“Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.”

(Preamble of the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption)
The United Nations Convention on the Rights of the Child of 10 November 1989 endorses the fact that intercountry adoption is subsidiary in principle to possible placements in foster or adoptive families in the child’s country of origin.

The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption lays down the provisions on the adoption of foreign children for the countries that have ratified the Convention.

Reference: http://www.hcch.net

Décret n°2006-981 du 1er août 2006 relatif à l'agrément des personnes souhaitant adopter un pupille de l'Etat ou un enfant étranger et modifiant le code de l'action sociale et des familles (Decree 2006-981 of 1 August 2006 on the approval of persons wishing to adopt a ward of the State or a foreign child, amending the Code for Social Action and the Family) [in French only]

Décret n°2006-1272 du 17 octobre 2006 relatif aux modèles d'arrêté et de notice pour l'agrément des personnes souhaitant adopter un pupille de l'Etat ou un enfant étranger (Decree 2006-1272 of 17 October 2006 on models of orders or notices for the approval of persons wishing to adopt a ward of the State or a foreign child [in French only]


Décret n° 2009-407 du 14 avril 2009 relatif à l’Autorité Centrale de l’Adoption Internationale (Decree 2009-407 of 14 April 2009 on the Central Authority for Intercountry Adoption) [in French only].

EXISTING LEGISLATION

International legislation
The United Nations Convention on the Rights of the Child of 10 November 1989 endorses the fact that intercountry adoption is subsidiary in principle to possible placements in foster or adoptive families in the child’s country of origin.

The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption lays down the provisions on the adoption of foreign children for the countries that have ratified the Convention.

Reference: http://www.hcch.net

National legislation
Code Civil (in French) The French Civil Code is available in English on http://www.lexinter.net/ENGLISH/civil_code.htm

Code de l’Action Sociale et des Familles (The French Code of Social Action and Families-CASF) [in French only]

The French Adoption Agency, a public-law legal entity under government supervision, was set up by Act 2005-744 of 4 July 2005. Generally speaking, it is tasked with providing information and advisory services to candidates for intercountry adoption throughout the French territory and regarding all countries. It is authorized to serve as an intermediary for the adoption of foreign minors under 15 years old in the countries of origin of the adopted children, following accreditation by the authorities of those countries.

AFA website: www.agence-adoption.fr (French only)

There are 41 Accredited Adoption Bodies (AABs). They are private-law legal entities that act as intermediaries for adoption or placement of adoption for minors under 15 years old.

AABs must first be authorized by the General Councils of the Departments where they wish to operate. They are approved by the Central Authority (SAI) for the country in which they wish to handle adoptive parents' applications and then accredited by the authorities of the country of origin.

AABs:
- help prepare adoption projects and advise on how to compile an application;
- provide information on the technical and legal aspects of adoption procedures;
- determine, together with the competent authorities of the country of origin, the procedures for choosing an adoptive family;
- send applications submitted by candidates for adoption to the competent persons or institutions for them to make an adoption decision;
- oversee the proceedings in accordance with existing legislation;
- provide support for the family once the child has arrived.

The list of AABs: http://www.diplomatie.gouv.fr

Associations for adoptive parents and adopted children, which are not approved agencies, have a large amount of personal experience and experience in the field. They are closely aligned with the SAI definition of intercountry adoption strategy.

A list of associations can be found on the adoption portal: http://www.adoption.gouv.fr

The Intercountry Adoption Service receives subsidies intended to implement institutional cooperation, on a state-to-state basis, to reinforce Central Authorities of countries of origin which have already ratified the Hague Convention or to encourage countries to ratify it.

These resources also help identify and evaluate the real needs of children. They finance cooperation actions with countries of origin that are unable to implement alternatives to take care of their children without families. These types of actions are currently being conducted in Haiti, Madagascar, Cambodia and are soon to be implemented in Mali and Togo.

The missions of these volunteers, working in the embassy, are subject to strict ethical requirements so that they can:
1. help define and implement projects to provide care for children without families locally relying on NGOs active in the field and in collaboration with local authorities;
2. help craft, implement and monitor institutional cooperation and technical assistance projects that will help countries of origin apply the child welfare and intercountry adoption procedures provided for in international agreements;
3. if needed, support families over the course of their adoption project and assist operators (Central Authority, French Adoption Agency, Accredited Adoption Bodies, lawyers, interpreters, etc.) in their actions.

private companies and territorial communities involved in financing efforts, a volunteer network for children without families. Launched in Cambodia in August 2008, it was extended to include eight more countries in 2009, namely Burkina Faso, Ethiopia, Guatemala, Haiti, India, Madagascar, Mali and Vietnam.
The High Council for Adoption (CSA) is a consultative body under the supervision of the Ministries of Justice and the Family. It is chaired by a member of the French Parliament and made up of 30 members. It meets at least once every six months, and at the request of its President, the Minister of Justice, the Minister of the Family, or the Minister of Foreign and European Affairs.

The CSA’s mission is to put forward to government authorities all measures likely to facilitate adoption, particularly by ensuring better coordination among all the bodies involved, and to help inform the public. It issues opinions on all topics relating to adoption and drafts proposals for legislative amendments before submitting them to the government.

On 6 February 2008, French Prime Minister François Fillon chaired the first meeting of the Interministerial Committee on Adoption, with the Ministers of the Interior, the Family and Justice and the Ministers of State with responsibility for Foreign Affairs and Human Rights, and for the Family in attendance.

Its purpose is to coordinate the government’s adoption policy.

**INTERCOUNTRY ADOPTION IN FIGURES**

Total number of children adopted abroad by French families in 2008 : 3,271

Top five countries of origin:
- Haiti : 731 adoptions
- Ethiopia : 484
- Russia : 315
- Colombia : 305
- Vietnam : 284.