5	4
Cyprus	5	4	4	5	5	5	4	5	4
Cuba	5			4	5	3	1	4	5
Czech Republic	2	2	2	4	4	5	2	4	1
Denmark	2	5	4	5	3	2	3	5	2
Dominican Republic	4	4	3	3	5	5		5	3
Ecuador	4	4	5	5	4	5	4	5	5
Finland	5	5	2	1	2	5	2	5	5
Germany	2	5	5	5	4	1	2	5	2
Ghana	3	5	4	4	4	3	3	5	4
Guatemala		5		5		5		5	5
Guinea	5		5		5			5	5
Guyana					5	5		5	5
Honduras	5	4	4	4	4	5	3	5	5

<b>Hungary</b>	2	2	2	4	2	5	2	2	2
<b>India</b>	2	1	5	3	5	5	1	5	2
<b>Ireland</b>	4	5	4		4	5	1	3	5
<b>Italy</b>	5	4	3	4	5	4	5	5	3
<b>Lithuania</b>	3	2	4	5	4	2	1	3	1
<b>Malta</b>	2	2	3	2	3	3	4	4	2
<b>Mauritius</b>	4	4	4	4	4	4	4	4	4
<b>Mexico</b>	4	5	5	4	5	5	3	4	5
<b>Netherlands</b>	3	4	4	4	3	3	4	4	3
<b>New Zealand</b>	5	5	5	5	5	2	3	2	3
<b>Norway</b>	4	4	3	2	4	4	4	3	1
<b>Philippines</b>			5	5	5	5	5		
<b>Portugal</b>	5	2	1	5	3	5	1	5	2
<b>Republic of Moldova</b>	5	5					5		5
<b>Romania</b>	2	1	1	2	3	3	1	3	2
<b>San Marino</b>	5	4	5	5	4	3	2	5	1
<b>Serbia</b>	5			5		5	5	5	
<b>Slovakia</b>	3	2	3	5	4	5	4	5	3
<b>Slovenia</b>	2	2	2	3	2	4	2	4	2
<b>Sri Lanka</b>	2	4	2	4	5	4	2	4	5
<b>Switzerland</b>	5	5	4	4	2	5	3	5	5
<b>Togo</b>	5				5		5	5	5
<b>United States of America</b>	4	2	2	3	3	3	3	3	2
<b>Uruguay</b>	5	2	5	4	3	3	2	4	2
<b>UNICEF</b>	2	2	2	3	1	4	4	5	2
<b>CHIP</b>	2	4	2	2	5	2	2	5	4
<b>ISS</b>	5	2	2	5	4	4	5	5	4

## **Annex II**

## Summary of the comments to the responses<sup>9</sup>

### A. Current landscape of intercountry adoption

- 1 States' responses revealed a strong interest in discussing the *changes in the current landscape of intercountry adoption* (topic A.2 – score 3.47/5) and the *challenges and promising practices in the practical operation of the 1993 Adoption Convention today* (topic A.3 – score 3.54/5):
- On the current landscape, States showed an interest in discussing recent investigations into historical intercountry adoption practices, including processes, outcomes, responses to illicit practices, support to victims, stakeholders involved, community messaging, and implications for the future of intercountry adoption (e.g., Australia, Finland, New Zealand, CHIP).
  - Many States also emphasised understanding the impact of suspensions and programme closures, including how they are managed and their implications for the future of intercountry adoption, particularly amid declining engagement by some States (e.g., Australia, Burundi, Finland, Honduras).
  - Several States stressed the need for clearer data, such as numbers of intercountry adoptions, reasons for variations in the number of adoptions, as well as the main current States of origin and receiving States (Austria, Guatemala, Honduras).
  - On current challenges and promising practices, one State highlighted the importance of promoting adoption of children with special needs, while noting that domestic adoptions of children with special needs are already increasing (Costa Rica). States also noted the convergence of challenges experienced between both domestic and intercountry adoptions. Many States also stressed the relevance of identifying the current challenges, sharing effective models to strengthen (horizontal) cooperation, prevent illicit practices, and replicate promising practices (Cuba, Honduras, Mauritius, New Zealand, Sri Lanka).
- 2 However, the responses indicated that States showed little interest in discussing the *historical background and evolution on the practical operation of the 1993 Adoption* (topic A.1 – score 1.98/5). One State saw this topic as valuable only for new States Parties (Italy), and another as being less relevant compared with forward-looking discussions (Honduras).

### B. Principle of subsidiarity

- 3 States showed some interest in discussing *recent and new strategies and procedures to implement the principle of subsidiarity as well as ensuring timely decisions in its implementation* (topic B.4 – score 3.39/5), although one State reported not having encountered challenges in this area (Costa Rica):
- One State expressed interest in improving how the principle of subsidiarity is implemented and documented in the different States, noting frequent gaps in child reports, which often lack sufficient information to demonstrate that domestic alternatives were given due consideration, leading to requests from receiving States for additional details (Australia).

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<sup>9</sup> See *supra* note 3.

Regarding Observers: While Section II.A of this document only includes the responses from States and not those from Observers (see para. 8 of the document), Annex II summarises the comments of both States and Observers. Please note that to facilitate the reading of the summaries, references is made to States in general when summarising the comment received, including the name of the concerned State(s) in parenthesis, and if applicable, the name of the Observer as well.

Regarding States that requested that their responses not be posted on the HCCH website: While Annex II include data from all responding States, the name of States that requested that their responses not be posted on the HCCH website does not appear. Instead, reference is made to “one State” or the abbreviation “e.g.” is added.

- Some States highlighted challenges around the implementation of the principle of subsidiarity in intrafamily adoptions (Australia, Switzerland), especially where such adoptions are arranged privately (Australia), as well as for older children who are rarely adopted domestically (Burundi).
- One State emphasised that the implementation of the principle of subsidiarity should not be presumed but be clearly verified (Belgium). Many States called for clearer mechanisms, factors, strategies, procedures, and safeguards to implement the principle of subsidiarity (Belgium, Guatemala, Honduras, New Zealand), including providing support to birth families (ICAV), ensuring that it is applied in the best interests of the child (e.g., Cote D'Ivoire, Guatemala), while taking into account differing cultural practices and beliefs (New Zealand) and finding a balance with the need to ensure timely decision-making (Honduras).

### C. Adoptability

- 4 States' responses showed less interest in discussing *due consideration of the child's upbringing and ethnic, religious and cultural background* (Art. 16(1)(b)) (topic C.5 – score 2.9/5) and the *adoptability of children whose birth parents have lost their parental responsibility but who nonetheless object to the adoption* (topic C.6 – score 3.1/5).
- 5 Nevertheless, even where it was rated as being of less interest, and that one State did not see a need to discuss this topic as they considered that solutions already exist (Sri Lanka), several States viewed, in their comments, the latter topic (C.6) of adoptability where the birth parent(s) object(s) as relevant (Australia, Burundi, Colombia, Guatemala, Honduras):
- One State noted the complexity of these situations (Honduras). In some States, it was considered that these parents do not properly fulfil their parental role (Burundi) and that these children are therefore considered neglected (Sri Lanka), while others took the view that the decision for adoption should remain a personal and individual right of the birth parents (Austria).
  - States noted that the birth parents' objections can cause undue delays and lead to institutionalisation (Honduras), as well as instability for the child and legal disputes (Guatemala).
  - It was stressed that notwithstanding the situation (*i.e.*, with or without the consent), documents were key, both for the recognition of the adoption and for any possible future search for origins (Germany) as well as being a key aspect of children's rights to identity (CHIP).
  - States that had an interest in discussing these topics suggested the following possible avenues, such as:
    - ⇒ reflecting on the consequences of such objections (one State),
    - ⇒ how to define a child adoptable in such cases (Colombia), balancing parental procedural rights with the child's need for a definitive and stable solution (Honduras), consideration of the best interests of the child (Guatemala), and
    - ⇒ developing common guidance on how to resolve these situations (Honduras), possibly through existing case studies (Mauritius).
- 6 Regarding the topic of giving due consideration of the child's upbringing and ethnic, religious and cultural background (topic C.5):
- One State noted that giving due consideration of the child's upbringing and ethnic, religious and cultural background is important for the child to build their identity (Honduras).
  - Two States stressed the importance of including this information in detail in the child's report (Costa Rica), as such information is often incomplete (New Zealand), as well as considering

this information as part of the matching process and addressing these aspects in the training and preparation of the prospective adoptive parents (Costa Rica).

- To that effect, two States noted the relevance of determining which information is needed to give the agreement that the adoption may proceed (Art. 17(c)) (New Zealand) and harmonising the criteria to consider these aspects effectively (Honduras).
- For two States, ensuring these elements are meaningfully considered in matching decisions, and harmonising related criteria, was viewed as essential for safeguarding identity and long-term well-being (Costa Rica, Honduras).
- In that respect, one State also highlighted the need for timely adoptability decisions, noting that delays could prevent children from being placed promptly with suitable adoptive families (Colombia).

#### **D. Children in need of intercountry adoption today**

- 7 States showed the greatest interest in discussing *strategies to ensure that intercountry adoption meets the current needs of children as a measure of protection* (topic D.8 – score 3.79/5) and some interest in discussing the *profile of children in need of adoption, categorisation and regulation of special needs* (topic D.7 – score 3.33/5).
- 8 Responses showed that States consider understanding children's profiles to be key for strategic planning and for ensuring ethical placements in the best interests of the child (Honduras) and that this topic should be discussed (Moldova, in response to J):
- States reported an evolution in children's profiles and a growing diversity of the specific needs of children (Belgium), with around 70% of children adopted intercountry having special needs in some States (Italy).
  - Responses showed that States are of the opinion that it is important to understand how States identify and categorise such children (Belgium, Guatemala, New Zealand), to promote more uniform criteria, to avoid ambiguities or discriminatory practices (Honduras, ICAV), and to prevent removing children from their families because of a lack of resources (ICAV).
  - States viewed that it is also important to exchange experiences on how States manage these adoptions (Philippines) so as to ensure that an intercountry adoption is in the best interests of the child (New Zealand, ICAV). This could include, for example, not assuming that receiving States and / or adoptive families have the appropriate means and the financial ability to take care of the adoptable children's needs (ICAV).
  - States were also interested in discussing adoption of children with temporary special needs (India), and how best to support children with special needs (Italy).
- 9 Regarding strategies to ensure that intercountry adoption meets the current needs of children, the following was noted:
- Detailed reports on the child and the prospective adoptive parents, which clearly include the needs of the child (one State), help match children with appropriate prospective adoptive parents (Czech Republic).
  - Adequate preparation of adoptive families is essential (Honduras).
  - Concerns exist around compliance with the 1993 Adoption Convention when intrafamily adoptions are arranged privately (Australia).
  - Sharing and adapting best practices (Costa Rica, Guatemala) which are comprehensive and child-centred, as well as strengthening psychosocial, educational and health supports before and after adoption (Honduras), is important.
  - Consideration of the key features of child protection measures, noting that adoption is unique in requiring (potential) carers to almost always make payments to provide that protection (UNICEF).

- While some States see this topic as being highly relevant (Honduras), others believe that this issue has already been discussed (Costa Rica) and is linked with the *current landscape of intercountry adoption* (topic A) (Canada).

### E. Cooperation between and within States: strategies and ways forward

10 States showed great interest in discussing how to *enhance the understanding of the Convention through exchanges between and within States and ways forward* (topic E.9 – score 3.47/5), although one State noted that this topic would be more relevant for new Contracting States, smaller States and / or States that have recently changed the authority responsible for granting adoptions (Australia):

- States noted that Central Authorities learn a lot from sharing experiences (Burundi) and that cooperation should foster a better and more consistent understanding of the Convention (Sri Lanka). Training and sharing of practices could include standardised regular online training (Austria), with receiving States supporting States of origin on how to improve cooperation (Italy).
- Cooperation is seen as important and necessary (Costa Rica, Cuba, Guatemala), central to the Convention (Canada, New Zealand), and essential for the Convention's effective application and for the protection of children (Honduras).
- Discussions should address cooperation in a broader sense (Canada), ways to enhance it (New Zealand), and how to guarantee compliance with the provisions of the Convention (including challenges such as poor communication, inadequate information in files) (UNICEF).
- It was noted that cooperation should also be addressed in the context of post-adoption (CHIP).

### F. Specific situations of intercountry adoptions

11 States expressed varying levels of interest in discussing the specific situations of intercountry adoptions:

- *Adoptions not finalised in the State of origin but in the receiving State* (topic F.10 – score 3.14/5):
  - ⇒ These situations occur in practice (Italy) and are relevant for discussion (Guatemala, Honduras), although some States have shifted the finalisation of the adoption from taking place in the receiving State to taking place in the State of origin (Philippines).
  - ⇒ There was an interest to discuss measures to secure the legal status of the adopted child and the relationship between the child and the prospective adoptive parents during the socialisation period, the challenges that may arise in these situations and how States cope with those challenges (Finland).
- *Adoptions done only through Central Authorities (without the involvement of adoption accredited bodies)* (topic F.11 – score 3.07/5):
  - ⇒ This type of adoption is a current and evolving practice in some States (Burundi, Honduras) and relevant for discussion (Guatemala, Honduras), although they are not possible in all States (Italy).
  - ⇒ This model offers benefits, including reducing risks of illicit practices (Australia), ensuring high standards, and simplifying processes and costs (Honduras).
  - ⇒ Key considerations include identifying working models, good practices, whether such adoptions involve adoption fees (Finland), and defining clear criteria for when the involvement of an adoption accredited body can be dispensed with (Honduras).
- *Adoptions between States which do not have a pre-established cooperation mechanism in place* (topic F.12 – score 3.29/5):

- ⇒ While some States showed an interest in discussing these situations (Guatemala), especially in intrafamily adoption cases (Colombia), other States considered the topic only relevant for those States which allow these situations (Australia) and some had no interest in discussing it, given the lower numbers of children in need of intercountry adoptions and how demanding it is to establish cooperation with new States (Czech Republic).
- ⇒ Challenges include potential hindrance to the effective application of the 1993 Adoption Convention (Honduras).
- ⇒ Possible ways forward involve establishing practical guidelines to ensure compliance with the 1993 Adoption Convention (Honduras), initiating one or two pilot cases to monitor implementation (Italy), and guaranteeing legality and transparency of the adoption process, including for possible future searches for origins (Portugal).
- ⇒ It was suggested to discuss if cooperation in an adoption case requires mechanisms beyond those set out in the Convention (UNICEF).
- *Adoptions by “new” receiving States (States that in the past have not been acting as receiving States) (topic F.13 – score 2.38/5):*
  - ⇒ These situations are relevant and currently taking place (Honduras, Colombia in response to J).
  - ⇒ Challenges include adapting the practices they had before they were a receiving State, preparation, assessing the prospective adoptive parents’ suitability, and establishing post-adoption monitoring (Honduras).
  - ⇒ Recommendations to these “new” receiving States should focus on creating control systems, cooperating with the Central Authorities of the States of origin, and implementing mechanisms for family preparation and support (Honduras).
- *Adoption by persons who are temporarily living in a State of origin or a receiving State (e.g., expat workers, diplomats and military personnel) (topic F.14 – score 3.14/5):*
  - ⇒ One State rated these situations as being relevant for discussion (Guatemala), whereas for another State with few such cases, this was not considered of interest (Honduras).
  - ⇒ These situations include some risks, such as negatively affecting the continuity of the adoption process (e.g., withdrawal from the process), which can in turn negatively impact on the child (Honduras), and should thus be communicated (Australia).
  - ⇒ One State noted that it would be useful to share experiences on how to adequately assess the habitual residence, foreseeable permanence of the prospective adoptive parents, and their ability to assume parental responsibility with stability in a context of high mobility (Honduras), while another State noted that they would simply follow the standard adoption procedure, even in these specific situations (India).
- *Adoption of children already under the care (informal placement) of prospective adoptive parents: issues related to adoptability, eligibility and suitability of PAs to adopt and the matching process (topic F.15 – score 3.05/5):*
  - ⇒ Some States considered that these situations are relevant to discuss (Guatemala, Honduras), especially in intrafamily adoption cases (Colombia), since there are many of these situations taking place, both domestically and intercountry (Honduras).
  - ⇒ One State was of the view that for some States, where most cases involve prospective adoptive parents fostering children before they are formally declared adoptable, this topic would be of interest for discussion. In these States, authorities may face undue pressure to convert such placements into adoptions by the carers, and recommendations on how to deal with these situations would thus be welcome, including the possible prohibition of such predetermined placements.
- *Reversal of the flow of the files (topic F.16 – score 3.33/5):*

- ⇒ Some States noted that this practice takes place in certain States, mainly for children with special needs (Australia) and / or older children (Burundi). Some States noted that this practice is relevant (Burundi), especially in intrafamily adoption cases (Colombia), and that they would like to make use of it more often (Belgium). One State mentioned that they do not allow this practice (Honduras).
- ⇒ While this practice is considered promising, it lacks information on its concrete implementation (ISS) and may contradict some practices of the Convention (Belgium). It is thus necessary to share more promising practices, for all children, beyond only those with special needs (ISS).

## G. Financial aspects of intercountry adoption

12 States showed little interest in discussing the *tools developed by the Working Group* (topic G.17 – score 3.12/5), the *disbursements made for child maintenance* (topic G.18 – score 2.68/5) and the *bilateral cooperation between States regarding financial aspects* (topic G.19 – score 2.5/5). The latter two topics were considered unclear for some States (e.g., USA) and already included within the discussion of the first topic for some other States (Canada):

- One State considered that the tools had been sufficiently discussed (Australia). Others felt that discussion could be limited to presenting and discussing the tools in practice (Finland) and to promoting their use (Honduras). One Observer cautioned that, if more work on this topic is needed, it would be best to be done by the Working Group due to the limited time at the Special Commission meeting (UNICEF).
- Disbursements for child maintenance were viewed as relevant, particularly for children with special needs (Italy). Concerns were expressed about, on the one hand, tension between financial considerations and on the other the need to protect children in need of adoption (Belgium). States highlighted the need to analyse expenses incurred for the care of the child and to establish criteria distinguishing legitimate costs from illicit practices (Honduras), as well as to share the safeguards applied (New Zealand).
- Although regarded as a low priority (Honduras), keeping the dialogue open on bilateral cooperation between States remains useful (Honduras), including the sharing of safeguards applied by States (New Zealand). The relevance of discussing financial aspects in the post-adoption context was also raised (ICAV).

## H. Post-adoption matters

13 States showed the most interest in discussing the *practices regarding the implementation of post-adoption services (Art. 9(c)), in particular on supporting the child's integration into the adoptive family* (topic H.20 – score 3.57/5), the *practices regarding the collection and preservation of information on the child's origin (Art. 9(a)), including the use of DNA databases* (topic H.21 – score 3.52/5), the *practices relating to access to information on the child's origin (Art. 30) (e.g., use of DNA technology, search for origins requests linked to illegal adoptions and / or adoptions with illicit practices)* (topic H.22 – score 3.67/5) and *disruption and breakdown of adoptions* (topic H.23 – score 3.79/5). One State also noted that they would very much value hearing from individuals with lived experiences whose placements were both successful and challenging (Philippines).

14 Discussions on practices related to post-adoption services under Article 9(c) were considered highly relevant (Honduras, Portugal):

- Regarding post-adoption support, it was noted that adequate and comprehensive support is essential to consolidate emotional bonds and address emotional needs (Honduras, Italy, ICAV). Possible conflicts of interest were raised, where post-adoption support is provided by parties which were involved in the facilitation of adoptions with illicit practices (ICAV).

- Possible discussions could include recommendations on minimum standards for follow-up and psychosocial support, strengthening the shared responsibility between both States of origin and receiving States, guided by the best interests of the child (Honduras). One suggestion made was that Central Authorities could also provide a website with all relevant information on the post-adoption support they offer (ICAV).
- Regarding post-adoption reports specifically, some States noted how crucial it was to have timely post-adoption reporting (one State) and the cooperation of adoptive parents in the preparation of such reports (Italy).

15 Discussions on the collection and preservation of information on the child's origin under Article 9(a) were seen as very relevant given their fundamental importance for the child's identity and future searches for origins (Honduras):

- Regarding DNA databases, it was highlighted that experience in this area was limited due to technical and budgetary constraints (Honduras) and that it was therefore relevant for States using them to share their experience (New Zealand). Discussions could include developing recommendations on their use, including their applicability, limitations, sustainability and rules on privacy (Honduras).
- Ensuring the preservation of records, and that there are active deterrents for entities which destroy adoptee records and files, was considered important (ICAV).

16 Access to information on the child's origins under Article 30 was seen as very relevant, since it is an essential component of the child's right to identity (Honduras), and relevant in cases of illicit practices (ICAV, ISS):

- Some States noted that discussions could include the sharing of experiences on the use of DNA technology, such as cooperation with the police for DNA-based searches for origins for adoptees above 18 years of age (Brazil).
- Other States noted that access to information can be challenging (Australia), especially when the adoption is not adequately documented (Honduras), but also in terms of which States are responsible to provide such access (Germany).
- Some States suggested that ways forward could include providing guidance on searches for origins in cases of illicit practices (Belgium), the drafting of a possible Toolkit or Guide to Good Practice (Denmark, CHIP), and recommendations on standards for access to origins, including data protection (Honduras).

17 A State suggested that discussions under Articles 9(a) and 30 could be addressed under a separate heading as Article 9(a) is not per se a post-adoption matter (Canada).

18 For some States the disruption and breakdown of adoptions is relevant for discussion (Burundi, Honduras), especially considering the limited studies available on this issue (Italy):

- Several States raised the relevance of this topic also in the context of Article 21 of the 1993 Adoption Convention (where breakdowns can occur during the socialisation period in the receiving State) (Canada, Honduras), especially for children who do not want to return to the State of origin (Philippines, in response to J).
- Ways forward suggested included:
  - ⇒ ensuring collection of data (ICAV), as well as conducting and / or sharing qualitative and quantitative studies (Italy);
  - ⇒ strengthening post-adoption follow-ups and the assessment of the suitability and preparation of the prospective adoptive parents (Honduras);
  - ⇒ providing for clear guidance in case of breakdown and determining the responsibility of the States involved (Honduras);
  - ⇒ identifying risk factors and defining early warning indicators (Honduras);

- ⇒ sharing experiences as to how States address cases of disruption and breakdown of adoptions (Honduras);
  - ⇒ discussing reasons for, or the consequences of, the breakdown of adoptions (e.g., suicide, sexual abuse, deportation) (ICAV); as well as
  - ⇒ discussing the provision of support resources for adoptees (ICAV).
- A query was also raised as to which States provide for the revocation of intercountry adoptions (one State).

19 Regarding the *Virtual State-led workshops on post-adoption* (topic H.24 – score 3.10/5), it was proposed that the Steering Committee<sup>10</sup> report on its activities during the meeting of the SC (Canada). States also highlighted that these workshops are useful tools (Italy), especially if they are practical and accessible to a wide range of professionals (Honduras). It was noted that States should be encouraged to facilitate future workshops (Australia) which should be complemented with written materials (Denmark, Honduras) accessible in different languages. Furthermore, the written materials and the recordings of the workshops should be downloadable afterwards (Honduras).

### I. Intrafamily adoption

20 States showed some interest in discussing *adoptions by relatives and step-parent adoptions* (topic I.25 – score 3.37/5), the *use of intrafamily adoption to circumvent immigration laws* (topic I.26 – score 3.17/5) and the *practices to adapt standard procedures to intrafamily adoption* (topic I.27 – score 3.40/5). However, some States noted that these topics had already been discussed at the last meeting of the SC (e.g., USA).

21 Discussions on adoptions by relatives and step-parents were considered relevant (Costa Rica, Honduras):

- The responses showed that these practices are increasing in some States (India), with several intrafamily adoptions annually (New Zealand), but with fewer step-parent adoption cases (New Zealand).
- Challenges include situations where the consent of one of the birth parents is not required (Australia), cultural practices of “gifting” children (Australia), and the application of the 1993 Adoption Convention to these adoptions (Honduras). Some States noted that they do not consider step-parent adoptions as intrafamily adoptions (one State).
- Suggested ways forward included clarifying how the provisions of the 1993 Adoption Convention should be applied in these cases (Honduras), which criteria States apply to approve or decline a relative adoption (New Zealand) and the sharing of experiences (Honduras).

22 The use of intrafamily adoption to circumvent immigration laws is an actual and relevant concern (Australia, Costa Rica, Honduras), although no evidence has yet been identified in some States (Honduras):

- Challenges include dual nationals completing domestic intrafamily adoptions abroad outside the 1993 Adoption Convention framework (Australia), as well as compromising the legality, ethics and protective purpose of intercountry adoptions (Honduras).

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<sup>10</sup> The steering Committee is composed of representatives of States of origin and receiving States and was set up to facilitate the organisation of these workshops. See also Prel. Doc. No 7C of February 2026 - 1993 Adoption Convention: Report on the Post-Adoption State-led Workshops.

- Suggested recommendations were to focus on enabling States to identify risks, strengthening Central Authority controls, and verifying the true purpose of the adoption (Honduras).

23 Adapting standard procedures to intrafamily adoption was also viewed as relevant (Costa Rica, Guatemala, Honduras), including the avoidance of unnecessary requirements (Honduras):

- One State cautioned against any adaptation which would undermine the safeguards of the 1993 Adoption Convention (Honduras).
- Possible suggested ways forward included drafting a note to clarify these procedures (Colombia) and exchanging good practices to ensure adequate support (Honduras).
- Queries were raised about the methods used by States to verify the parentage link between the adopted child and the birth parents (Belgium).

## J. Other topics

24 States listed other topics that they would like to discuss but one specific recurring topic was illicit practices (Australia, Moldova, Norway, ICAV), including:

- Adoptions not channelled through the Central Authority of the receiving State (Honduras), including private and independent adoptions and other ways to get children into receiving States via immigration routes (ICAV);
- Management of cases, support offered to adoptees and cooperation between receiving States and States of origin in cases of confirmed or suspected illicit practices (Australia);
- Mechanisms for reviewing, annulling or challenging completed intercountry adoptions in case of illicit practices (Honduras);
- The importance of carrying out an Article 17(c) agreement for both States (Norway).
- The establishment of an agreed legal definition for illegal adoption in intercountry adoption cases (ICAV).

25 Some States considered relevant the discussion of the possible creation of software or a platform, such as:

- Software to manage intercountry adoptions, including the centralisation of information on each Contracting Party and a database containing details of children in need of intercountry adoption (Brazil); and
- A platform which would enable Central Authorities to exchange official information (e.g., file status, declaration of eligibility and suitability, Article 23 certificate of conformity, post-adoption follow-up, communication of incidents) (Honduras).

26 Finally, other topics mentioned as relevant for discussion include:

- Specific consent of the child (Guyana);
- Contact between the prospective adoptive parents and the child prior to an Article 17(c) agreement (Guyana);
- Granting of a residence permit by the receiving State prior to the placement of the child in intercountry adoption (one State);
- Intercountry adoptions incorrectly treated as domestic adoptions (Canada);
- Rights of a child in need of adoption to be adopted with their sibling(s) (Moldova);
- Cooperation addressed in a broad manner rather than in accordance with specific topics (e.g., purpose, best methods, advantages for children and families) (Canada);
- Official correspondence and communication methods between Central Authorities (one State);
- Standardisation of services offered (pre- and post-adoption) (Austria);

- Automatic acquisition of the nationality of the prospective adoptive parents by the adoptee (ICAV);
- Learning from persons with positive lived experiences (Italy); and
- Adoptions of children born following a surrogacy arrangement (Guatemala).