



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
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Federal Department of Justice and Police
Federal Office of Justice
Private International Law Unit

State responses to past illicit intercountry adoptions

Switzerland's experience

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When past scandals resurface...

- 2017: TV reportage in the Netherlands, picked up by Swiss Media
- Context: persons adopted from Sri Lanka as children in the 80s, now on search for biological family
- Already in the 80s wide media coverage and questions from politicians, reports of «Baby farms» and «acting mothers»
- March 2018: official mandate from parliament to Swiss government to present a report on three aspects: (1) historical analysis, (2) critical analysis of current system (3) support to adoptees for search of origins
- December 2020: publication of report, official statement, launch of further steps



(1) Historical research

- Initial report on Sri Lanka by the Zurich University of applied sciences (ZHAW) published in January 2020
- Federal Office of Justice set up an advisory/monitoring group to help with the report, which included representatives of «Back to the Roots» (Swiss NGO for people adopted from Sri Lanka)
- Additional report of ZHAW on 10 additional countries of origin published in November 2023
- Other research mandated by cantons, in particular www.adoptationsforschung.ch with a focus on India India
- Based on the findings, the Swiss government acknowledged past wrongdoings of the Swiss authorities and expressed its regrets towards the adoptees and their families (first for Sri Lanka in December 2020, then generally in December 2023)



(2) Critical analysis of current system

- Following the report of 2020, Experts' group was set up
- Final report published in January 2025 with two options for the future: end ICA or major reform of the current system
- Decision of the Swiss government to prefer the scenario of phasing out of ICAs
- Strong opposition from parliament and general public
- Ongoing work on a legislative project, to be submitted in December 2026 to public consultation, with the two options (stop or reform). Will include proposals to strengthen support to search of origins



(3) Support for search of origins

- Each of the 26 cantons has designated an «Information and counselling service» that supports search of origins procedures (search of documents and persons in Switzerland and abroad)
- Agreed Protocol with Central Authority of Sri Lanka on search of origins process including for «historical» cases
- Pilot project between 2022 and 2025 with Back to the Roots to finance additional support for Swiss adoptees from Sri Lanka
- Ongoing reform to strengthen support for search of origins based on the recommendations of a Working group



Key lessons

- What is needed:
 - Media attention
 - Political will and openness
 - Facts
 - A voice for the adoptees / their biological families
- Set up a process that involves:
 - Independent fact-finding
 - Reform current system if needed
 - Official statement
 - Remedies

For all: Involvement of adoptees / their biological families!



Last thoughts

- It's a long process, that will evolve together with public opinion/perception and political will/support
- We are only half of the story – we need similar initiatives in the countries of origins and strong cooperation with them, and also cooperation between receiving countries



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Thank you

Information and various reports available on

<https://www.bj.admin.ch/bj/en/home/gesellschaft/adoption/ille-gale-adoptionen.html>

See also the website of Back to the Roots

www.backtotheroots.net