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In advance of an Irish delegation from the Adoption Authority travelling to meet the relevant authorities in Vietnam about the possibility of proceeding with adoptions from that country to Ireland, it is timely to discuss the need to apply rigorous standards to the inter-country adoption process.

When the Oireachtas first addressed the question of adoption in the Adoption Act 1952, one of its main purposes was to provide for the integration of children born to unmarried parents into a more socially acceptable form of family environment. This was done to shield the children from the stigma attached to being “illegitimate”.

The proportion of non-marital births that resulted in adoption remained very high in the decades following the 1952 Adoption Act, reaching a peak in 1967, when over 96 per cent of all children born to unmarried parents in Ireland – nearly 1,500 in total – were adopted. Over the same period, some 2,000 Irish children were adopted abroad, mostly by Irish-American families in the United States.

Thankfully, Irish society has changed dramatically since then, as has the number and profile of adoptable children. Far fewer children are adopted now, mostly by relatives.

However, it should be emphasised there is a large number of young people in long-term foster care in Ireland who want to be adopted. In the absence of an amendment to the Constitution, this will remain the case.

In light of our own poor history of adoption, as well as the fact Ireland has one of the highest rates of inter-country adoption in Europe, we have a particular responsibility to ensure the highest international standards are met in this area. Children adopted from other countries are entitled to the same safeguards in place for children adopted within Ireland.

The principal international standard governing the inter-country adoption process is the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption. In essence, the system of inter-country adoption set up under the convention is geared towards making sure children are genuinely adoptable before consideration is given to finding alternative care for them in another country.

This means states must be satisfied that the system for establishing the adoptability of a child can guarantee all consents have been properly obtained and that the adoption does not involve improper financial gain.

In a report commissioned by UN children’s organisation Unicef and the Vietnamese government, which led to the suspension of adoptions from Vietnam to Ireland last year, it was found the availability of children who were adoptable abroad corresponded more to the existence of foreign prospective adopters than to the actual needs of “abandoned” and orphaned children. It found the circumstances in which babies became adoptable were at times unclear – and disturbing.

The danger is that if states are not sufficiently diligent, the adoption process could become demand-driven – and this would represent a fundamental inversion of principles. Adoption concerns the right

of a child to become integrated into a new family in cases where one or both of the child's biological parents are, for whatever reason, unable or unwilling to care for the child.

We must be mindful of the long-term effects of our actions. If adoptions proceed in circumstances where we cannot be confident the child's adoptability has been properly established, we could be contributing to a system in which a child's right to remain with his or her family is not being fully respected. More children could therefore find themselves in that situation in future.

The Hague convention recognises that a child should grow up in a family environment of happiness, love and understanding. It accepts inter-country adoption can offer such a home to children in need of alternative care. There is no doubt many children adopted from other countries have found such homes in Ireland and will continue to do so in future. It is in no one's interest – least of all children – for the inter-country adoption process to be any lengthier than necessary.

However, the Hague convention accords with the UN Convention on the Rights of the Child in emphasising that states should take steps to enable children to remain in the care of their birth families if possible and that inter-country adoption should only be considered when no suitable alternative care can be found in the child's country of origin.

Given the profound effect adoption has on individuals, we must ensure their rights are fully respected at every stage of the process