

and systemic injustices that may have resulted.

6. Right to Safety and Well-Being During Childhood

6.1 The right to grow up in an environment free from abuse, neglect, exploitation, and unsafe physical or emotional conditions.

6.2 The right to physical and emotional safety until the age of 18.

6.3 The right to adequate healthcare, education, housing, and emotional support.

6.4 The right to independent oversight and legal recourse in cases of mistreatment.

6.5 The right to prioritisation of the child’s best interests in all welfare decisions.

6.6 The right to free or affordable access to genetic and medical testing throughout life, particularly in the absence of biological family history. Adoptees must be supported to access comprehensive medical screening, including genetic and hereditary disease testing, due to the lifelong health risks associated with having incomplete or missing medical records. States should provide this as part of the adoptee’s right to informed healthcare and preventive treatment, without discrimination or financial burden.

6A. Right to Protection for Adoptees with Disabilities and/or Special Medical Needs

6A.1 The right to non-discrimination in adoption procedures—no child should be placed for intercountry adoption solely on the basis of disability, medical condition, or perceived “undesirability.”

6A.2 The right to specialised assessment and care prior to any adoption placement. Children with disabilities or complex medical needs must have comprehensive assessments and be matched with families who are appropriately trained, equipped, and supported to meet those needs.

6A.3 The right to protection from coercive or discriminatory international placement. Children with disabilities must not be exported or removed from their country of birth due to a lack of local services or social stigma. Adoption must not be a solution for inadequate domestic disability support systems.

6A.4 The right to continuity of care and medical treatment throughout the adoptee’s lifetime. Adoptive families must be provided access to long-term support, funding, and resources to ensure the sustained well-being of adoptees with disabilities or medical needs. This includes protection from abandonment or loss of services upon reaching adulthood, recognising that many disabilities require lifelong care and support.

6A.5 The right to be consulted (where developmentally appropriate) and have their disability or medical experience respected as part of their identity—not as a justification for displacement or institutionalisation.

7. Right to Emotional and Mental Health Support

7.1 The right to free and ongoing access to trauma-informed mental health care.

7.2 The right to support for identity, grief, race and belonging issues.

7.3 The right to communities and spaces that center adoptee voices.

7.4 The right to be acknowledged as an expert in one’s own adoption journey.

8. Right to Autonomy and Self-Determination

8.1 The right to participate in decisions affecting identity and records.

8.2 The right to self-define one’s family, name, and identity.

8.3 The right to challenge or reject parts of one’s adoption narrative.

8.4 The right to freedom from expected gratitude for adoption.

Conclusion

Adoptees deserve full recognition as rights-holders, not as perpetual children or property. Adoption policy, practice and legislation must be grounded in human rights, truth, transparency and justice. These proposed rights reflect a commitment to healing, equality, empowerment and reparation for all adopted persons. ■



Inter Country Adoptee Voices



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ADOPTEE RIGHTS

What Rights Should Intercountry Adoptees Have?

May 30, 2025
Written by Lynelle Long, Founder
InterCountry Adoptee Voices (ICAV)

This Charter aligns with the principles enshrined in the United Nations Convention on the Rights of the Child (UNCRC), the Universal Declaration of Human Rights (UDHR), and other international human rights frameworks (see Applicable International Conventions).

By Lynelle Long, Founder of InterCountry Adoptee Voices (ICAV)

For many years, I have spoken out against the systemic disregard of human and child rights within the global adoption industry—an industry that continues to export children from their countries of birth to foreign adoptive families, often without adequate safeguards or long-term protections.

As an intercountry adoptee, I know firsthand the unique and complex challenges we face when our identities, rights, and origins are fragmented across international borders. I believe it is time to clearly articulate what our rights should be as adopted people—particularly those of us who have been uprooted from one nation and placed in another.

The following proposed principles and rights are grounded in over 27 years of direct experience navigating the deeply personal and often painful realities faced by thousands of intercountry adoptees within the global ICAV network. These rights reflect the recurring injustices, systemic failures, and profound absence of protection that adoptees have consistently endured.

It is my hope—and my call—that these principles be taken seriously by lawmakers, policymakers, and professionals involved in adoption. They must be enshrined in law and practice if we are to create a system that upholds justice, transparency, and the dignity of every child.

Adoptees, like all individuals, are entitled to dignity, autonomy, identity, and access to information about their origins. Adoption must never be used to erase a person's history or deprive them of their fundamental human rights. This document outlines the rights that every adopted person should be guaranteed, regardless of where they were born or adopted.

Intercountry Adoptee Rights Charter

1. Right to Identity

- 1.1** The right to know one's original name, nationality, ethnicity, and cultural heritage.
- 1.2** The right to access complete, accurate, and unaltered birth records, including the names of birth parents, grandparents and siblings, place of birth, and reasons for separation. This right includes the ability to establish and verify biological identity through modern means such as DNA testing, genetic databases, and forensic methods—especially where paper records are falsified, missing, or incomplete. Access to these truths forms the basis of identity, separate from but reinforcing cultural connection.
- 1.3** The right to preserve and remain connected to cultural, religious, and linguistic identity. This includes protection from being stolen, abducted, or taken from one's biological family without consent or due process.
- 1.4** The right to automatic and permanent dual citizenship as intercountry adoptees, ensuring equal legal status and rights in both the country of origin and the adoptive country.

2. Right to Information

- 2.1** The right to obtain full, unrestricted and un-redacted access to adoption records, including agency files, court documents, and medical histories.
- 2.2** The right to know the circumstances that led to separation from the biological family, including whether consent was voluntary and informed. This includes the right to legal redress when separation occurred under suspicious or undocumented circumstances.
- 2.3** The right to know whether money was exchanged in relation to the adoption, how much, and the ethical standards applied.
- 2.4** The right to receive psychological and genealogical support when accessing personal records.
- 2.5** The right of descendants of adoptees to access adoption and identity records in the event of the adoptee's death or incapacity. This includes the right to genealogical, medical, and legal identity information where necessary to restore ancestral connection, cultural heritage,

or access family history. Access should not be blocked by the absence of the adoptee's consent where death or incapacitation makes consent impossible, recognising the intergenerational nature of identity loss through adoption.

3. Right to Contact and Reunification

- 3.1** The right to seek and initiate contact with biological family members without interference.
- 3.2** The right to refuse contact with birth or adoptive family members.
- 3.3** The right to funded, appropriately trained mediation services during search and reunification, including counselling.
- 3.4** The right to cross-border reunification without undue bureaucratic or legal barriers.
- 3.5** The right for an adoptee's death to be acknowledged and communicated to their biological family. This includes the right for biological families to be notified of the death, where known, and for the adoptee's full identity and existence to be honoured across both adoptive and biological families, including posthumous recognition and acknowledgement. This supports truth, dignity, and closure, and prevents adoptees from being erased in death.

4. Right to Truth and Transparency

- 4.1** The right to be informed truthfully and without delay about one's adoption, including age-appropriate disclosure during childhood.
- 4.2** The right to protection from false or altered documentation, including birth certificates and passports.
- 4.3** The right to hold institutions and individuals accountable for unethical or illegal adoption practices. This includes the right to pursue legal accountability and international justice when systemic violations have occurred.
- 4.4** The right to be protected from coercive or exploitative adoption and post adoption practices.

5. Right to Legal and Human Protections

- 5.1** The right to legal recognition of adopted status without discrimination.
- 5.2** The right to funded legal support in cases of fraud, trafficking, or illegal adoption. This includes the right to bring complaints before domestic and

international justice mechanisms to provide justice and reparation, and the right to protection from retaliation or intimidation for seeking justice.

5.3 The right to advocate for legal and policy reform to address structural injustices in intercountry adoption.

5.4 The right to citizenship in both origin and adoptive countries, protecting against statelessness, deportation, and loss of heritage-linked rights. (See also 1.4 for protections against statelessness and enforcement of dual citizenship rights.), protecting against statelessness, deportation, and loss of heritage-linked rights.

5.5 The right to legal recognition as kin to biological family, and restoration of familial ties severed by plenary adoption.

5.6 The right to revoke or discharge one's adoption in adulthood, including the legal restoration of original identity or the option to choose an alternative legal status.

5.7 The right to legal protection against being rehomed—i.e., transferred to another caregiver or guardian without court approval, legal process, or independent child welfare oversight. This includes protection from being informally passed between families or strangers without the adoptee's informed consent and proper safeguards. It also includes protection against being abandoned or sent to another country or institution, including residential treatment centres, without independent legal review and oversight.

5.8 The right to protection from deportation to the country of birth. No adoptee should face expulsion, removal, or forced return based on incomplete or failed legal processes related to citizenship or immigration. Adoptive countries must ensure that intercountry adoptees are granted full, automatic, and irrevocable legal status and protections as citizens or permanent residents.

5.9 The right to restoration to one's biological family where possible, with dignity and legal support, regardless of legal status.

5.10 All legal, administrative, and identity-restoration processes necessary to realise any of the rights in this section must be provided at no cost to the adoptee. This recognises that adoptees did not consent to their adoptive status and should not bear the burden of correcting or addressing the legal