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Codifying adoption under a unified legal framework: A necessity for safeguarding children's rights

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Background: The law that governs adoption in Sri Lanka is the Adoption of Children Ordinance No. 24 of 1941; together with that, the fact that there is no a single legal framework has resulted in variations in child protection laws. The presence of a few legislative bodies leads to differences in the procedures for adoption as well as in the rights of inheritance and other post-adoption safeguards. To secure the best interests of children, it is desirable to consolidate all adoption laws in a unified, standard, legal framework.

Method: This research is a legal analysis of the adoption laws in Sri Lanka and the international best techniques are also compared. According to the investigations, the lacunas and the usefulness of a codified adoption law to the children and the clearness of the law were assessed.

Results: The study displays the unsystematic nature of the legal mechanisms, the results of which include the creation of legal uncertainty, the undermining of the post-adoption monitoring system and unequal protection of the needs of the children. In contrast, countries such as India and the United States have enacted laws to allow adoption that are transparent and provide clear conditions under which the welfare of the children is upheld. A uniform approach in Sri Lanka will result in the resolution of all of the discrepancies and in securing the enhancement of all child rights.

Conclusions: Profound protection of children's rights, Sri Lanka must establish a single adoption law that guarantees sameness in the way of working, legality, and support after adoption. And aligning the adoption laws with international conventions such as the UNCRC. A statutory regulation for adoption will protect children's rights, offer them a stable family setting, and will be a pledge for Sri Lanka to promote child welfare.

Keywords: Adoption, children's rights, legal framework, adoption law.