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Critics have raised many doubts about the movement of children for intercountry adoption, asking whether it is a ‘global trade or global gift?’ (Triseliotis, 2000), ‘a global problem or a global solution?’ (Masson, 2001). In this article I want to explore this question in Europe, which shares with the US the pattern of being a continent with major movements of children between countries: in the US from south to north; in Europe from east to west. However, Europe is of particular interest in the context of the enlarged EU as it contains both ‘receiving states’ and ‘states of origin’. I shall look in particular at the pressures on Romania and Bulgaria to reduce the number of children sent for intercountry adoption in the years preceding their accession in January 2007, which resulted in the ending of international adoptions by non-relatives from Romania in 2005 and a major reduction in the number of adoptions of children from Bulgaria.

One aim of the article is to provide a detailed analysis of the movement of children for intercountry adoption to, from and between European countries in the years from 2004 to 2008. To undertake this, there is a need to define what is meant by ‘European’ and to identify countries as primarily ‘receiving’ states or ‘states of origin’.

Countries studied and classification as sending or receiving states

The countries chosen were the 47 member states of the Council of Europe in 2010, with the addition of Belarus, which has been granted ‘special guest’ status and remains a candidate for membership. This made a total of 48 states for which data were sought.

In order to carry out the analysis, countries were divided into receiving states and states of origin. Where possible, countries have been categorised by their responses to the questionnaire sent to all contracting states by the Hague Conference on Private International Law for the 2005 Hague Special Commission on Intercountry Adoption (Hague Conference, 2005) but for those not responding, data are based on other available information. Twenty-four states

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Key words: intercountry adoption, Europe, Council of Europe, statistics, children, outcomes of adoption

Peter Selman examines the recent history of intercountry adoption in Europe in the context of the enlarged EU, which contains both receiving and sending countries. The article provides a detailed analysis of the movement of children for adoption between European countries and examines the impact of intercountry adoption on the well-being of children in Europe and current debates in the European Parliament on the future of intercountry adoption in Europe.

Introduction

Critics have raised many doubts about the movement of children for intercountry adoption, asking whether it is a ‘global trade or global gift?’ (Triseliotis, 2000), ‘a global problem or a global solution?’ (Masson, 2001). In this article I want to explore this question in Europe, which shares with the US the pattern of being a continent with major movements of children between countries: in the US from south to north; in Europe from east to west. However, Europe is of particular interest in the context of the enlarged EU as it contains both ‘receiving states’ and ‘states of origin’. I shall look in particular at the pressures on Romania and Bulgaria to reduce the number of children sent for intercountry adoption in the years preceding their accession in January 2007, which resulted in the ending of international adoptions by non-relatives from Romania in 2005 and a major reduction in the number of adoptions of children from Bulgaria.

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1 This article updates a chapter in Rummery K et al, Social Policy Review 21 and is reproduced with permission of the publishers, The Policy Press, Bristol.

2 Receiving states are: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxemburg, Malta, Netherlands, Slovenia, Spain, Sweden and UK, plus non-EU: Andorra, Iceland, Liechtenstein, Monaco, Norway, Switzerland, San Marino.

States of origin are: Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovak Republic, Czech Republic, Portugal, and non-EU: Albania, Armenia, Azerbaijan, Belarus, Bosnia, Croatia, Georgia, Macedonia, Moldova, Montenegro, Russia, Serbia, Turkey, Ukraine.

3 Data on Montenegro are combined with Serbia in the tables presented as Montenegro did not become an independent member of the Council until 2007. It was decided not to include Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, which are seen as European by the USA and Spain. Kazakhstan has been recognised as eligible for full membership as partially located in Europe, but was refused ‘special guest’ status because of its record on human rights.
were classified as ‘receiving states’ and 22 as ‘states of origin’, with Portugal and the Czech Republic self-classified as both, but treated as primarily sending countries on the basis of recent data.

The resultant division not surprisingly reflects the rich and poor countries of Europe. The poorest receiving country with adequate data (Malta) had a per capita Gross National Income (GNI) of USD 12,250 in 2004, whereas in the richest sending countries (Hungary and the Czech Republic), the per capita GNI was USD 8,270 and 9,150 respectively and for the majority the figure was below USD 300 (Selman 2009b p 165).

The European states of origin sending most children had a consistently lower total fertility rate than the countries to which they sent children, in contrast to many non-European sending countries.

**Intercountry adoption in Europe from the Second World War to the 1993 Hague Convention**

The movement of children from Europe to distant lands has a long history, notably in the 160,000 ‘child migrants’ sent by the UK to Australia, Canada, New Zealand and the US between 1618 and 1967 (Bean and Melville, 1989; Parker, 2008). However, intercountry adoption as a legal phenomenon involving formal agreements between sending and receiving countries is usually seen as developing in the aftermath of the Second World War, ‘primarily as a North American philanthropic response to the devastation of Europe in World War II that resulted in thousands of orphaned children’ (Altstein and Simon, 1991, p 1), although during the war itself there were movements of children within Europe – for example, from Finland to Sweden (Serensius, 1995) – and the widespread ‘adoption’ in Germany of children fathered by German soldiers (Textor, 1991).

**Adoption from European countries to the US, 1948–1992**

During the period 1948 to 1962, US parents adopted nearly 20,000 children from abroad, many from European countries: 3,116 from Greece, following the Greek Civil War; 1,845 from Germany; 744 from Austria; but also nearly 3,000 from Japan and, by 1962, over 4,000 from Korea (Altstein and Simon, 1991). In the next 12 years – from 1963 to 1974 – a further 30,000 children were adopted by US citizens, the majority from Korea but some 20–25 per cent from Europe (mostly from Germany, Italy and Greece but also from England and Ireland). After 1975, the number of adoptions to the US from Europe fell dramatically while the number of children adopted from Asia and Latin America rose.

By the late 1980s, Europe had become insignificant as a source of children for international adoption, with many of the former states of origin becoming receiving states. For example, Germany and Italy were now receiving more than 500 children per year and the only European country sending children on a significant scale was Poland (Kane, 1993). It is only in the last 20 years that Europe has once again become a significant source of children for adoption in the US, initially with adoptions from Romania and later from other Eastern European countries, such as Russia and the Ukraine.

The arrival of 2,594 children from Romania in fiscal year (FY) 1991 boosted the number of orphan visas issued in the US to 8,481. Thereafter, the number of adoptions from Romania fell sharply and as a consequence the total number of orphan visas issued in the US in 1992 fell to 6,472, the lowest number since 1982 and less than two-thirds of the 1987 total of 10,097 (US Department of State, 2008).

**Intercountry adoption to and from Europe, 1970–1993**

There was also a movement of children within Europe. As late as 1974, a quarter of all intercountry adoptions in the Netherlands involved European children and during the 30 years following the Second World War, a total of 576 Greek and 291 Austrian children were involved (Hoksbergen, 1991). Similarly, in
Denmark, 80 per cent of intercountry adoptions in 1970 involved children from other European countries, whereas ten years later, only 24 of the 766 intercountry adoptions were of European children (Rorbech, 1991, p 128).

From the mid-1970s, intercountry adoption in Europe became largely about children moving from Asia and Latin America and was increasingly seen as a response to the needs of childless couples for whom the availability of young children for domestic adoption had diminished dramatically following the liberalisation of abortion laws in the 1970s. Although substantial numbers of children from overseas were adopted in France, Germany and Italy, the level of adoption in relation to population size was highest in the Netherlands and Scandinavia, where rates were several times higher than in the US. By 1980, four European countries – Sweden, the Netherlands, Denmark, and Norway – were receiving almost as many children as the US, but 15 years later they received less than a third of the US total, although France was increasing its numbers and in 1993 received more children than all four countries combined.

The importance of Europe as a source of children for intercountry adoption changed dramatically with the collapse of the Romanian Ceausescu regime in December 1989 and the huge wave of adoptions that ensued in the following two years (see Selman, 1998, 2009a). UNICEF (1999) has estimated that more than 10,000 children were taken from Romania between January 1990 and July 1991, when the newly established Romanian Adoption Committee finally imposed a moratorium (Selman, 2009a). In the five months from August 1990 to February 1991, 500 or more children went to France, Germany and Italy and at least 200 to Greece, Switzerland and the UK (Defence for Children International, 1991).

The rapid growth of intercountry adoption worldwide in the 1980s had ‘led to increasing concerns about abuses of the practice and the failure of many adoptions to meet the needs of the child-

ren involved’ (Selman, 1998, p 149). As a result, principles to govern the practice were included in the 1989 United Nations Convention on the Rights of the Child (UNCRC) and in 1988 the Hague Conference on Private International Law set up a Special Commission on Inter-country Adoption, a process that culminated on 1 May 1993 in the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. This recognised that intercountry adoption ‘may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her state of origin’, and provided a framework for co-operation between sending and receiving countries to ensure that intercountry adoption was only carried out in the best interest of the child.

By February 2010, the Convention was supported by 81 states, including all EU member states apart from Ireland, which was expected to ratify it later in the year. Five non-EU sending countries had still to ratify – Bosnia, Croatia, Montenegro, Serbia and Russia, which has signed but not ratified the Convention.

**Intercountry adoption to and from Europe, 1993–2004**

The next 12 years saw a steady rise in global numbers of intercountry adoptions. The estimated total doubled between 1995 and 2004, when over 45,000 children were sent to 23 receiving states (Selman, 2002, 2006). Annual numbers rose in most European countries, including those such as the Netherlands and Sweden, which had experienced major falls in the previous 15 years. In the period from 1998 to 2004 global numbers rose by 42 per cent, with a particularly sharp rise in Spain and Ireland where numbers increased by 273 per cent and 171 per cent respectively. In 2004, nearly 20,000 children moved to the 18 European receiving states for which data were available, two-thirds of whom went to three countries: France, Italy and Spain.

Since 1998 about half of all children...
sent for international adoption have gone to the US, but throughout this period the highest levels of intercountry adoption per 100,000 population occurred in Norway, Sweden, Denmark and, since 2001, in Spain and Ireland (see Table 1). These differing levels of intercountry adoption are very striking and merit further examination. The rate in the UK continued to be relatively low at about 0.5 per 100,000 population, compared with over ten in Sweden and Norway (and Spain in 2004). This has been variously attributed to official policies (Weil, 1984), attitudes of professionals (Hayes, 2000), costs (Halifax, 2006), the continuation of domestic adoption in contrast to most of mainland Europe (Selman and Mason, 2005) and past experience of sending children to other countries (Parker, 2008).


Although the number of children adopted from Romania fell dramatically after 1991, by the end of the decade other Eastern European countries – Belarus, Bulgaria, Russia and the Ukraine – had become important new sources of children, alongside China.

In 1991, Romania accounted for 31 per cent of intercountry adoptions in the US. Five years later, the figure was only five per cent but this was more than compensated for by the contribution of Russia in the aftermath of the collapse of the Soviet Union. In the period 1989–91, only two of the 20 countries sending most children to the US were European: Romania and Poland. By 1994, this had risen to six with the addition of Russia, Bulgaria, the Ukraine and Lithuania and in 1997, the total increased to seven, with Russia the most important source of children. In 2001, European sending countries accounted for nearly 40 per cent of adoptions to the US and as late as 2004 more than 30 per cent of all children moving to the US came from Europe, primarily from Russia, which accounted for more than a quarter of all orphan visas in that year.

In 2003, seven of the top sending countries were European, but three years later in 2006, only Russia, the Ukraine and Poland remained in the top 20. There have also been changes in the movement of children within Europe. From 2001 to 2004, six of the ten countries sending most children to Italy were European: the Ukraine, Romania, Bulgaria, Belarus, Russia and Poland. By 2007, this had reduced to three: Russia, Poland and the Ukraine. A similar pattern is found in France and Spain. Statistics from EurAdopt4 for 1993–2008 show that for member agencies the top ten sending countries included only two European countries – Russia and Romania. In 1993, the top ten were all from Asia or Latin America, with Colombia the most important source until 1998, since when China has sent most children. Romania was an important source from 1995 to 1999 and Russia

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4 EurAdopt is an organisation of European adoption agencies, predominantly from the Nordic countries and the Netherlands, with the gradual addition of selected agencies from Belgium, Italy, France and other European countries.

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Table 1

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Norway</td>
<td>14.6</td>
<td>15.9</td>
<td>15.4</td>
<td>6.4</td>
</tr>
<tr>
<td>Spain</td>
<td>3.8</td>
<td>8.6</td>
<td>13.0</td>
<td>7.1</td>
</tr>
<tr>
<td>Sweden</td>
<td>10.5</td>
<td>11.8</td>
<td>12.3</td>
<td>8.6</td>
</tr>
<tr>
<td>Denmark</td>
<td>11.8</td>
<td>9.8</td>
<td>9.8</td>
<td>7.2</td>
</tr>
<tr>
<td>Ireland</td>
<td>3.3</td>
<td>9.3</td>
<td>9.8</td>
<td>9.4</td>
</tr>
<tr>
<td>US</td>
<td>5.8</td>
<td>7.6</td>
<td>7.8</td>
<td>5.6</td>
</tr>
<tr>
<td>France</td>
<td>6.4</td>
<td>6.7</td>
<td>6.8</td>
<td>5.3</td>
</tr>
<tr>
<td>Italy</td>
<td>3.9</td>
<td>4.8</td>
<td>5.9</td>
<td>6.7</td>
</tr>
<tr>
<td>Germany</td>
<td>1.1</td>
<td>1.0</td>
<td>0.8</td>
<td>0.8</td>
</tr>
<tr>
<td>UK</td>
<td>0.4</td>
<td>0.5</td>
<td>0.6</td>
<td>0.4</td>
</tr>
</tbody>
</table>

Source: Number of adoptions taken from statistics provided by the central authorities of the listed states; Population data from The State of the World’s Children (UNICEF, 2000–9)
from 1996 to 2006. Ethiopia has been one of the top countries sending children throughout the period and was the second most important source in 2007 and 2008.

The impending accession of Bulgaria and Romania to the EU resulted in pressure on those countries to reduce the number of children sent, despite the fact that EU countries led the way in receiving children and several of the new (2005) members such as Latvia, Lithuania and Poland continue to send many children. There is now clear evidence of the impact of these pressures on the total number of children sent by Romania, where numbers fell from a peak of 2,478 in 2000 to 24 in 2005 with no adoptions to non-relatives after 2006. Numbers have also fallen since 2004 in Russia, Bulgaria, the Ukraine and Belarus, but Estonia, Hungary, Latvia, Lithuania and Poland all sent more children in 2008 than in 2003 (see Table 3).

**The movement of children within Europe, 2004–08**

The steady increase in the global number of intercountry adoptions was reversed in 2005 and the decline accelerated in 2007 and 2008, affecting almost all the major receiving countries. In Europe there was a fall of 24 per cent across 18 states but there was variation between countries, with the largest declines in Norway, Switzerland and Spain and a rise in Italy and Ireland (see Table 2).

In order to provide an accurate picture of the current movement of children, this section will concentrate on a detailed analysis of the movement of children to and from 47 European states between 2004 and 2008. These are the 46 countries in the Council of Europe in 2004 and Belarus. The list includes three countries – Armenia, Azerbaijan and Georgia – sometimes classified as Asian.

Twenty-four of these were primarily receiving states, but reliable annual data were not available for Austria, Cyprus, Liechtenstein, Monaco, San Marino and Slovenia. The data presented, therefore, concern a total of 18 European receiving countries. Numbers of children sent to European states of origin were estimated from the information on source of children from these 18 countries (see Selman, 2002, 2006, for a discussion of the accuracy of such estimates). Table 3 shows changes in total numbers sent by 13 European states of origin, including all those in the EU. Total numbers from Europe fell by 50 per cent between 2004 and 2008, mostly due to large declines in Russia and Bulgaria and a virtual end to adoptions from Romania and Belarus. In contrast, there was a small increase in the number of children sent by Eastern European countries which had joined the EU in 2004.

There are also major differences among countries in the proportion received from or sent to other European states. Table 4 shows the variation in the proportion of children going to eight European receiving countries from other

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**Table 2**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Norway</td>
<td>706</td>
<td>448</td>
<td>304</td>
<td>−57%</td>
</tr>
<tr>
<td>Switzerland</td>
<td>557</td>
<td>349</td>
<td>279</td>
<td>−50%</td>
</tr>
<tr>
<td>Spain</td>
<td>5,541</td>
<td>4,472</td>
<td>3,156</td>
<td>−43%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1,307</td>
<td>816</td>
<td>767</td>
<td>−41%</td>
</tr>
<tr>
<td>Sweden</td>
<td>1,109</td>
<td>879</td>
<td>793</td>
<td>−28%</td>
</tr>
<tr>
<td>Europe (18 states)</td>
<td>19,502</td>
<td>16,561</td>
<td>14,841</td>
<td>−24%</td>
</tr>
<tr>
<td>US</td>
<td>22,884</td>
<td>20,679</td>
<td>17,438</td>
<td>−24%</td>
</tr>
<tr>
<td>World total (23 states)</td>
<td>45,288</td>
<td>39,742</td>
<td>34,968</td>
<td>−23%</td>
</tr>
<tr>
<td>France</td>
<td>4,079</td>
<td>3,977</td>
<td>3,271</td>
<td>−20%</td>
</tr>
<tr>
<td>Ireland</td>
<td>398</td>
<td>313</td>
<td>422</td>
<td>+6%</td>
</tr>
<tr>
<td>Italy</td>
<td>3,402</td>
<td>3,188</td>
<td>3,977</td>
<td>+17%</td>
</tr>
</tbody>
</table>

Source: Statistics provided by the central authorities of the receiving states listed.

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1 2009 data were available at the time of writing for only three countries: numbers had fallen dramatically in the US to 12,753 – a decline of 44 per cent. In France and Italy there were smaller falls to 3,017 and 3,964 respectively.
Table 3
International adoptions from East European states to 23 receiving states, 2003–08, ranked by number sent in 2003 (peak years in bold)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Russia</td>
<td>7,742</td>
<td>9,415</td>
<td>7,492</td>
<td>6,776</td>
<td>4,854</td>
<td>4,155</td>
</tr>
<tr>
<td>Ukraine</td>
<td>2,049</td>
<td>2,021</td>
<td>1,987</td>
<td>1,046</td>
<td>1,619</td>
<td>1,574</td>
</tr>
<tr>
<td>Bulgaria a</td>
<td>963</td>
<td>393</td>
<td>146</td>
<td>109</td>
<td>103</td>
<td>132</td>
</tr>
<tr>
<td>Belarus</td>
<td>656</td>
<td>627</td>
<td>23</td>
<td>34</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td>Romania a</td>
<td>473</td>
<td>287</td>
<td>24</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Poland b</td>
<td>346</td>
<td>406</td>
<td>405</td>
<td>393</td>
<td>380</td>
<td>407</td>
</tr>
<tr>
<td>Lithuania b</td>
<td>85</td>
<td>103</td>
<td>98</td>
<td>109</td>
<td>150</td>
<td>121</td>
</tr>
<tr>
<td>Hungary b</td>
<td>69</td>
<td>70</td>
<td>65</td>
<td>100</td>
<td>139</td>
<td>115</td>
</tr>
<tr>
<td>Latvia b</td>
<td>65</td>
<td>124</td>
<td>114</td>
<td>141</td>
<td>100</td>
<td>89</td>
</tr>
<tr>
<td>Slovakia b</td>
<td>42</td>
<td>75</td>
<td>41</td>
<td>28</td>
<td>47</td>
<td>46</td>
</tr>
<tr>
<td>Moldova</td>
<td>34</td>
<td>65</td>
<td>67</td>
<td>40</td>
<td>64</td>
<td>37</td>
</tr>
<tr>
<td>Estonia b</td>
<td>21</td>
<td>18</td>
<td>24</td>
<td>12</td>
<td>30</td>
<td>28</td>
</tr>
<tr>
<td>Czech Republic b</td>
<td>18</td>
<td>34</td>
<td>30</td>
<td>28</td>
<td>19</td>
<td>26</td>
</tr>
<tr>
<td>All Europe d</td>
<td>13,058</td>
<td>13,947</td>
<td>10,431</td>
<td>9,040</td>
<td>7,734</td>
<td>7,000</td>
</tr>
<tr>
<td>Europe as % of all</td>
<td>31.4%</td>
<td>30.8%</td>
<td>23.8%</td>
<td>22.8%</td>
<td>20.6%</td>
<td>20%</td>
</tr>
</tbody>
</table>

Notes:
- a Bulgaria and Romania joined the EU on 1 January 2007.
- b These seven states joined the EU in May 2004 – for data provided by these states to the ChildONEurope survey for the European Parliament, see Selman et al (2009).
- c Data from ChildONEurope survey suggest higher numbers from the Czech Republic between 2003 and 2006 (Selman et al., 2009) probably due to adoptions to Austria and Germany, which are not made available by their CAs.
- d Thirteen listed states plus Albania, Armenia, Azerbaijan, Bosnia, Croatia, Georgia, Macedonia, Montenegro, Serbia and Turkey. Totals are underestimates due to absence of data for Austria and Greece and limited data for Germany (see footnote c above)

Source: Data on states of origin from statistics provided by Central Authorities of 23 receiving states

Table 4
Proportion of children adopted in Europe who came from other European states: selected receiving states, 2004–08, ranked by proportion from Europe in 2004

<table>
<thead>
<tr>
<th>Country</th>
<th>2004 Total number</th>
<th>% from Europe</th>
<th>2008 Total number</th>
<th>% from Europe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ireland</td>
<td>398</td>
<td>65</td>
<td>397</td>
<td>30</td>
</tr>
<tr>
<td>Italy</td>
<td>3,403</td>
<td>64</td>
<td>3,977</td>
<td>42</td>
</tr>
<tr>
<td>Germany</td>
<td>650</td>
<td>52</td>
<td>664</td>
<td>33</td>
</tr>
<tr>
<td>Spain</td>
<td>5,541</td>
<td>38</td>
<td>3,156</td>
<td>37</td>
</tr>
<tr>
<td>All European countries (18)</td>
<td>19,502</td>
<td>32</td>
<td>14,841</td>
<td>27</td>
</tr>
<tr>
<td>USA</td>
<td>22,884</td>
<td>32</td>
<td>17,438</td>
<td>15</td>
</tr>
<tr>
<td>All receiving countries (23)</td>
<td>45,288</td>
<td>31</td>
<td>34,943</td>
<td>20</td>
</tr>
<tr>
<td>Switzerland</td>
<td>557</td>
<td>25</td>
<td>279</td>
<td>25</td>
</tr>
<tr>
<td>France</td>
<td>4,079</td>
<td>21</td>
<td>3,271</td>
<td>17</td>
</tr>
<tr>
<td>Sweden</td>
<td>1,109</td>
<td>16</td>
<td>793</td>
<td>9</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1,307</td>
<td>2</td>
<td>767</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: Central authorities of states listed
members of the Council of Europe. Two smaller countries (Iceland and Luxembourg) received children only from outside Europe. Overall, the proportion of children received from other European countries fell from 34 per cent in 2003 to 23 per cent in 2006, but rose again to 27 per cent in 2008 as the number of children from China fell rapidly. Of the non-European receiving states in 2004, Israel took children mainly (92%) from European countries (Belarus, Russia and the Ukraine) while Australia took very few from Europe (none in FY 2008–09).

The proportion of children adopted from Europe in the United States fell from 32 per cent in 2004 to 15 per cent in 2008, as increasing numbers entered from Ethiopia, Guatemala and Liberia. On a global level the proportion of children from Europe has fallen from 31 per cent in 2004 to 20 per cent in 2008. In the same period the proportion from Africa has risen from five to 16 per cent.

A similar variation was found in European sending countries (Table 5). EU countries, eg Slovakia, Lithuania and Hungary, were most likely to send a majority of children to other European countries. In 2004, the lowest proportion sent to Europe was found in Russia, Moldova and the three European/Asian members of the Council of Europe, which sent children mainly to the US, but this has changed in recent years and in 2008 half of the children from Russia went to other European countries. The proportion of children sent to other European countries has grown from 43 per cent in 2003 to 59 per cent in 2008 (Table 5).

### Summary

European countries now receive substantially more children than they send. Between 2003 and 2008, European receiving countries accounted for about 42 per cent of all intercountry adoptions but the proportion of adoptions worldwide that involved children from Europe fell from 32 per cent in 2003 to 20 per cent in 2008. This is the result of a period in which Romania ended overseas

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### Table 5

<table>
<thead>
<tr>
<th>Country</th>
<th>Total No. Adoptions</th>
<th>% to Europe</th>
<th>Total No. Adoptions</th>
<th>% to Europe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slovakia</td>
<td>75</td>
<td>99</td>
<td>47</td>
<td>100</td>
</tr>
<tr>
<td>Hungary</td>
<td>70</td>
<td>89</td>
<td>115</td>
<td>91</td>
</tr>
<tr>
<td>Latvia</td>
<td>124</td>
<td>88</td>
<td>89</td>
<td>58</td>
</tr>
<tr>
<td>Poland</td>
<td>406</td>
<td>73</td>
<td>407</td>
<td>81</td>
</tr>
<tr>
<td>Lithuania</td>
<td>103</td>
<td>72</td>
<td>121</td>
<td>87</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>393</td>
<td>69</td>
<td>132</td>
<td>96</td>
</tr>
<tr>
<td>Ukraine</td>
<td>2,021</td>
<td>60</td>
<td>1,574</td>
<td>64</td>
</tr>
<tr>
<td>All European</td>
<td>13,947</td>
<td>45</td>
<td>7,000</td>
<td>59</td>
</tr>
<tr>
<td>All sending</td>
<td>45,288</td>
<td>43</td>
<td>34,968</td>
<td>43</td>
</tr>
<tr>
<td>Russia</td>
<td>9,415</td>
<td>35</td>
<td>4,155</td>
<td>50</td>
</tr>
<tr>
<td>Armenia</td>
<td>57</td>
<td>31</td>
<td>95</td>
<td>66</td>
</tr>
<tr>
<td>Moldova</td>
<td>65</td>
<td>29</td>
<td>36</td>
<td>16</td>
</tr>
<tr>
<td>Estonia</td>
<td>18</td>
<td>28</td>
<td>28</td>
<td>43</td>
</tr>
<tr>
<td>Georgia</td>
<td>32</td>
<td>6</td>
<td>7</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Data on states of origin from statistics provided by the central authorities of 23 receiving states
adoption and a number of other Eastern European countries – Belarus, Bulgaria and Russia – also reduced numbers significantly. The fall is evident in the two countries seeking membership of the EU during these years, but several of the existing EU members from the former eastern bloc – Estonia, Hungary, Latvia and Lithuania – actually increased the number of children sent over the same period. However, those countries that joined the EU in 2004 sent just two per cent of the children placed for intercountry adoption worldwide between 2004 and 2008, while EU states received 40 per cent in the same period.

These patterns and changes over a relatively short period raise several issues that impinge on current discussions about the future of intercountry adoption in Europe and especially within the EU (see, for example Cavada et al, 2008; Lammerant and Hofstetter, 2008; Council of Europe, 2009; Post, 2009).

1. What is the experience of children adopted from outside Europe into European countries since 1945?

There is now a substantial number of ‘children’ from Asia and Latin America who have grown up as European citizens, most still living in the West. The long tradition of overseas adoption in the Nordic countries and the Netherlands has resulted in a large body of research into such children, which extends to the experience of adoptees as adults (Hoksbergen, 1987; Saetersdal and Dalen, 1991; Verhulst, 2000; Juffer and van IJzendoorn 2009).

Most of this research is positive (Selman, 2009d), but an early study in the Netherlands by Hoksbergen (1991, 2000) revealed that intercountry adoptees were five times more likely to be in residential care than native-born Dutch children and Dalen (1998) notes that in Scandinavia there is a substantial minority of adoptees who have major problems. A longitudinal study by Verhulst (2000) of children adopted in the Netherlands showed generally good progress but an increase in problem behaviour in adolescence. Further evidence for this is found in a study by Hjern et al (2002, 2004), which showed an increased risk of suicide in adopted people in their late teens and early twenties. Palacios et al (2006) have studied adoption disruption in Spain, where intercountry adoption has grown dramatically in the last decade. A detailed overview of the outcomes for children adopted from overseas can be found in the work of Juffer and van IJzendoorn (2005, 2009) whose meta-analyses are interpreted as showing a ‘massive catch-up in all developmental domains . . . demonstrating that adoption as an alternative for institutional care is a very successful intervention in children’s lives’ (2009, p 187).

Issues of identity have been seen as a problem for older adoptees, especially in the Nordic countries where the number of people from minority ethnic groups was very small in the years when many children arrived for intercountry adoption. Even today, a majority of Koreans living in Denmark were adopted by Danish parents and Saetersdal and Dalen (1991, 2000) note some of the problems facing the Vietnamese adopted into Norway in the 1970s who, as they reached adolescence, sought to distance themselves from the ‘boat people’ who arrived at the same time.

Some 50,000 children have been adopted in Europe from South Korea since 1973 (OAK, 2010) and there are now a number of organisations speaking on behalf of these and other international adoptees, eg Korea Klubben in Denmark (www.koreaklubben.dk) and United Adoptees International in the Netherlands (Westra, 2008).

2. What has been the experience of children adopted out of European countries? Does it differ for children adopted to North America or Oceania compared with those adopted within Europe?

The children adopted to the US from war-torn Europe are now middle aged and yet there has been surprisingly little published research on them. There is, however, a vivid account of one such
adoption by Peter Dodds (1997), who was adopted in the US after being ‘rescued’ from a German orphanage in the 1950s, and articulates some of the problems not recognised by those who sent them away or who took them in. It is also often forgotten that many Finnish children moved to other Scandinavian countries during the Second World War – 70,000 to Sweden alone (Serén, 1995).

There has been a substantial amount of research on the children adopted from Romania to Canada and the US (Haugaard et al., 2000). Most of this indicates positive gains, at least in the short term, and mirrors the experiences of children from Romania adopted within Europe (Rutter et al., 2000, 2009; Hoksbergen et al., 2002). There has been less research on children adopted from other European countries. There have been suggestions of many problems associated with Russian children suffering from foetal alcohol syndrome and in the US some of these appear to have led to major reactions from the adoptive parents, with reports of a number who have killed their adopted children. Issues of adoption from Russia to Italy are dramatically highlighted in the 2005 Russian film, The Italian (2005). The situation of children adopted from Russia to the UK is discussed by Farina et al. (2004).

There has been less attention on children adopted from Poland and other countries joining the EU in 2004. This is urgently needed in relation to the growing placement of older children, children with special needs and sibling groups. Likewise, there are few studies exploring differences in outcomes for children adopted in contrasting receiving states, so that it is not possible to say whether children placed in other European countries have better outcomes than those sent to the USA.

3. Has the practice of intercountry adoption adversely affected the development of child care, including in-country adoption, in sending countries?

Concerns over child-trafficking and other irregularities in intercountry adoption from Eastern Europe have been expressed by several international charities during the last 20 years, especially in respect of adoptions from Romania (Defence for Children International, 1991) and Bulgaria (Save the Children UK, 2003).

It has also been argued that intercountry adoption has had a negative impact on the development of services for children in European states of origin. This has been most extensively argued in respect of Romania (Dickens, 2002, 2006; Post, 2007). These authors’ findings mirror earlier concerns expressed by Sarri et al. (2002) about the impact of high rates of intercountry adoption from Korea.

Chou and Browne (2008) sought to extend this thesis to all European sending countries by presenting a positive correlation between the proportion of all adoptions that are intercountry and the number of children aged under three in institutional care. However, their finding is questionable due to lack of data on adoption from two key countries, Poland and the Czech Republic (Gay y Blasco et al., 2008). The Czech Republic, for example, had many young children in residential care in 2003 (Browne, 2005) but has a very low rate of intercountry adoption and a preponderance (97%) of domestic adoption (Selman et al., 2009).

In 2008, Terre des Hommes published a study of six European receiving countries (Lammerant and Hofstetter, 2008) that is highly critical of some practices and calls for ‘political measures by the receiving countries, individually and collectively, in the interests of children, especially within the framework of the Hague Conference on Private International Law and the European Union’ (p. 3). A discussion in the European Parliament following the launch of the report revealed large differences con-
cerning the future of international adoption in the EU, which are discussed later.

A more recent study, commissioned by the European Parliament (ChildON-Europe, 2009) has looked at intercountry adoption in all 27 EU countries, both sending and receiving. The data from sending countries show that since 2004 domestic adoptions have outnumbered intercountry adoptions by more than four to one in most countries, the exceptions being Latvia and Lithuania, where a majority of adoptions are intercountry. The study also shows that many children now sent for international adoption from Europe are older or have special needs and are hard to place domestically (Selman et al, 2009). In Lithuania more than 70 per cent of children sent for international adoption between 2004 and 2007 were aged four or over (ChildONEurope, 2009, p 40), compared with 25 per cent of domestic adoptions.

4. Has the growth of intercountry adoption discouraged receiving states from developing special needs adoption for children within these countries?
The Terre des Hommes study was focused on European receiving states, which accounted for about 40 per cent of all international adoptions at the time. Although the US continues to be the main receiver of children in absolute numbers, the countries with the highest rate of international adoption standardised against population – Spain, Malta and the three major Scandinavian countries – are all from Western Europe. Among EU members, only Germany, the UK and Portugal have a rate of less than one per 100,000 population. In recent years there has been a growing interest in the UK policy of encouraging domestic adoption as an intervention to achieve ‘permanency’ for children in care, a policy shared with the US but not found in any other European country. Domestic adoption is rare in most European receiving countries (Selman and Mason, 2005; Selman et al, 2009) and this has been a trigger for childless couples in many of these countries to turn to intercountry adoption.

In their article, Chou and Browne (2008) argue that intercountry adoption also has a negative impact on children in receiving states. They assert that ‘adopting healthy young children from abroad may distract attention from hard-to-place children within the receiving countries’ (2008, p 47) but this weak correlation is only made possible by the exclusion of the UK, Iceland, Slovenia and Norway, the European country with the highest rate of incoming intercountry adoption but the lowest level of children in institutions (see Gay y Blasco et al, 2008). It seems likely that the impact of intercountry adoption varies between countries but many European countries are now reviewing their policies on domestic adoption of children with special needs.

The position of the EU in intercountry adoption
Following the application for membership of the EU by Bulgaria and Romania, there seemed to be a growing feeling within the European Parliament that it was somehow inappropriate for a member country to be sending large numbers of children for intercountry adoption, despite the fact that many go to other European countries and member states receive some 40 per cent of all children placed for international adoption. The pressure to end intercountry adoption from Europe was led by a determined campaign by Baroness Emma Nicholson, the European Parliament’s special envoy for Romania from 1999 to 2005 (see Nicholson, 2006). As early as 1999, Romania was asked to reform its childcare system as a condition of membership and in 2001 to specifically reform its intercountry adoption laws, which were seen as incompatible with Romania’s obligations under the UNCRC (Pereboom, 2005).

In March 2004, the Parliament passed a further resolution calling on Romania to undertake further reforms and expressing concern about the large
number of children sent for international adoption by Bulgaria (Pereboom, 2005, p 18). In June 2004, Romania introduced a ban on international adoption other than by a child’s grandparents, with the consequence that no intercountry adoptions have been recorded in recent years. In 2003, Bulgaria changed its laws so that intercountry adoption was allowed only after all other options had been explored and three domestic candidates had refused to accept the child offered to them. Adoptions from Bulgaria subsequently fell from nearly a thousand in 2003 to just over 100 in 2006/7.

Nicholson’s position was supported by the publication by Roelie Post (2007) of a diary, dedicated to Baroness Nicholson, which described eight years of work for the European Commission to help Romania reform its child welfare services. Post presented evidence of widespread corruption in a market ‘where global politics and private interests compete with the rights of the child’ and argued that there is no place or need for intercountry adoptions in Romania’s reformed child protection system. Post also identified the emergence of a ‘ferocious’ lobby that wanted Romania to continue such adoptions. Led by parents’ groups and adoption agencies in the US, the campaign also received backing from US House of Representatives (H.Res 578).

Following the end to international adoptions from Romania, the European Parliament seems to have had some second thoughts and Tannock (2006) has argued that many members are now lobbying the European Commission and the Romanian government to reopen adoptions. Pierre Moscovi, who took over from Emma Nicholson as the European Parliament rapporteur on Romania, has taken a very different stance on adoption from that country and Members of the European Parliament (MEPs) have called on Romania to allow intercountry adoptions to take place ‘where justified and appropriate’.

Within the Parliament itself, there continue to be bitter divisions between those supporting the arguments of Nicholson and Post for an end to intercountry adoption from EU countries and French MEPs Claire Gibault and Jean-Marie Cavada, themselves adoptive parents, who argue for the resumption of intercountry adoption from Romania and Bulgaria to meet the interests of institutionalised children and ‘the need to create an adoption procedure common to all European states and to encourage international adoption where there is no national solution’ (Cavada et al, 2008).

The European Convention on the Adoption of Children (Revised) 2008

One focus for these debates has been the revised European Convention on the Adoption of Children (Horgan and Martin, 2008). This has been seen by supporters of intercountry adoption as an opportunity to renew calls for a ‘European adoption procedure’ which is seen as particularly important for intercountry adoption within Europe. Roelie Post (2009) has argued against this, that in reality new legislation could breach the rights of birth families by limiting the duration of foster care with a child made available for international adoption through a central European adoption register if efforts at domestic adoption failed. This could lead to a reopening of adoption in Romania and also give priority to adopters from Europe at a time when the number of children available for adoption is falling. Other opponents include organisations of adoptees, such as United Adoptees International (UAI), which is campaigning on a wider front to discourage international adoptions by and from any country as a process dominated by the actions of rich countries at the expense of the rights of families in poorer nations (Westra, 2008; United Adoptees International, 2010).

These issues were brought to a head by a conference on Challenges in Adoption Procedures in Europe organised by the Council of Europe and the European Commission (Council of Europe, 2009). At the conference Patrizia De Luca (2009) gave a present-
ation on the study commissioned by the European Commission to look at adoption procedures and ‘the practical difficulties encountered in this area by European citizens’. De Luca argues that ‘adoption between member states does not have the same implications as adoption involving third countries’ and outlines policy options including the creation of a ‘super Central Authority’ to co-ordinate adoption procedures in Europe and the development of a European register of children awaiting adoption. The conference was seen by the UAI as a ‘pro-adoption lobby with the intention to establish a European Law for fast track adoption where the rights and interests of birthparents and adoptees have no consideration’ (United Adoptees International, 2010), despite its expressed aim of ensuring the best interests of the child.

The debate seems likely to continue, reflecting a new wave of concern about international adoption following the Haitian earthquake after which France and the Netherlands have been accused of seeking to encourage the removal of children for adoption even when the legal process had not been completed (Adams, 2010; Hague Conference, 2010).

Unresolved questions
Many questions remain unresolved about the impact of intercountry adoption on children in Europe over the last 20 years. Among these are:

• What are the implications of the reduction in level of adoptions from Romania and Bulgaria on the well-being of children in those countries?

• Why is there no concern over rising numbers of children adopted from other EU countries such as Poland, Latvia and Lithuania?

• Are there advantages in children moving shorter distances for intercountry adoption – for example within Europe – or between South and North America?

• What impact will the fall in supply of children have on competition between receiving countries in Europe and pressure to persuade sending countries to provide children for the growing number of waiting prospective adopters?

• Does Europe need an improved ‘adoption procedure’ which will facilitate more rapid – and more frequent – adoption (both national and intercountry) of ‘orphans’ within Europe?

• What sort of research is needed to resolve or clarify some of the differences and conflicts over adoption? Or are the differences essentially over ideology rather than facts?

Conclusion
The number of intercountry adoptions recorded worldwide has been falling since 2004 after a decade of continuous growth. From 2004 to 2007 the fall in numbers was greater in Europe than in the United States (Selman, 2009b, p 143) but in subsequent years numbers have declined more rapidly in the US. Within Europe the decline has been greatest in the Nordic countries, Spain and the Netherlands. A major factor in this dramatic reversal has been the reduction in the number of children sent from Europe, although the impact of China’s retrenchment has been more significant in total numbers (Selman, 2009c, p 581). The halt to adoptions from Guatemala and Liberia has affected only the US.

One result of this largely unexpected change of direction has been that the number of people approved for intercountry adoption now far outstrips the number of children available. Prospective adoptive parents in France (Moreau, 2008), Italy and Spain face a long wait for a child and many may never receive one (ChildONEurope, 2009, p 42). China’s decision to end placements with single women means that this group will face particular difficulties. The fear is that this will bring out the market mechanisms that many have noted (Freidmutter, 2002) and lead to a trade in children, as agencies (and countries) seek new sources of adoptable children and the ‘price’ of
such children rises or – as is already happening in Italy – prospective parents take on older children with potential problems for which they have not been prepared.

Although most research into the outcome of intercountry adoption is positive, showing a remarkable developmental ‘catch-up’ in children who had been in institutions (van IJzendoorn and Juffer, 2006; Juffer and van IJzendoorn, 2009), the findings from Hjern et al (2002) and others suggest considerable problems for a minority of those involved. Evidence of trafficking has led one commentator to express the fear that:

the recurrent cycle of scandal, excuse, and ineffective ‘reform’ will probably continue until intercountry adoption is finally abolished, with history labelling the entire enterprise as a neo-colonialist mistake. (Smolin, 2004, p 35).

A recent article in the journal Foreign Policy (Graff, 2008) argues that many of the children involved are not orphans but stolen children ‘laundered’ (Smolin, 2007) for international adoption, which has become a trade (Kapstein, 2003) or an industry.

Much of the criticism is focused on US policy before ratification of the Hague Convention, but similar concerns are now expressed about intercountry adoption in Australia (Callinan, 2008; Rollings, 2008) and Europe (Post, 2007; Lammerant and Hofstetter, 2008). While research seems to indicate that the outcome of international adoptions, including those from Romania, have been positive for most of the children involved, the impact of the practice on the many children not placed in overseas families remains unresolved. We should, perhaps, also ponder the words of Roy Parker in the conclusion to his devastating account of the 80,000 children shipped from Britain to Canada by Poor Law authorities and voluntary bodies between 1867 and 1917:

One cannot help wondering how the convictions that are entertained today about the needs of vulnerable children and how these should be met might . . . be judged 100 years from now. (Parker, 2008, p 293)

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