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Cambodian Center for Human Rights



JOINT STATEMENT

Cambodia and Italy Must Not Recommence Intercountry Adoptions

28 June 2023

We, the undersigned organisations, call on the Cambodian and Italian governments to immediately halt the reopening of intercountry adoptions. Cambodia has not enacted safeguards that will sufficiently protect the best interests of the child or prevent reoccurrences of the severe [fraud and corruption](#) that marked intercountry adoptions in the past.

Multiple countries banned intercountry adoptions from Cambodia throughout the 2000s following widespread evidence of illegal and unethical practices. These included Cambodian authorities and orphanage staff falsifying documents to declare some children orphaned or abandoned, often altering their names and birthdates. Children were then adopted abroad without their parents' knowledge or informed consent. As a result, Cambodia itself suspended intercountry adoptions in 2009.

Cambodia and Italy have since ignored calls from [UN experts](#) and [civil society](#) to investigate and remedy past abuses, leaving families and adopted children with nowhere to turn if they wish to reconnect or establish the truth.

Instead, the two countries have pushed ahead with reopening intercountry adoptions. A delegation from Italy's Commissione per le Adozioni Internazionali (Commission for Intercountry Adoptions) met with Cambodia's Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSAVY) in May 2023. The Commission [reported](#) that three Italian adoption agencies have been authorised to operate in Cambodia, and that authorisation of three additional agencies is pending.

The Commission further indicated that Cambodia would formalise a list of children eligible for adoption by roughly June 2023. Two children per agency are expected to be paired with Italian families by the end of this year, and a Cambodian delegation was invited to Italy in 2024 to follow up on adopted children. The Commission's website also [discloses](#) that nine adoption procedures are pending.

While Cambodia has enacted new laws governing intercountry adoptions since 2009, there remains a lack of failsafe protections against the rampant fraud and corruption that led to fraudulent adoptions in the past.

Cambodia enacted the 2009 Law on Intercountry Adoptions and related regulations in an effort to bring Cambodian law into compliance with the Hague Convention on Protection of Children

and Co-operation in Respect of Intercountry Adoption, which Cambodia acceded to in 2007. A new legal framework entrusts MoSAVY and the courts with overseeing and approving intercountry adoptions.

Yet, Cambodia ranks second-to-last in the world – 139 out of 140 countries globally – in the World Justice Project’s 2022 [Rule of Law Index](#). Cambodia received the lowest score globally regarding the application and enforcement of government regulations without improper influence. It also ranked last or near last on government officials in the executive and judicial branches not using public office for private gain. Cambodia similarly ranked in the bottom quarter of countries globally for corruption perceptions in Transparency International’s 2022 [index](#).

In this context, any intercountry adoption risks violating the best interests of the child. Any actor currently proceeding with reopening intercountry adoptions from Cambodia – including the Italian government and adoption agencies – are doing so while wilfully blind to the risks to Cambodian children and families.

This risky and irresponsible reopening of intercountry adoptions goes against national and international best practices. Cambodian and international laws establish that intercountry adoptions should only take place after all avenues for family-based care in a child’s home country have been exhausted. Children should be cared for by their own families to the greatest possible extent. However, social protections to support families remain insufficient in Cambodia. While the country has made progress in reducing the number of children living in residential care facilities in recent years, formal foster care and domestic adoption systems remain underdeveloped and underutilised.

Intercountry adoptions must not be used to circumvent the necessary reforms to Cambodia’s child protection system. The Cambodian government should instead focus on increasing families’ access to social protections and support; significantly strengthening alternative family-based care systems in Cambodia; and building the capacity of new and existing social workers.

The best interests of the child must always come first when considering intercountry adoptions, before any other actors’ interests. New laws and policies will not protect against longstanding issues of fraud and corruption. We call on the Cambodian and Italian governments to immediately halt the reopening of intercountry adoptions to ensure that no Cambodian families and children are torn apart again.

This statement is endorsed by:

1. Cambodian Center for Human Rights (CCHR)
2. Cambodian Human Rights and Development Association (ADHOC)
3. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
4. Intercountry Adoptee Voices (ICAV)