



## Intercountry adoption system not sustainable

**“The current system of intercountry adoption cannot be maintained,” concludes the Committee investigating intercountry adoption after an extensive investigation. Not only have there been many abuses in the past, the system of intercountry adoption is still open to fraud and abuses continue to this day. The committee therefore recommends suspending intercountry adoptions. Moreover: “The committee has serious doubts about whether it is possible to design a realistic public-law system under which the abuses identified would no longer occur”.**

The consequences of their adoption are drastic for many of those involved. Because of the way in which their adoption was conducted, many adoptees cannot discover their identity. Not understanding their origins and having to live with unanswered questions causes them anger, pain and sadness, notwithstanding how they experience their life in the Netherlands. The birth parents and families and the adoptive parents are also affected by the profound effects of the adoption abuses.

The committee, consisting of Mrs. Prof. Dr. Beatrice de Graaf, Mr. Bert-Jan Houtzagers and chaired by Mr. Tjibbe Joustra, established by the Minister for Legal Protection, Mr. Sander Dekker, stresses the need for the government to restore its damaged relationship with adoptees, adoptive parents, birth parents and families. This is conditional on the government that they fell short when it came to tackling adoption abuses.

The committee advises the Minister to set up an independent National Centre of Expertise, which combines knowledge about matters of identity questions, searching and follow-up care. For example, adoptees can be facilitated in accessing their adoption files, searching for their birth parents, and finding appropriate psychosocial and legal support.

“The first reports of adoption abuses started appearing in the media in the late 1960s. About the falsification of documents, the abuse of poverty among the birth mothers and the abandonment of children for payment or through coercion. Still, despite their harrowing nature, these reports failed to introduce a note of critical reflection into the public and political debate, let alone lead to a rethinking of the system of intercountry adoption”, said the committee in its final report presented to the Minister for Legal Protection, Mr. Sander Dekker.

From the late 1960s, the Dutch government was aware of adoption abuses. In addition, the government failed to fulfill its responsibilities and obligations and neglected to

intervene when there was reason to do so, for example by means of legislation with tighter conditions, improving oversight of adoptions in practice, monitoring compliance with laws and regulations, and investigating reports. The Dutch intermediaries were also aware of the abuses, but did not intervene. This has allowed abuses to continue.

For too long, intercountry adoption has been viewed socially and politically as a laudable way to rescue children in need. In addition, it satisfied the desire for children among parents in the Netherlands. This prevailing view of “doing good” has prevented timely action against abuses.

In the five countries studied - Bangladesh, Brazil, Colombia, Indonesia and Sri Lanka - serious abuses surrounding intercountry adoption occurred in the period from 1967 to 1998. But the Committee notes that there were also adoption abuses before 1967, after 1998 and in other countries. The abuses relate both to activities that took place in conflict with applicable laws and regulations, and to unethical acts.

Examples of illegal activities include: corruption; making it impossible or more difficult to establish the origins and identity of adoptees by falsifying documents; causing children to be given up in return for payment or through coercion; child trafficking; baby farming and obscuring a child’s identity. An example of unethical acts is the abuse of mothers’ poverty or other social and cultural circumstances such as war, natural disasters and social taboos.

Representatives of the Dutch government were in some cases involved in adoption abuses, their conduct broke the rules to facilitate and/or speed up adoptions. The committee has found no indications of bribery or corruption of Dutch civil servants.

The Committee recommends that the lessons from the investigation into adoption abuses be applied to new family formation methods, such as surrogacy. According to the committee, issues surrounding autonomy and knowledge of one’s origins are just as significant a feature.