

Resolution on international adoption in the European Union

2010/2960(RSP) - 19/01/2011 - Text adopted by Parliament, single reading

Following the debate which took place during the sitting of 17 January 2011, the European Parliament adopted a resolution on international adoption in the European Union.

The resolution had been tabled by the EPP, ECR, S&D, GUE/NGL, and ALDE groups.

It calls for consideration to be given to the possibility of coordinating at European level strategies concerning the instrument of international adoption, in order to improve assistance in the areas of information services, preparation for inter-country adoption, the processing of applications for international adoption and post-adoption services, bearing in mind that all international conventions relating to the protection of the rights of the child recognise the right of orphaned or abandoned children to have a family and to be protected. The Commission is asked to consider the functioning of national systems at European level. Members feel that **priority should be given, whenever possible and in the child's best interests**, to adoption in the child's country of origin, with possible alternatives being a family-care solution, such as foster or residential care, or finding a family through international adoption, in accordance with relevant national legislation and international conventions, and that placement in an institution should be used only as a temporary solution. They emphasise that the national legislation of the country of origin of the family seeking a child for international adoption must apply when it comes to children's rights protection in the long term.

The resolution notes that in Europe the problem of precarious childhood, and in particular that of abandoned and institutionalised children, is a significant one and should be treated with the utmost seriousness. Violations of the rights of children and child trafficking for adoption, prostitution, illegal labour, forced marriage and begging on the streets or for any other illegal purpose, remain a problem in the EU. Following the entry into force of the Lisbon Treaty, the European Charter of Fundamental Rights has become binding and states that children shall have the right to such protection and care as is necessary for their well-being. Furthermore, the Lisbon Treaty states that the protection of the rights of the child is a Union objective.

Parliament urges Member States, the Commission: and EU institutions as appropriate:

- in cooperation with the Hague Conference, the Council of Europe and children's organisations, to develop a framework to ensure transparency and effective assessment of trends concerning abandoned and adopted children, including those who have undergone international adoption, and to coordinate their actions in an effort to prevent child trafficking for adoption;
- to play a more active role at the Hague Conference in order to exert pressure on the Conference to improve, streamline and facilitate international adoption procedures and to eliminate unnecessary bureaucracy, whilst committing themselves to safeguarding the rights of children from third countries;
- to recognise the psychological, emotional, physical and social/educational implications of removing a child from his or her place of origin and to offer appropriate assistance to the adoptive parents and the adopted child;

- to pay particular attention to children with special needs, such as children who require medical care and disabled children;
- to participate actively in the fight against child trafficking for adoption.

Lastly, Parliament recognises that procedural safeguards and proper scrutiny of all the adoption documents, including birth certificates, help to protect a child against violations of his or her rights stemming from doubts over age or identity. A reliable system of birth registration can prevent child trafficking for adoption. Accordingly, Parliament calls for consideration to be given to legal solutions to facilitate the mutual recognition of the documents necessary for adoption.