



**Faculty of Graduate Studies**  
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**ADOPTION OF CHILDREN IN SRI LANKA:  
A COMPARATIVE ANALYSIS**

In Partial fulfillment of the requirement of the Degree of Master of Laws

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## **ABSTRACT**

### **ADOPTION OF CHILDREN IN SRI LANKA: A COMPARATIVE ANALYSIS**

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Adoption of Children is one area where a conflict of culture and human rights occurs mainly between children, natural parents, adoptive parents, and sole person. A variation of interpretation and expression of the rights and obligations between these stakeholders could be identified in different legal systems. The variation is mostly found between universalism and cultural relativism. The demands of law become more complicated when the parents belong to two different cultures and they are governed by different laws. As Sri Lanka is a plural legal tradition such experiences are not rare when adopting children. Except for Muslim Law the other plural legal tradition does not 'prohibit' adopt a child in their laws. In general, the Adoption of children Ordinance No.24 of 1941, answered issues of large-scale organized bodies, baby farming, the sale of children, and trafficking. But the focus of the children's adoption law should mainly be on the children, as it is their lives, which are at risk due to reasons beyond their control. Restrictions on making adoption orders with the burden of the terms of 'cannot be found' and 'special circumstances' are to be answered from 1941 to date. A balanced approach to the law needs to take cognizance of the demands of both the rights holders as well as the duty bears. This research is focuses on the applicable laws of Sri Lanka in the light of international standards with jurisdictions of India and Thailand. Further recommendations and conclusion on how best to ensure the advancement of the best interest of the child's right in the plural legal system of the country.

**KEYWORDS:** Children adoption, Sri Lankan Law, India, Thailand