

# Guidelines for Improving Data on Child Adoption





**Department of Economic and Social Affairs**  
Population Division

# **Guidelines for improving data on child adoption**



United Nations  
New York, 2010

# DESA

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This publication has been issued without formal editing.

ST/ESA/SER.A/300

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## PREFACE

Adoption is one of the oldest social institutions. Nevertheless, adoption still raises highly emotive issues because of its fundamental implications for the meaning of familial ties. Questions on whether adoption serves the best interests of children, who should be allowed to adopt and the role of Governments in regulating such decisions are frequent subjects of debate. Yet, despite the heightened attention to these issues, much of the information on adoption remains anecdotal. Data on the number of children adopted domestically are rarely available and when they are, they tend to be out-of-date. Similarly, comparable information on trends in intercountry adoptions—that is adoptions that involve a change of country of residence for the adopted person—is often lacking or is available for just a few countries.

This publication is an extract from the larger report entitled *Child Adoption: Trends and Policies*,<sup>1</sup> the first study of its kind undertaken by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. *Guidelines for Improving Data on Child Adoption* highlights some of the main findings of *Child Adoption: Trends and Policies* and provides guidelines on how to improve the collection, compilation and dissemination of information on adoption. This publication contains an introduction based on the Executive Summary of the larger report and a reproduction of its chapter VIII, which contains the guidelines proper. This report provides therefore a more immediate guide to strategies for the improvement of statistics on child adoption.

The full report as well as other population information can be accessed on the Population Division's website at [www.unpopulation.org](http://www.unpopulation.org). For further information concerning this publication, please contact Hania Zlotnik, Director, Population Division, Department of Economic and Social Affairs, United Nations, New York, 10017, USA, telephone (212) 963-3179, fax (212) 963-2147.



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## I. LEVELS AND TRENDS IN ADOPTION

There is a generalized view that the number of adoptions is high and increasing worldwide. Yet, data on the number of adoptions are fragmentary, lack wide dissemination or, in some countries, are not routinely compiled or published. The report entitled *Child Adoption: Trends and Policies*<sup>1</sup> uses the data available to derive estimates of the total number of adoptions worldwide,<sup>2</sup> the share of all adoptions that involve intercountry procedures, and the number and characteristics of domestic adoptions.

Intercountry adoptions are those that involve a change in the country of residence of the adopted child. There is no universally accepted definition of a domestic adoption. For the purposes of this report, domestic adoptions are those that do not involve an intercountry procedure. Among the 195 countries in the world, adoption is allowed in 173 and some data on the number of adoptions are available for all but 47 of them. In addition, for the 22 countries where children can be placed through *kafalah*,<sup>3</sup> two have information on the number of children involved. Hence, there are 128 countries with some data available and among them 88 have information on both domestic and intercountry adoptions. An additional 23 countries have data only on the overall number of adoptions and a further eight have data only on domestic adoptions, seven of which do not allow intercountry adoptions. In addition, nine countries have data only on intercountry adoptions.

The main conclusions derived from the analysis of the data available, which is presented in full in *Child Adoption: Trends and Policies*,<sup>1</sup> are summarized below.

### Key Findings

**There are over a quarter of a million adoptions every year.** The United Nations Population Division estimates that some 260,000 children are adopted each year. This estimate implies that fewer than 12 children are adopted for every 100,000 persons under age 18 (figure 1). Adoption remains, therefore, a relatively rare event.

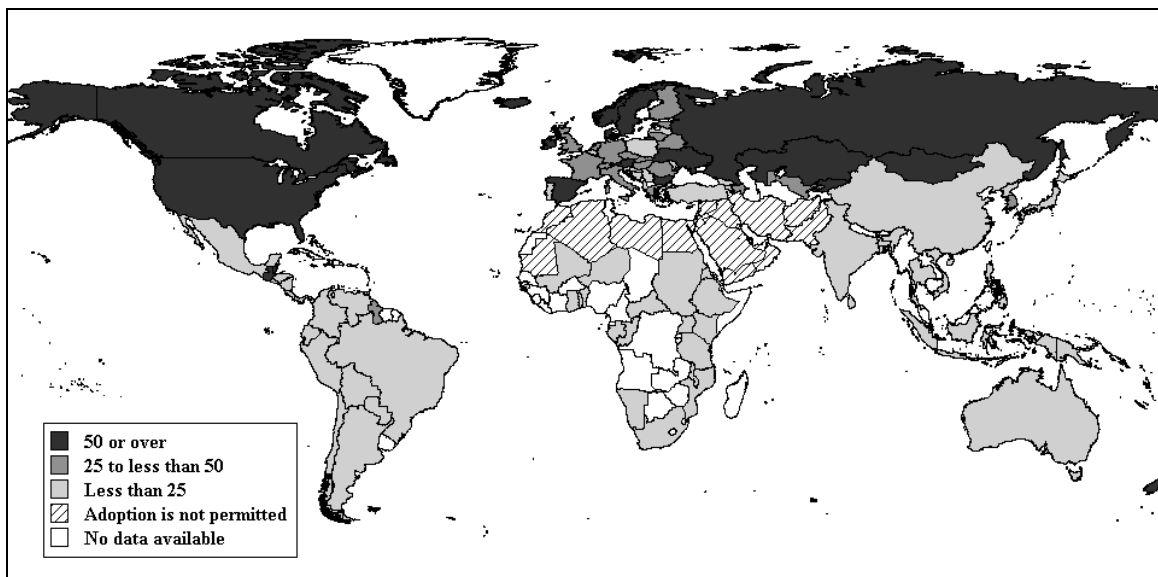
**A few countries account for most adoptions** (figure 2). The United States of America, with over 127,000 adoptions in 2001, accounts for nearly half of the total number of adoptions worldwide. Large numbers of adoptions also take place in China (almost 46,000 in 2001) and in the Russian Federation (more than 23,000 in 2001).

**The purpose of adoption has evolved over time.** Historically, adoption occurred primarily to preserve and transmit family lines or inheritance, to gain political power or to forge alliances between families. Adopted persons were usually adolescents or adults who could guarantee the continuation of the family line. The notion that adoption was a means for promoting children's welfare did not take hold until the mid-nineteenth century. Today, the principle of ensuring that the best interests of the child are served by adoption is the paramount consideration enshrined in most adoption laws.

#### *1. There is considerable variability in the legal requirements for adoption among countries*

**Over 160 countries recognize the legal institution of adoption but 20 countries do not have legal provisions allowing child adoption.** In most of the countries where adoption is not possible, alternative procedures, such as guardianship or the placement of children under the care of relatives are permitted. Religion often plays a key role in determining the conditions under which such alternative practices may be pursued.

**Figure 1. Number of adoptions of children under 18 per 100,000 children under 18, most recent data available, 1990-2005**



Source: United Nation, 2009. *Child Adoption: Trends and Policies*. United Nations publication, Sales No. E.10.XIII.4.

NOTES: The under-18 adoption rate is calculated by dividing the total number of adoptions of persons under age 18 by the number of persons under age 18. It is assumed that all persons adopted are under age 18 at the time of adoption. The boundaries shown on the present map do not imply official endorsement or acceptance by the United Nations.

**In some countries, informal adoption and fostering are perceived as preferable to formal adoption.** Informal or *de facto* adoption and fostering are practices that allow parents to put children in the care of others (usually relatives) without having to cut all ties with their children. These practices contrast markedly with the secrecy and finality that have come to characterize adoption in the western context.

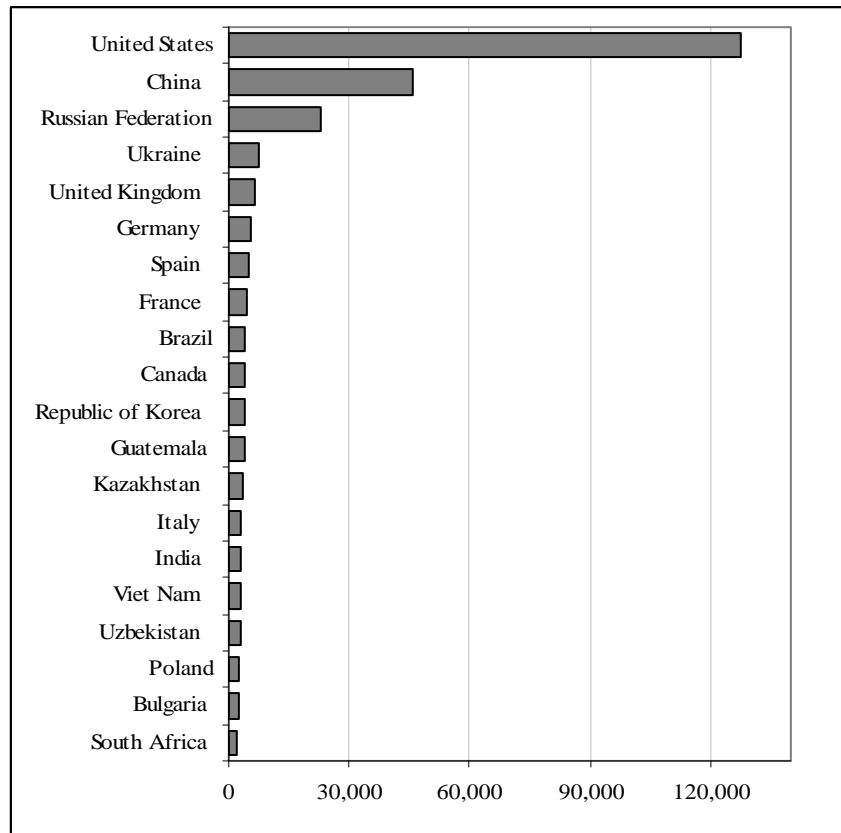
**The consequences of an adoption for the rights of adopted children differ considerably among countries.** In some countries, adopted children acquire the same rights as birth children, including the right to inheritance, and adopted children sever all legal ties with their birth parents. In other countries, the termination of natural ties between birth parents and children is viewed as culturally unacceptable.

**Requirements for prospective adoptive parents vary considerably among countries.** In 81 countries, adoption laws establish a minimum age for prospective adoptive parents and in 15 countries, adoption laws also stipulate a maximum age. Single persons are allowed to adopt in 100 countries but in 15, only married couples can adopt. In many countries, laws have been amended to allow older persons or single persons to adopt. However, in some cases, the criteria that potential adoptive parents must meet have become more stringent. Adoption by step-parents, for instance, is currently discouraged in several countries because of the potentially detrimental effects that such adoptions are deemed to have on the child's relationship to his or her non-custodial biological parent. The requirements for intercountry adoptions have also been tightened in several countries of origin.

## 2. Domestic and intercountry adoptions

**Domestic adoptions far outnumber intercountry adoptions.** Almost 85 per cent of all adoptions involve citizens or residents of the same country. Domestic adoptions represent at least half of all adoptions in 57 of the 96 countries with data. Whereas the number of domestic adoptions has been declining in many developed countries, several developing countries have experienced an increase in the number of domestic adoptions, partly because of the implementation of policies to encourage local residents to adopt.

**Figure 2. Countries with the largest number of adoptions, most recent available data, 1999-2005**



Source: United Nation, 2009. *Child Adoption: Trends and Policies*. United Nations publication, Sales No. E.10.XIII.4.

NOTES: Data for Canada and the Russian Federation are estimates. Data for Brazil refer to the state of São Paulo only. Data for Poland refer to adoption rulings by the courts.

**Adoptions by step-parents and other relatives account for more than half of all domestic adoptions.** Nevertheless, the number of adoptions by step-parents and other relatives has been declining in recent years. In some countries, the introduction of legislation discouraging adoptions by step-parents accounts partly for this trend. Declining re-marriage rates and an increasing prevalence of informal parenting arrangements are also contributing to that decline.

**The number of intercountry adoptions has been increasing.** Both the number of intercountry adoptions and their share among all adoptions have been increasing. In many European countries, intercountry adoptions now account for more than half of all adoptions.

**The United States, France and Spain, in order of importance, are the major countries of destination of children adopted internationally.** Other countries that experience large inflows of children adopted from abroad are Canada, Germany, Italy, the Netherlands and Sweden. Each of these countries has recorded over 1,000 foreign adoptions annually in recent years.

**Asian and East European countries are the major sources of children adopted through an intercountry procedure.** Relatively few children adopted internationally originate in Africa or Latin America and the Caribbean. The countries of origin accounting for most international adoptions are China,

Guatemala, the Republic of Korea, the Russian Federation and Ukraine. More than half of the children adopted abroad originate in those five countries.

**The dwindling supply of children available for domestic adoption may partially explain the increase in the number of intercountry adoptions.** In developed countries, the widespread availability of reliable, safe and inexpensive contraception has meant that there are fewer children available for adoption. In addition, wider societal acceptance of single parenthood and the greater availability of welfare support have meant that fewer single mothers give up their children for adoption.

**The characteristics of children available for domestic adoption have also contributed to the increase in the number of intercountry adoptions.** Adoptable children within countries are often older than those desired by adoptive parents. The desire for younger children has probably prompted some parents to adopt children abroad. Intercountry adoptions are also favoured in contexts where adoption procedures are less demanding and faster for intercountry adoptions than for domestic adoption.

### *3. Who is being adopted?*

**Over 60 per cent of adopted children are under age five at the time of adoption.** Despite adoptive parents' preference for younger children, relatively few adoptions involve children under age one. Adoptions of children older than five years also tend to be rare and, when they occur, they frequently involve step-children.

**In countries of destination, children adopted domestically tend to be older than children adopted through an intercountry procedure.** This outcome results, at least in part, from the fact that domestic adoptions comprise a larger proportion of step-child adoptions, which usually involve older children. The preference of prospective adoptive parents for adopting younger children may also be a factor. In countries of origin, children adopted domestically tend to be younger than those adopted by foreign parents through an intercountry procedure. The principle of subsidiarity, whereby intercountry adoption is considered only after all other options have been exhausted, may be the reason for this difference.

**More girls are adopted than boys.** In both domestic and intercountry adoptions, the number of girls adopted exceeds that of boys. In some countries, this pattern is associated with imbalances in the sex distribution of children available for adoption. In other countries, the perception that girls are easier to raise or that female children are more likely to provide assistance with housework or care-giving activities may explain in part the higher percentage of adoptions involving girls.

### *4. Who is adopting?*

**Most adoptive parents are in the 30-44 age group.** Adoptions by parents who are younger than 30 or older than 44 are less frequent, partly because of the maximum and minimum age limits imposed by the legislation of most countries. Female adoptive parents are generally younger, partly because they are less likely to adopt as step-parents.

**The number of male adoptive parents is roughly the same as that of female adoptive parents.** However, in countries with large numbers of adoptions by step-parents or where adoption by single persons is permitted, differences by sex are noticeable. Among adopting step-parents, men outnumber women, but women outnumber men among single persons who adopt.

**People who are unable to achieve their desired family size through childbearing often resort to adoption.** Country-level surveys and ethnographic studies indicate that persons who are involuntarily childless as a result of sterility, subfecundity or other factors often seek to adopt.

**Adoption is not simply a demographic response to achieve a desired family size for those suffering from involuntary sterility and sub-fecundity.** Whereas involuntary childlessness is often associated with adoption, in several countries a large percentage of persons seeking to adopt already have children of their own.

**Birth mothers who give up their children for the purpose of adoption tend to be young and unmarried.** However, having an extramarital birth, which in the past was a strong reason for placing a child for adoption is no longer strongly associated with the availability of adoptable children. In many societies, unmarried women are deciding to raise children born out of wedlock instead of placing them for adoption.

*5. There is scope for the number of adoptions worldwide to increase*

**Despite the perceived shortage of adoptable children domestically, the number of children in foster care or in institutions generally far exceeds the number of children who are being adopted.** This paradox arises because many children in foster care or in institutions are older or have health problems and are not, therefore, easy to place among prospective adoptive parents who prefer younger and healthy children. In addition, because many children in foster care or in institutions still have ties to their biological parents, they often are not formally adoptable.

**In countries highly affected by the AIDS epidemic, there are a large number of orphans who have lost both their parents to the disease and that could be adopted domestically and internationally.** It is estimated that in Africa, the continent most affected by the epidemic, the current number of domestic adoptions would have to be multiplied by 2,000 to ensure that the estimated 7.7 million orphans in the continent would have an adoptive family. At a global level, the number of adoptions would have to increase by a factor of 60 to provide families to all AIDS orphans.

**Many countries have ratified multilateral, regional or bilateral agreements on intercountry adoption aimed at addressing conflicts of jurisdiction and protecting the welfare of children.** Seventy countries have ratified or acceded to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. As of January 2007, 117 countries had ratified the United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, which stipulates that coercive adoption should be a criminal offence. Nevertheless, child trafficking and selling of children for adoption are still a concern in several countries. Problems in making the various agreements operational have also emerged. Initiatives are under way to ensure that existing international legal mechanisms respond better to the evolving challenges raised by intercountry adoptions.

## II. A FRAMEWORK FOR GATHERING STATISTICS ON ADOPTION

In the report entitled *Child Adoption: Trends and Policies*,<sup>1</sup> the United Nations Population Division documented for the first time what is known about levels and trends in child adoption. However, while the study provides a solid foundation for furthering research on child adoption, the lack of data on adoption and limitations in the data available represent a major obstacle to the understanding of the determinants of adoption, its changing patterns over space and time, and its major trends. Only about half of the countries in the world report some data on adoptions. Furthermore, there is great variability in the data available in terms of completeness, coverage and meaning. Only 88 countries publish information on both intercountry and domestic adoptions and information on the characteristics of adoptive parents, adopted persons and birth parents is severely limited. The absence of harmonization in the ways countries collect, compile and disseminate information on adoption is a major obstacle in understanding how adoption is changing and the factors leading to those changes. It also limits the possibility of answering policy-relevant questions and investigating the overall effects of adoption on children.

To address this gap, the United Nations Population Division has developed a set of guidelines about the type of information required to improve the evidence for the study of adoption. Although the guidelines presented here are developed specifically for countries that recognize the institution of adoption, they can also be useful for countries wishing to improve their information on alternative forms of child guardianship.

The presentation of guidelines starts with the simplest case, namely, adoptions that take place within the jurisdiction of a single country. It then proceeds to consider the more complex situation in which adoptions involve the jurisdiction of two or more countries.

Two attributes of adoptable children and adoptive parents must be taken into account to determine whether the jurisdiction of more than one country is involved: their countries of citizenship and their respective countries of residence. If the adoptable child and the prospective adoptive parent or parents are all citizens and residents of the same country, only one jurisdiction is involved. At the other extreme, if the adoptable child and the prospective adoptive parents all have different countries of citizenship and of residence, there could be up to six jurisdictions involved.

A domestic adoption involves persons who are habitual residents of the same country, regardless of whether they are citizens of that country or not. Domestic adoption is not defined explicitly in international instruments. In contrast, intercountry adoption is normally defined as an adoption that involves a change in the country of habitual residence of the adopted person, a definition consistent with the principles contained in the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.<sup>4</sup> Consequently, an intercountry adoption always involves the jurisdiction of at least two countries.

Usually, the actors in domestic adoptions are both habitual residents and citizens of the country in which the adoption takes place. However, in rare cases, the adoption may involve persons who are habitual residents of the country where the adoption takes place but citizens of different countries. There are also cases in which the adoptive parents and the adopted person are citizens of the same country, but habitual residents of different countries. In those two cases, whether the adoption procedure is considered domestic or intercountry depends on the laws and regulations of the country of residence of the persons involved. Because those cases tend to be rare, the discussion in this chapter assumes that domestic adoptions fall under the jurisdiction of a single country, namely, the country of residence of the adoptable person.

Section II.A describes the proposed framework for the collection, compilation and dissemination of statistics on domestic adoption. Section II.B expands the framework for use in cases of intercountry adoption.

## II.A. FRAMEWORK FOR THE GENERATION AND COLLECTION OF STATISTICS ON DOMESTIC ADOPTION

In order to determine the data required for the demographic study of adoption, we focus on the “adoption triangle”, consisting of the adoptive parents, the adopted person and the person or persons giving up guardianship (usually the birth mother or the birth parents). The number of persons involved in that triangle varies depending on the circumstances of each adoption and on the laws and regulations establishing who can adopt. If single persons are allowed to adopt and the birth parents of the adoptable child are unknown, the adoption may involve only two persons and, perhaps, the State as the entity relinquishing guardianship. If a couple adopts a child having two known and engaged biological parents, five persons would be involved: the two birth parents, the two adoptive parents and the adopted person. The number of persons for which data needs to be recorded ranges, therefore, from a minimum of two to a maximum of five.

Form 1 is recommended as the instrument to record the basic information needed on the persons involved in an adoption. The Form records information on: the type of adoption involved, the dates of several key steps in the adoption procedure and the place where the adoption takes place (in terms of locality and state or province). It also records the date of birth, the sex, the place of habitual residence and the country of citizenship of each person involved in the adoption triangle. Other information recorded includes the current marital status of each of the adoptive parents and of each of the persons relinquishing guardianship as well as their relationship to the adopted child (to distinguish adoptions by step-parents or other relatives from other adoptions and to ascertain whether birth parents were the persons relinquishing guardianship of the adopted person).

Form 1 requires that information be recorded on both persons and events, a crucial distinction that is usually not made explicitly in adoption statistics. To prevent confusion, Form 1 should be filled for *each* child being adopted, irrespective of whether only one decree is issued for multiple children or a decree is issued for each. Copies of the form could then be submitted by the appropriate administrative or judicial authority to the National Statistical Office of the country concerned for processing and the eventual dissemination of adoption statistics.

Note that the names of the persons involved are not recorded in Form 1. Therefore, the National Statistical Office would receive anonymized records, a procedure that would ensure the privacy of the persons concerned. National Statistical Offices have considerable experience in protecting the privacy of individuals and most of them comply with the privacy provisions contained in the Fundamental Principles of Official Statistics.<sup>5</sup>

We describe below the type of information that ought to be recorded in each of the entries in Form 1.

### *1. Characteristics of the adoption event*

*Type of adoption:* The laws or regulations of some countries differentiate between types of adoption, the most common being simple adoption and full adoption. Whatever the categories in existence in a country, it is important that the type of each adoption be recorded explicitly. The legal provisions of each country will determine the relevant categorization. Availability of such data will permit analysts to ensure that the comparisons made are appropriate. It will also permit a better understanding of the differences existing within and between countries.

*Date when the adoption request was received:* This entry and the two following in Form 1 relate to the timing of different stages in the adoption process. It is important to record them separately because a major source of data heterogeneity in existing adoption statistics stems from the practices of different

FORM 1. MINIMUM DATA NEEDED TO MONITOR DOMESTIC ADOPTION

<b>COUNTRY:</b> _____					
<b>DATE WHEN THE FORM IS FILLED (DD/MM/YEAR):</b> _____					
<b>CHARACTERISTICS OF THE EVENT</b>					
Type of adoption (e.g. simple or full):					
Date when the adoption request was received:					
Date when the adoption request was granted:					
Date when the adoption came into effect:					
Authority granting the adoption:					
Place of the adoption:					
Locality (town or city)					
State/Province					
<b>CHARACTERISTICS OF THE PERSONS INVOLVED IN THE EVENT</b>					
	<b>Persons relinquishing guardianship</b>		<b>Adopted person</b>	<b>Persons adopting</b>	
	Person 1	Person 2	Person 0	Person 3	Person 4
Sex					
Date of birth					
Place of habitual residence:					
Locality (town or city)					
State/Province					
Country of citizenship					
Number of children before adoption comes into effect			Not applicable		
Of which, biological children			Not applicable		
Marital status			Not applicable		
Relationship to adopted person			Not applicable		

countries with respect to the dates used for statistical reporting. Note that all dates should be recorded in terms of day, month and year. The date considered here should be the date when the official adoption process starts. The terminology used may vary among countries but the concept is straightforward. Some terms used to refer to this date include: date of deposit of the adoption application with the competent court; date of filing of the adoption application; date of application, or date received. It is implicit in Form 1 that information on an adoption should be transmitted for statistical processing only when the adoption has come into effect. At that point, having a record of the starting date of the process allows useful analysis of the length of the process in relation to other characteristics. Available statistics indicate that some countries carry out statistical reporting as soon as an adoption petition is filed, while others do so only when the adoption is approved and yet others wait until the adoption comes into effect. Standard use of Form 1 for statistical reporting will make it easier to reach comparability by fostering statistical reporting at the end of the process.

*Date when the adoption request was granted:* This is the date, recorded in terms of day, month and year, when the appropriate authority adjudicates in favour of the adoption request. Usually, there is some delay between the granting of an adoption and the time when the adopted person is put in the custody of the adoptive parents, that is, when the adoption actually comes into effect. Form 1 allows authorities to reflect these two different stages of the adoption separately. In cases where the two dates coincide, they should be repeated in Form 1.



*Date when the adoption came into effect:* This is the date, recorded in terms of day, month and year, when the adopted person is actually relinquished to the adoptive parents. As noted above, if it coincides with the date when the adoption request is granted, the same date should be recorded for the two items. In some countries, the adoption becomes effective when the adopted person is registered and obtains a new birth certificate. The registration date would therefore be the date recorded under this item. Since the nomenclature used by different countries for the different stages of the adoption process varies, it is recommended that each country adds to Form 1 the particular term used to describe the event whose date is being recorded.

*Authority granting the adoption:* The type of authority granting the adoption should be recorded since, as noted in the report *Child Adoption: Trends and Policies*, the type of authority involved varies among countries. Distinguishing between civil and judicial authorities is important.

*Place of the adoption:* The place of the adoption should be recorded in terms of the locality and state or province where the authority granting the adoption is located. The locality may be a town, city or other form of administrative territorial unit. Availability of this information allows authorities to compare workload as well as the characteristics of events and their outcomes among different geographical locations. In countries with a federal organization, the practices of different states or provinces may vary and such differences should be reflected in Form 1 (for instance, differences in the terminology used for the different stages of the adoption procedure).

## 2. *Characteristics of the persons affected by the adoption*

*Sex:* The sex of each and every person involved in the adoption triangle—adoptive parents, adopted person, and the persons relinquishing guardianship (generally, the birth parent or parents)—should always be recorded explicitly. Such information should not be deduced from the name of a person or from other indirect evidence.

*Date of birth:* The date of birth in terms of day, month and year should be recorded for each and every person involved in the adoption triangle. Statisticians can then derive relevant measures of age in relation to the dates in which different stages of the adoption process took place. It is important to record date of birth for every person involved, irrespective of whether laws or regulations impose restrictions on the ages that adoptive parents may have or on that of the person being adopted.

*Place of habitual residence:* The place of habitual residence, defined in terms of locality and state or province, should be recorded for each person involved in the adoption triangle. Because Form 1 is intended for use in recording information about domestic adoptions only, it is not expected that any of the persons involved would have a habitual residence outside the country where the adoption is being processed. However, if the regulations of a country allow persons residing abroad to be part of a domestic adoption, their country of habitual residence should also be recorded.

*Country of citizenship:* The country of citizenship of each and every person involved in the adoption triangle should be recorded. It is preferable to record country of citizenship rather than citizenship by itself to avoid confusion between citizenship and ethnic group. If a person has multiple citizenships, including that of his or her country of habitual residence, the citizenship corresponding to the country of habitual residence should be the one recorded.

*Number of children before the adoption comes into effect:* Recording the number of children that the person or persons relinquishing guardianship have (including the person put up for adoption) and the number of children that the adoptive parents already have (excluding the person being adopted) is

important in order to study how the presence of other children affects the decision to put a child up for adoption in the case of the persons relinquishing guardianship or the decision to adopt in the case of the adoptive parents. Note that the number of children should be recorded separately for each of the adults involved in the adoption triangle, even if the two members of a couple report the same number. That number should be repeated for each member of the couple.

*Number of biological children:* It is also useful to record the number of biological children that the persons relinquishing guardianship and the adoptive parents had before the adoption came into effect. Once more, although the number of biological children may be the same for both partners in a couple, the item should be recorded separately for each.

*Marital status:* Information on current marital status should be recorded for each of the adoptive parents and each of the persons relinquishing guardianship (usually, the birth parents). Marital status should be recorded using at least the following categories: (1) never-married; (2) married; (3) in consensual union; (4) separated; (5) divorced, and (6) widowed.

*Relationship to the adopted person:* The relationship to the adopted person of each person relinquishing guardianship should be recorded. It is also important to record the relationship, if any, between the adopted person and the adoptive parents, particularly when one of the latter is a step-parent. Information about the relationship to the adopted person should include, at a minimum, the following categories: (1) birth mother; (2) birth father; (3) step-mother; (4) step-father; (5) grandmother; (6) grandfather; (7) aunt; (8) uncle; (9) sister; (10) brother; (11) other relative and (12) not related.

### 3. Dissemination of data on domestic adoption

Once the data on each adopted person has been recorded by the appropriate administrative or judicial authority, the set of Forms 1, properly filled, should be transmitted for statistical processing to the National Statistical Office or some other centralized governmental entity. The information gathered can then be disseminated in a variety of ways, including via databases accessible on the internet, special releases of data on the cases completed over a certain period or through routine tabulations.

Box 1 provides a suggested list of tabulations useful for monitoring trends in domestic adoptions and their characteristics. The tabulations suggested should be made for all adoptions completed during a year, be it a calendar year or a fiscal year. The tabulations highlighted in bold should be given priority.

In presenting statistics on adoption, countries should make an effort to standardize the way certain characteristics are tabulated to improve the international comparability of data on adoption. Specifically, it is recommended that information on the age of persons relinquishing guardianship and adoptive parents be tabulated by five-year age group starting with 10 to 14 and ending with 65 years or over as the open-ended interval.

For the adopted persons a more detailed age distribution would be useful, either by single years of age or at least having the following age groups: under one year of age; 1 to 2; 3 to 4; 5 to 9; 10 to 14; 15 to 17, and 18 or over. Given that countries often limit adoption to children under a certain age, that age will generally be the upper age limit for tabulations regarding adopted persons by age.

With respect to country of citizenship or country of habitual residence, it is recommended that the standard classification of countries or areas presented in the *Standard Country or Area Codes for Statistical Use, Revision 4*<sup>6</sup> be used in tabulating data by country of citizenship. Combining countries into *ad hoc* groups

should be avoided. However, aggregates for the major regional groups may be presented, provided data are also tabulated by individual country of citizenship or country of habitual residence, as the case may be.

Several tabulations call for data to be classified according to the number of children (“by number of adopted children”, “by number of children” or “by number of biological children”). In setting the categories for reporting the number of children it is recommended that individual numbers be presented separately, even if they are very high. The practice of using an open-ended category, such as 10 children or more, limits the usefulness of the data. If an open-ended category has to be used, its lower limit should be 10 or higher.

As the list of tabulations contained in Box 1 indicates, it is important to tabulate the characteristics of adopted persons in relation to those of the adoptive parents or those of the persons relinquishing guardianship. In depth analysis of the interrelations among the characteristics of all three requires access to

#### BOX 1. RECOMMENDED TABULATIONS ON DOMESTIC ADOPTION

The following tabulations should be made for all persons adopted over a given year, be it a calendar year or a fiscal year. Tabulations in bold should be accorded priority.

*Tabulations on adopted persons by characteristics of the adoption*

1. **Number of persons adopted domestically by sex, age group and type of adoption**
2. Number of persons adopted domestically by sex, age group and place of adoption
3. Number of persons adopted domestically by sex and month in which the adoption came into effect

*Tabulations on persons adopted domestically by characteristics of adoptive parents*

4. **Number of adopted persons by sex and by marital status and age group of adoptive mother**
5. **Number of adopted persons by sex and by marital status and age group of adoptive father**
6. **Number of adopted persons by sex, age group and relationship to adoptive mother**
7. **Number of adopted persons by sex, age group and relationship to adoptive father**
8. Number of adopted persons by sex, age group and country of citizenship of adoptive mother
9. Number of adopted persons by sex, age group and country of citizenship of adoptive father

*Tabulations on persons adopted domestically by characteristics of persons relinquishing guardianship*

10. **Number of adopted persons by sex, age group and relationship to female persons relinquishing guardianship**

11. **Number of adopted persons by sex, age group and relationship with male persons relinquishing guardianship**
12. **Number of adopted persons by sex and by the marital status and age group of the birth mother**
13. **Number of adopted persons by sex and by the marital status and age group of the birth father**

*Tabulations on the adoptive parents of persons adopted domestically*

14. **Number of adoptive parents by sex, age group and country of citizenship**
15. **Number of adoptive mothers by marital status, age group and number of biological children**
16. **Number of adoptive fathers by marital status, age group and number of biological children**
17. Number of adoptive mothers by marital status, age group and number of children before the adoption
18. Number of adoptive fathers by marital status, age group and number of children before the adoption

*Tabulations on the persons relinquishing guardianship of persons adopted domestically*

19. **Number of birth mothers by marital status, age group and number of biological children**
20. Number of female persons relinquishing guardianship by marital status, age group and number of children before the adoption
21. Number of male persons relinquishing guardianship by marital status, age group and number of children before the adoption

data for individual adoption cases so that appropriate multivariate analysis can be carried out. Barring that possibility, tabulations that relate the characteristics of adopted persons to adoptive parents of each sex separately or of persons relinquishing guardianship for each sex separately would go a long way in providing useful insights about the adoption process.

## II.B. FRAMEWORK FOR THE COLLECTION OF STATISTICS ON INTERCOUNTRY ADOPTION

When an adoption involves the jurisdiction of more than one country, more information needs to be gathered on the event than that recorded in Form 1. Form 2 presents the minimum set of items of information needed to monitor trends in and the characteristics of adoptions that involve the jurisdiction of two countries. Note that Form 2 differs from Form 1 mainly in that the adoption may involve two events: one in the country of residence of the persons being adopted (hereafter called “country of origin”) and another in the country of destination. Depending on the laws and regulations of each, the event may be registered at different times in the two jurisdictions involved. In addition, because the adopted person is expected to migrate from one country to another, information about the type of visa granted is also of relevance. Otherwise, the items of information gathered on the persons involved in the adoption are the same as in Form 1 and will not be discussed again below (see subsection II.A above for a detailed discussion of those items).

### *1. Recording the characteristics of the adoption in two countries*

As noted earlier, countries normally have jurisdiction to authorize the adoption of individuals legally residing within their own territory. When the adoptive parents also reside in the country’s territory, the adoption need not involve another jurisdiction. However, when the adopted person and the adoptive parents reside in two different countries, conflicts of jurisdiction and applicable law may arise between the two countries concerned. To avoid such complications, countries often recognize adoption orders promulgated abroad or, if the country of destination does not recognize an adoption order issued abroad, a second adoption order may be issued when the child is brought into the country.

To record the relevant characteristics of the adoption event or events involved, it is recommended that authorities in both, the country of origin and the country of destination, record the relevant characteristics of the event occurring in their respective jurisdictions. In Form 2, the left part of the upper panel is meant to be filled by the authorities of the country of origin, whereas the right part would be filled by the authorities of the country of destination. Ideally, authorities in the country of origin would use Form 2 to record information on the adoption and the persons involved in it before the adopted person leaves the country. Then, they could keep a copy of Form 2, duly filled, and transmit another copy to the country of destination, preferably as part of the set of documents that adoptive parents have to present to authorities in the country of destination. Authorities in the country of destination can then use the same Form 2 to complete the information on the adoption process according to the procedures in their country. Following that procedure, the statistical unit of the country of destination could then carry out the statistical processing of the full set of information gathered using Form 2.

Furthermore, by adding a unique identifier (Form ID) to Form 2, the country of destination could transmit a copy of the completed Form 2 to the country of origin so that it might be matched with the copy left behind to ensure that all children who left a country of origin for a given destination actually arrived there. Ideally, the country of origin would process the first set of information it collected using Form 2 as soon possible so that computer-assisted matching might be carried out when the duplicate and fully completed Form 2 was received from the country of destination.

Matching forms would have the added value of permitting countries where an adopted child lives with the adoptive parents during a probationary period before an intercountry adoption is granted, to have better control on the fate of the children involved in intercountry adoptions.

*(a) Characteristics of the adoption event recorded in the country of origin*

These characteristics are to be recorded on the left side of the upper panel of Form 2. The items in Form 2 that are different from those in Form 1 are described in detail below.

*Country of origin:* The name of the country of origin should appear explicitly in Form 2 because a copy of it will be shared with several countries of destination.

*Country of destination:* Recording the name of the country of destination on the left side of Form 2 is necessary for the country of origin to keep track of the number of adopted children going to each destination.

FORM 2. MINIMUM DATA NEEDED TO MONITOR INTERCOUNTRY ADOPTION

CHARACTERISTICS OF THE INTERCOUNTRY EVENT					
FORM ID:					
PART TO BE FILLED BY AUTHORITIES IN COUNTRY OF ORIGIN			PART TO BE FILLED BY AUTHORITIES IN COUNTRY OF DESTINATION		
Country of origin:			Country of destination:		
Country of destination:			Country of origin:		
Current date:			Current date:		
Type of adoption (simple or full):			Type of adoption (simple or full):		
Date when adoption request was received:			Date when adoption abroad was recognized:		
Date when adoption request was granted:			Date when adoption request was granted:		
Date when the adoption came into effect:			Date when the adoption came into effect:		
Place of the adoption:			Place where the adoption was recognized or granted:		
Locality (town or city)			Locality (town or city)		
State/Province			State/Province		
Date of departure:			Date of arrival:		
Type of exit permit (if required):			Type of visa:		
			Type of residence permit (if appropriate):		
CHARACTERISTICS OF THE PERSONS INVOLVED IN THE EVENT					
	Persons relinquishing guardianship		Adopted person	Persons adopting	
	Person 1	Person 2	Person 0	Person 3	Person 4
Sex					
Date of birth					
Country of habitual residence					
Locality (town or city)					
State/Province					
Country of citizenship					
Number of children before adoption comes into effect			Not applicable		
Of which, biological children			Not applicable		
Marital status			Not applicable		
Relationship to child			Not applicable		

*Current date:* This is the date when the form is filled in the country of origin (left side). It should be recorded in terms of day, month and year.

*The type of adoption:* The type of adoption (for instance, simple or full adoption) should be recorded according to the country of origin. Note that Form 2 makes allowance for recording the type of adoption also from the perspective of the country of destination, in order to make explicit when the type may differ from one jurisdiction to another.

*Date when the adoption request was received by authorities in the country of origin:* As in Form 1, this entry and the two following on the left side of Form 2 relate to the timing of different stages in the adoption process in the country of origin. It is important to record those dates separately because a major source of data heterogeneity in existing adoption statistics stems from different national practices regarding the dates used for statistical reporting. Note that all dates should be recorded in terms of day, month and year. The date considered here should be the date when the official adoption process started in the country of origin. The terminology used for this event may vary among countries but the concept is straightforward. Some terms used to refer to the date of this event include: date of deposit of the adoption application with the competent court; date of filing of the adoption application; date of application, or date received. It is implicit in Form 2 that information on an adoption should be transmitted for statistical processing in the country of origin only when the adoption process has been completed according to its jurisdiction. As mentioned earlier, the information in Form 2 may be processed as soon as the part of Form 2 referring to procedures in the country of origin and to the characteristics of the persons involved are filled so that if, at a later stage, the duplicate is received back from the country of destination, computer-assisted matching can be carried out. The early processing of the country-of-origin information would permit the timely reporting of statistics on intercountry adoption from the country of origin's perspective.

*Date when the adoption request was granted by authorities in the country of origin:* This is the date, recorded in terms of day, month and year, when the appropriate authority in the country of origin adjudicates in favour of the adoption request. Usually, there is some delay between the granting of an adoption and the time when the adopted person is put in the custody of the adoptive parents, that is, when the adoption actually comes into effect. Form 2 allows the authorities of the country of origin to reflect separately those two different dates in the adoption process. In cases where the two dates coincide, they should be repeated in the appropriate entries on the left side of Form 2.

*Date when the adoption came into effect in the country of origin:* This is the date, recorded in terms of day, month and year, when the adopted person is actually relinquished to the adoptive parents by the authorities in the country of origin. As noted above, if it coincides with the date when the adoption request is granted, the same date should be recorded for the two items on the left side of Form 2. In some countries, the adoption only becomes effective when the adopted person is registered with the authorities of the country of destination. In those cases, the date in which the adoption becomes effective may be left blank on the left side of Form 2. Since the nomenclature used by different countries for the different stages of the adoption process varies, it is recommended that each country adds to Form 2 the particular terminology used to describe the event whose date is being recorded.

*Place of the adoption in the country of origin:* The place of the adoption should be recorded in terms of the locality and state or province where the authority granting the adoption is located. The locality may be a town, city or other form of administrative territorial unit. Availability of this information can allow authorities to compare workload as well as the characteristics of events and their outcomes among different geographical locations. In countries with a federal organization, the practices of different states or provinces may vary and such differences should be reflected in Form 2 (as, for instance, differences in the terminology used for the different stages of the adoption procedure).

*Date of departure from the country of origin:* The authorities of the country of origin should record, as accurately as possible, the date of departure of the child from the country of origin. When feasible, the date reported should be corroborated by appropriate documentation (airplane ticket or reservation in other means of transport). Such information is relevant to monitor adoption cases, especially in terms of the timing of departure from the country of origin and arrival in the country of destination (see below).

*Type of exit permit:* If the country of origin requires a special permit to allow the child to leave the country, the type of permit should be recorded.

*(b) Characteristics of the event recorded in the country of destination*

These characteristics are to be recorded on the right side of the upper panel in Form 2.

*Country of destination:* Because a copy of Form 2 will be transmitted to the country of destination, it is important to record explicitly the country that received it and whose authorities filled the information requested on the right side of the Form.

*Country of origin:* By filling in this entry, authorities in the country of destination corroborate that the country of origin where the left side of the form was filled is indeed that from which the adopted person originates.

*Current date:* This is the date when the form is filled in the country of destination (right side). It should be recorded in terms of day, month and year.

*The type of adoption:* The type of adoption (for instance, simple or full adoption) should be recorded according to the regulations and procedures of the country of destination (right side) in order to allow for the possibility that the type of adoption in the country of destination may differ from that in the country of origin.

*Date when the adoption abroad was recognized:* In countries that recognize adoptions granted abroad, the authorities filling the right side of Form 2 should record the date, in terms of day, month and year, when the adoption abroad was recognized by the country of destination. Generally, that date will be the only one relevant to the adoption procedure in the country of destination and the two entries following may be marked as “not applicable”.

*Date when the adoption request was granted by authorities in the country of destination:* In cases where the adoption abroad is not recognized automatically by the country of destination, a procedure to reconfirm the adoption according to the rules and regulations of the country of destination will have to be undertaken. In that case, the date when the adoption was granted by authorities in the country of destination should be recorded on the right side of Form 2 in terms of day, month and year. Note that in this case the date in which the procedure starts is not recorded because it is contingent on the timing of the procedure in the country of origin.

*Date when the adoption comes into effect in the country of destination:* There is usually some delay between the time when the adoption is granted and the time when it comes into effect. Form 2 allows the authorities of the country of destination to reflect separately those two dates in the adoption process when applicable. In cases where the two dates coincide, they should be repeated in the appropriate items on the right side of Form 2.

*Place where the adoption was recognized or granted:* Authorities in the country of destination should record the place where the adoption was either recognized or granted. Place should be recorded in terms of locality, town or city at a first level and in terms of province or state at a second level of geographical aggregation.

*Date of arrival:* Authorities in the country of destination should record the date of arrival of the adopted person in its territory. The date should be recorded in terms of day, month and year.

*Type of visa issued:* Some countries of destination allow children to enter their territory on a temporary visa when the purpose of their entry is to be adopted. Countries of destination should record the type of visa under which the child entered the country.

*Type of residence permit (if appropriate):* The country of destination may provide a special type of residence permit to a foreign child who is a candidate for adoption while the adoption is being processed. In that case, the type of permit granted should be recorded on the right side of Form 2.

*(c) Characteristics of the persons involved in the adoption*

The characteristics of the persons involved in the adoption should be recorded in Form 2 by authorities in the country of origin. Most entries are the same as those included in Form 1 and a description of each can be found in subsection II.A. Note that, for intercountry adoptions, the country of habitual residence of the adopted person is expected to be different from that of the adoptive parents. Since a copy of Form 2 would be submitted to the authorities in the country of destination, they would have the opportunity, if they so wished, of checking the accuracy of the information relative to the adoptive parents.

*2. Tabulations on intercountry adoption*

Box 2 presents two lists of suggested tabulations on intercountry adoptions and the persons involved in them to guide countries of origin and countries of destination, respectively, on the type of statistics that it would be useful to disseminate in regard to intercountry adoptions. Bold face is used to indicate which tabulations should have priority.

Countries of origin should focus on disseminating information on the adoptions of their residents adopted abroad, while countries of destination should provide data on adoptions involving residents of other countries by their own residents. All tabulations should refer to events occurring during a year, be it a calendar or a fiscal year. The recommendations made in subsection II.A.3 about the categories to be used in tabulating age of children, age of adults, relationships between persons or the marital status of adults should be followed. Similarly, in tabulating data by country (of destination, origin, citizenship or habitual residence), it is important to list each country separately and to avoid reporting data in terms of ad hoc country groupings.



## BOX 2. RECOMMENDED TABULATIONS ON INTERCOUNTRY ADOPTION

The following tabulations should be made for all persons adopted over a given year, be it a calendar year or a fiscal year. Tabulations in bold should be accorded priority. Different tabulations should be made about resident persons adopted from abroad (for whom the reporting country is the country of origin) and about non-residents adopted by residents (for whom the reporting country is the country of destination).

### Country of origin

*Tabulations on persons adopted via an intercountry procedure by characteristics of the adoption*

- 1. Number of resident persons adopted via an intercountry procedure by sex, age group and type of adoption**
- 2. Number of resident persons adopted via an intercountry procedure by sex, age group and country of destination**
3. Number of resident persons adopted via an intercountry procedure by sex, age group and place of adoption
4. Number of resident persons adopted via an intercountry procedure by sex and by month in which the adoption came into effect
5. Number of resident persons adopted via an intercountry procedure by sex and by month of departure for the country of destination

*Tabulations on persons adopted via an intercountry procedure by characteristics of the adoptive parents*

- 6. Number of resident persons adopted via an intercountry procedure by sex and by marital status and age group of adoptive mother**
- 7. Number of resident persons adopted via an intercountry procedure by sex and by marital status and age group of adoptive father**
- 8. Number of resident persons adopted via an intercountry procedure by sex, age group and relationship to adoptive mother**
- 9. Number of resident persons adopted via an intercountry procedure by sex, age group and relationship to adoptive father**
10. Number of resident persons adopted via an intercountry procedure by sex, age group and country of citizenship of adoptive mother
11. Number of resident persons adopted via an intercountry procedure by sex, age group and country of citizenship of adoptive father

### Country of destination

*Tabulations on persons adopted abroad by characteristics of the adoption*

- 1. Number of persons adopted via an intercountry procedure by sex, age group and type of adoption**
- 2. Number of persons adopted via an intercountry procedure by sex, age group and country of origin**
3. Number of persons adopted via an intercountry procedure by sex, age group and place of adoption
4. Number of persons adopted via an intercountry procedure by sex and by month in which the adoption was recognized or came into effect
5. Number of persons adopted via an intercountry procedure by sex and by month of arrival

*Tabulations on persons adopted abroad by characteristics of the adoptive parents*

- 6. Number of persons adopted via an intercountry procedure by sex and by marital status and age group of adoptive mother**
- 7. Number of persons adopted via an intercountry procedure by sex and by marital status and age group of adoptive father**
- 8. Number of persons adopted via an intercountry procedure by sex, age group, country of origin and relationship to adoptive mother**
- 9. Number of persons adopted via an intercountry procedure by sex, age group, country of origin and relationship to adoptive father**
10. Number of persons adopted via an intercountry procedure by sex, age group and country of citizenship of adoptive mother
11. Number of persons adopted via an intercountry procedure by sex, age group and country of citizenship of adoptive father

BOX 2. (continued)

**Country of origin**

*Tabulations on persons adopted via an intercountry procedure by characteristics of persons relinquishing guardianship*

- 12. Number of resident persons adopted via an intercountry procedure by sex, age group and relationship to female persons relinquishing guardianship**
- 13. Number of resident persons adopted via an intercountry procedure by sex, age group and relationship to male persons relinquishing guardianship**
- 14. Number of resident persons adopted via an intercountry procedure by sex and by marital status and age group of birth mother**
15. Number of resident persons adopted via an intercountry procedure by sex and by marital status and age group of birth father

*Tabulations on the characteristics of adoptive parents of persons adopted via an intercountry procedure*

- 16. Number of adoptive mothers by marital status, age group and country of citizenship**
- 17. Number of adoptive fathers by marital status, age group and country of citizenship**
18. Number of adoptive parents by sex, age group and country of citizenship
- 19. Number of adoptive mothers by marital status, age group and number of biological children**
- 20. Number of adoptive fathers by marital status, age group and number of biological children**
21. Number of adoptive mothers by marital status, age group and number of children before the adoption
22. Number of adoptive fathers by marital status, age group and number of children before the adoption

*Tabulations on the persons relinquishing guardianship of persons adopted via an intercountry procedure*

- 23. Number of birth mothers by marital status, age group and number of biological children**
24. Number of female persons relinquishing guardianship by marital status, age group and number of children before the adoption
25. Number of male persons relinquishing guardianship by marital status, age group and number of children before the adoption

**Country of destination**

*Tabulations on persons adopted abroad by characteristics of persons relinquishing guardianship*

- 12. Number of persons adopted via an intercountry procedure by sex, age group and relationship to female persons relinquishing guardianship**
- 13. Number of persons adopted via an intercountry procedure by sex, age group and relationship to male persons relinquishing guardianship**
- 14. Number of persons adopted via an intercountry procedure by sex and by marital status and age group of birth mother**
15. Number of persons adopted via an intercountry procedure by sex and by marital status and age group of birth father

*Tabulations on the characteristics of adoptive parents of persons adopted abroad*

- 16. Number of adoptive mothers by marital status, age group and country of citizenship**
- 17. Number of adoptive fathers by marital status, age group and country of citizenship**
18. Number of adoptive parents by sex, age group and country of citizenship
- 19. Number of adoptive mothers by marital status, age group and number of biological children**
- 20. Number of adoptive fathers by marital status, age group and number of biological children**
21. Number of adoptive mothers by marital status, age group and number of children before the adoption
22. Number of adoptive fathers by marital status, age group and number of children before the adoption

*Tabulations on the persons relinquishing guardianship of persons adopted abroad*

- 23. Number of birth mothers by marital status, age group and number of biological children**
- 24. Number of birth mothers by marital status, age group, number of biological children and country of citizenship**
25. Number of female persons relinquishing guardianship by marital status, age group and number of children before the adoption
26. Number of male persons relinquishing guardianship by marital status, age group and number of children before the adoption

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<sup>1</sup> United Nations (2009). *Child Adoption: Trends and Policies* (United Nations publication, Sales No. E.10.XIII.4).

<sup>2</sup> This review is based primarily on the reports submitted to the Committee on the Rights of the Child by States parties to the 1989 United Nations Convention on the Rights of the Child. Also used as sources of information were the country replies to the questionnaire on the implementation of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption as well as other official national sources.

<sup>3</sup> Under Islamic law, *kafalah* is the practice whereby abandoned or orphaned children are placed in the care of adults, usually relatives, but do not lose their father's name and do not automatically acquire the right of inheritance from their guardians.

<sup>4</sup> From a legal perspective, the Hague Convention is unambiguous: it applies only to children who are habitual residents in one contracting State—the State of origin—and are moved to another contracting State—the receiving State—either after their adoption or for the purpose of adoption (art. 2).

<sup>5</sup> See United Nations, "Fundamental Principles of Official Statistics" (ST/ESA/STAT/OFFICIALSTATISTICS/WWW). Available from <http://unstats.un.org/unsd/methods/statorg/FP-English.htm> (accessed 25 March 2010).

<sup>6</sup> United Nations (1998). *Standard Country or Area Codes for Statistical Use, Revision 4* (United Nations publication, Sales No. 98.XVII.9).