UNITED NATIONS INTERNATIONAL CHILDREN's FUND

Establishing a framework for international adoptions.

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Issue: Establishing a framework for international adoptions

Position: Chair

Introduction

Nowadays, people who find themselves in relationships with infertile partners (women who have the right to / and want to be able to reproduce but are incapable of doing so, mostly because of ovulation failures that are caused by ovarian and gynaecological conditions, like primary ovarian insufficiency (POI) and polycystic ovary syndrome (PCOS)), tend to turn to adoption, a method that can legalise the process of a child or children being taken under the supervision of responsible, adult guardians, through the usage of safe, permanent and legal means (a; getting in touch with a licensed adoption placement agency, b; filling out any and all required documentation for confirmation and for legalisation of said process, c; having one or more workers do a home study to examine the environment that the child would grow up in, were they to actually / eventually be adopted by the prospective parents, etcetera).

This way, people can actually fulfil their wants / dreams of becoming parents and taking care of children (as well as building meaningful relationships, experiencing new cultural traditions, exposing themselves to new activities and interests, as well as continuously learning and growing), since adoption is a guaranteed way to add a child to a family, without the emotional and financial risk involved in IVF treatments (another possible way of growing children, besides adoption; a process of fertilisation).

Several women are not fertile, but there are others that simply don't want to give birth, despite the fact that they are fertile. One of the reasons why some women decide that they do not want to give birth is because even though they are fertile, they may not want to not pass their genes on for their own personal reasons. At the same time, they may not want to have children due to religious beliefs, or even because of tokophobia, an extreme fear of childbirth. Still, thousands of people are still compassionate and want to keep an open door for children. And so again, adoption is a possible solution.

At the same time, one individual must take into consideration the fact that besides losing their parents to war, tragic accidents and other unfortunate events, children might find themselves living at adoption centres due to their guardians being unable to offer them the life they would have wanted (possible reasons as to why that happens is because the mother might conceive a baby at an early age which she does not want to abort but give away since she wants to continue her studies at school, university or building her career, or she might just not feel emotionally available and ready to take up such responsibility).

Therefore, adoption can be considered as an opportunity for children to have a stable home environment, better mental and behavioural health and success in personal and educational endeavours. In other words, adopted children can actually live a very fulfilling life, compared to the one they would have were they to stay at an adoption centre or with their previous guardians.

Generally, no one who has ever thought of adoption has considered it dangerous or bad, since it shouldn't be that in the first place. However, adoption has numerous issues on its own, and it has actually been linked, -and that is, several times so far- with human trafficking and other dangerous situations, like child-kidnapping or even money laundering scemes, which cause nothing but very concerning controversies.

To begin with, it is clear to many that the reason why child-trafficking has so much to do with international adoptions is because there are several opportunistic individuals and governments out there that seek to exploit children and well-intending families for profit or for other reasons.

With this enormous market, many opportunities exist for profit seekers. Promises of astronomical adoption fees motivate orphanages to ensure a steady supply of children. This causes orphanages to resort to drastic measures, even occasionally paying kidnappers directly. According to Carney's reports in his book The Red Market, the problem is particularly rampant in impoverished Asian countries. Malaysian Social Services, located in Chennai, India, has paid about $236 per child, while China's Hunan Province hosts institutions that openly purchase children for up to $350. Western adoption agencies are not immune from temptation either. Notably, employees of Zoe's Ark, a French charity, attempted to fly 103 "Sudanese war refugees" from Chad in 2007. Police later determined that most of the children had been taken unwillingly from their families in Chad.

Until today, we have come across numerous other cases where children have been told that they are sent to study programs abroad to broaden their horizons and expand their knowledge, and that they do believe, until they arrive in a different country and realise that their own rights have been violated by being signed away to new parents (most of the time, the parents don't

know that their adopted child still had parents in their home country, so they end up committing a fraud, even without wanting to.) without their will and without them being aware of it. (The children may be held in sham orphanages while formal international adoption processes are used to send the children to adoptive parents in another country. It is because of this now that everytime parents want to adopt a child they have to make sure that the organisation they are working with is safe.

In other words, there are many ways in which a child can find themselves in dangerous and complicated situations because of international adoptions, and because of exactly that, is more likely that the child will suffer from ailments such as malnutrition, disease, and delays in physical, hormonal, cognitive, and emotional development. Even if the above may not always take place, a child still has to face institutional neglect and abuse.

On the other hand, parents get affected as well. To be more specific, overregulation is causing the cost of international adoption financially burdensome for prospective adoptive families. That way, the parents have to face financial difficulties and might not be able to adopt because of them.

Furthermore, there is what we call a money laundering scheme; the process by which a person - or more likely a network of people - conceal the true source of illegal proceeds. These funds may come from fraud, corruption, drug trafficking, or other unlawful activities.

In this case, child laundering rings are often expansive with multiple hierarchies of people motivated by large profits from the black markets of intercountry adoptions, and that takes place internationally. With rich people willing to spend thousands of dollars to adopt a child, enough monetary incentives are created to extend the laundering ring from the middle classes to societies' more affluent groups. These "baby broker" families subsequently forge a new identity for the laundered child, "validating" the child's legal status as an orphan and ensuring the scheme will not be uncovered.

Child laundering is highly controversial; while many argue that these children are being treated as a commodity and stripped of family contact, others argue that, ultimately, the children will live in a more affluent environment and have more opportunities as a result of this adoption.

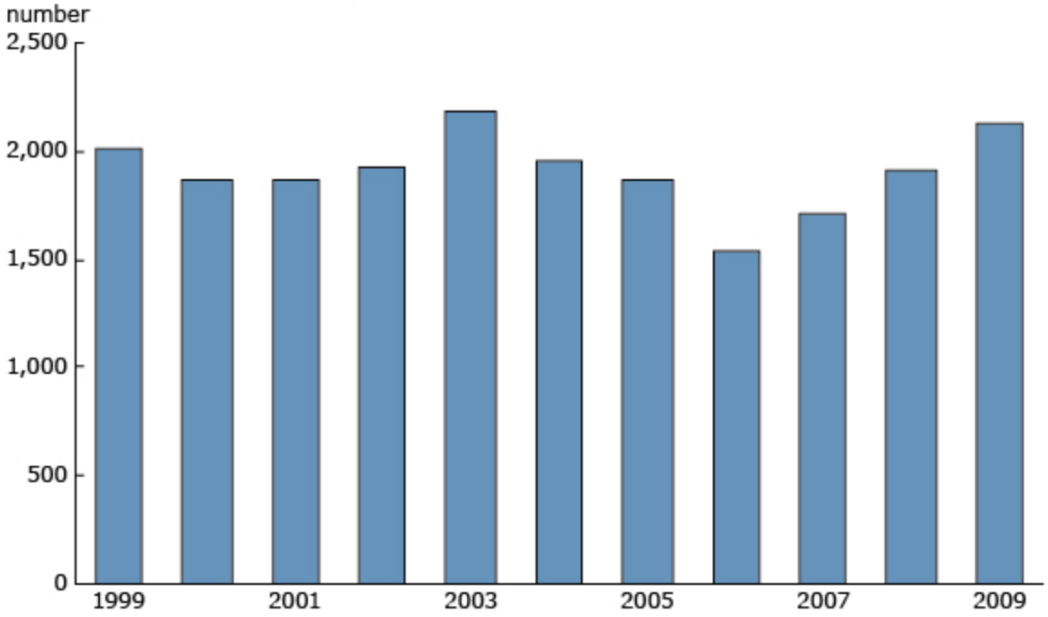
Lastly, another reason why international adoption may not be the best thing for a child is because being taken away from their own familiar environment and having to adapt to a new language and learn it to communicate with other people as well as being forced to a completely

different culture and surroundings can be traumatic. This would probably not be as much of a complication if parents picked intercountry adoptions, but it still is very important.

As a result of those scandals (human trafficking, child kidnapping and money laundering and others) some countries like Argentina, Burma (Myanmar), Ethiopia, Grenada, Iran, Iraq, Kenya, Maldives and others have altogether banned international adoptions, whilst Canada has banned and suspended adoptions from specific countries. Countries that haven't banned international adoptions are China, India, Haidi, Thailand, Colombia, Bahamas, South Korea, Bulgaria and more.

All in all, adoption can in fact be both a good and a bad thing. Because of that, it is necessary that the committee and people from all around the world work together to combat these scandals and prevent them or anything similar from happening again, whilst they also try to find ways to punish the violators and protect children. In order for that to happen, solutions are required so that they can be used to establish a framework for international adoptions, making the whole process a safe method to use for people in want and need, whether these people are children, parents or both.

Chart 5.3 International adoptions in Canada



Note: Data available as of December 23, 2010.
Source: Statistics Canada, Catalogue no. 91-209-X.

Definition of Key Terms

International adoptions: The process by which you adopt a child from a country other than your own through permanent legal means and then bring that child to your country of residence to live with you permanently.

Adoption: The action or fact of legally taking another's child and bringing it up as one's own, or the fact of being adopted.

International Legal Framework: The rules, rights and obligations of companies, governments, and citizens are set forth in a system of legal documents, called a legal framework. In this case it can happen internationally, so all over the world, instead of one country only.

Hague Conference on Private International Law **(HCCH)**: is a global intergovernmental organisation. A "melting pot of different legal traditions", it develops and services multilateral legal instruments, which respond to global needs, such as adoption.

Legal Means: Several methods that are being imposed in order for all types of matters to be resolved in a civil, calm and peaceful way.

Illegal Adoptions: Adoptions resulting from crimes such as abduction and sale of and trafficking in children, fraud in the declaration of adaptability, falsification of official documents or coercion, and any illicit activity or practice such as lack of proper consent by biological parents, improper financial gain by intermediaries and related corruption, constitute illegal adoptions and must be prohibited, criminalised and sanctioned as such.

Illegal adoptions violate multiple child rights norms and principles, including the best interests of the child, the principle of subsidiarity and the prohibition of improper financial gain. These principles are breached when the purpose of an adoption is to find a child for adoptive parents rather than a family for the child.

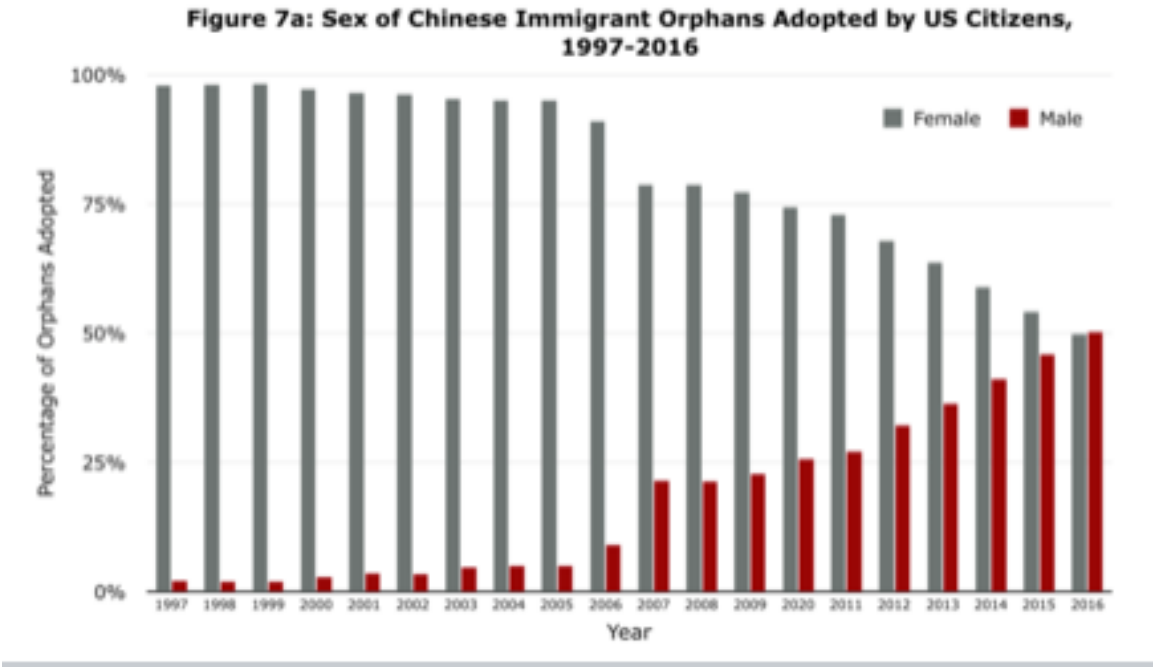
Adoption Documentation: Adoption document is an adoption-related document filed with the office, a petition for adoption, a decree of adoption, an original birth certificate, or evidence submitted in support of a supplementary birth certificate. Such documentation can be used to confirm any event or process when needed.

Child Trafficking: the action or practice of illegally procuring and relocating children, typically for the purposes of forced labour or sexual exploitation.

Child laundering: a scheme whereby intercountry adoptions are affected by illegal and fraudulent means.

Fertility: the capability to produce offspring through reproduction following the onset of sexual maturity.

Infertility: not being able to get pregnant (conceive) after one year (or longer) of unprotected sex.



General Overview and Major Parties Involved

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History of Adoptions and Related Laws

United States ; In the United States, state legislatures began passing adoption laws in the nineteenth-century. The Massachusetts Adoption of Children Act, enacted in 1851, is widely considered the first "modern" adoption law. Adoption reform in other western industrial nations lagged. England, for example, did not pass adoption legislation until 1926. Observers have frequently attributed the acceptance of adoption in the United States to its compatibility with cherished national traditions, from immigration to democracy. According to this way of thinking, solidarities achieved on purpose are more powerful—and more quintessentially American—than solidarities ascribed to blood. Yet adoption has always had a symbolic importance that outstripped its statistical significance.

During the twentieth century, numbers of adoptions increased dramatically in the United States. In 1900, formalising adoptive kinship in a court was still very rare. By 1970, the numerical peak of twentieth-century adoption, 175.000 adoptions were finalised annually. "Stranger" or "non-relative" adoptions have predominated over time, and most people equate adoption with families in which parents and children lack genetic ties. Today, however, a majority of children are adopted by natal relatives and step-parents, a development that corresponds to the rise of divorce, remarriage, and long-term cohabitation.

Conservative estimates (which do not include informal adoptions) suggest that five million Americans alive today are adoptees, 2-4 percent of all families have adopted, and 2.5 percent of all children under 18 are adopted. Accurate historical statistics about twentieth-century adoption are, unfortunately, almost impossible to locate. A national reporting system existed for only thirty years (from 1945 to 1975) and even during this period, data was supplied by states and territories on a purely voluntary basis.

Modern adoption history has been marked by vigorous reforms dedicated to surrounding child placement with legal and scientific safeguards enforced by trained professionals working under the auspices of certified agencies. In 1917, for instance, Minnesota passed the first state law that required children and adults to be investigated and adoption records to be shielded from public view. By midcentury, virtually all states in the country had revised their laws to incorporate such minimum standards as pre-placement inquiry, post-placement probation, and confidentiality and sealed records. At their best, these standards promoted child welfare. Yet they also reflected eugenic anxieties about the quality of adoptable children and served to make adult tastes and preferences more influential in adoption than children's needs.

Germany, Korea, China and Guatemala ; Since World War II, adoption has clearly globalised. From Germany in the 1940s and Korea in the 1950s to China and Guatemala today, countries that export children for adoption have been devastated by poverty, war, and genocide. Because growing numbers of adoptions are transracial and/or international, many of today's adoptive

families have literally made adoption more visible than it was in the past. But total numbers of adoptions have actually declined since 1970. In recent years, approximately 125.000 children have been adopted annually by strangers and relatives in the United States.

Despite the fact that the US receives international adoptees as it is a quite popular country to adopt from, South Korea remains on the top of the list of countries with the most international adoptees being sent there, having started to receive them ever since 1955. To this very day, Korea is going strong, and followed by it are countries like Colombia, Nigeria, Haiti, Bulgaria and India.

However, the countries that have the most children up for adoption and provide them to people who want them are China, Ukraine, Uganda, Taiwan and the Democratic Republic of Congo.

Netherlands, Romania, Iran, Iraq, Kenya, Maldives, Saudi Arabia, and Paraguay have also banned international adoptions due to the concern of the health and the well-being of children.

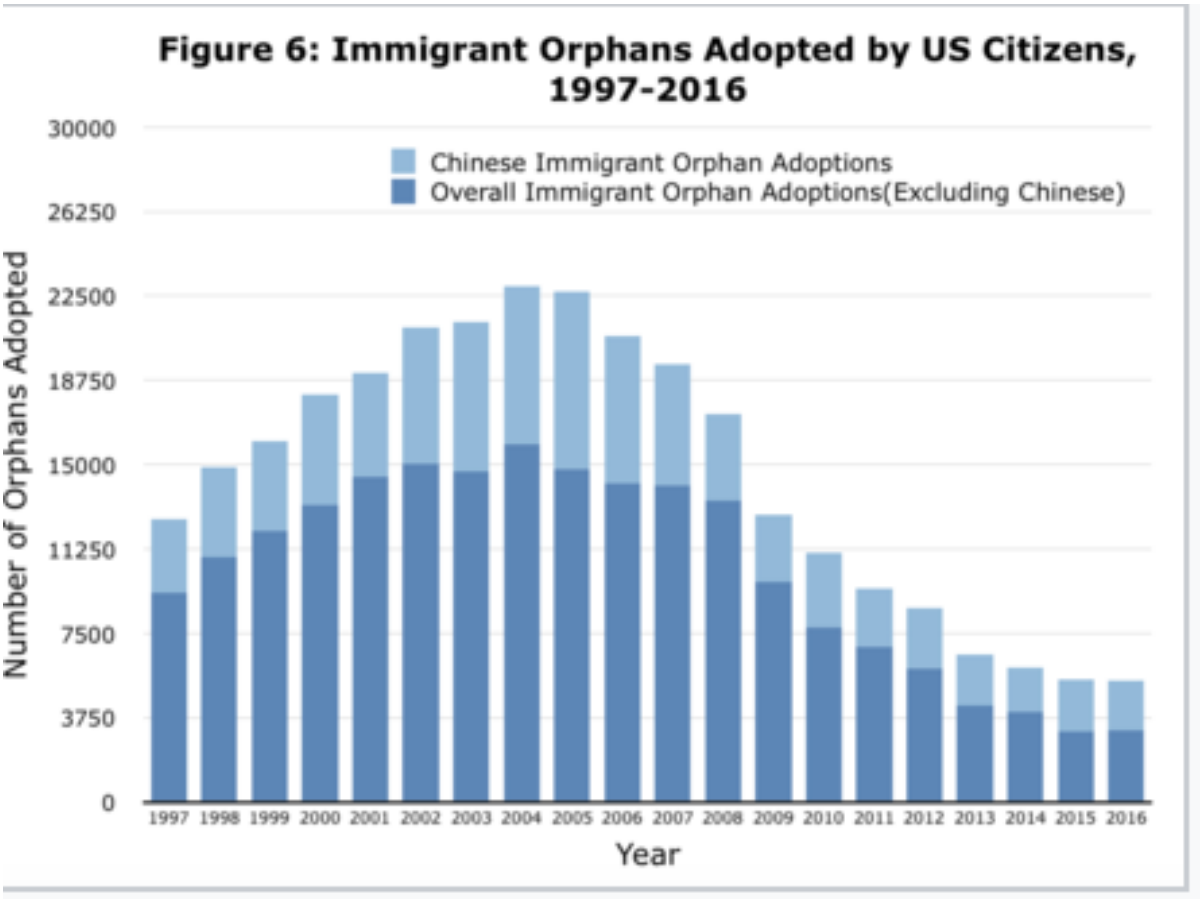
Since 1950, a number of major shifts have occurred. First, "adoptability" expanded beyond "normal" children to include older, disabled, non-white, and other children with special needs. Since 1970, earlier reforms guaranteeing confidentiality and sealed records have been forcefully criticised and movements to encourage search, reunion, and "open adoption" have mobilised sympathy and support. The adoption closet has been replaced by an astonishing variety of adoption communities and communications. Adoption is visible in popular culture, grassroots organisations, politics, daily media, and on the internet.

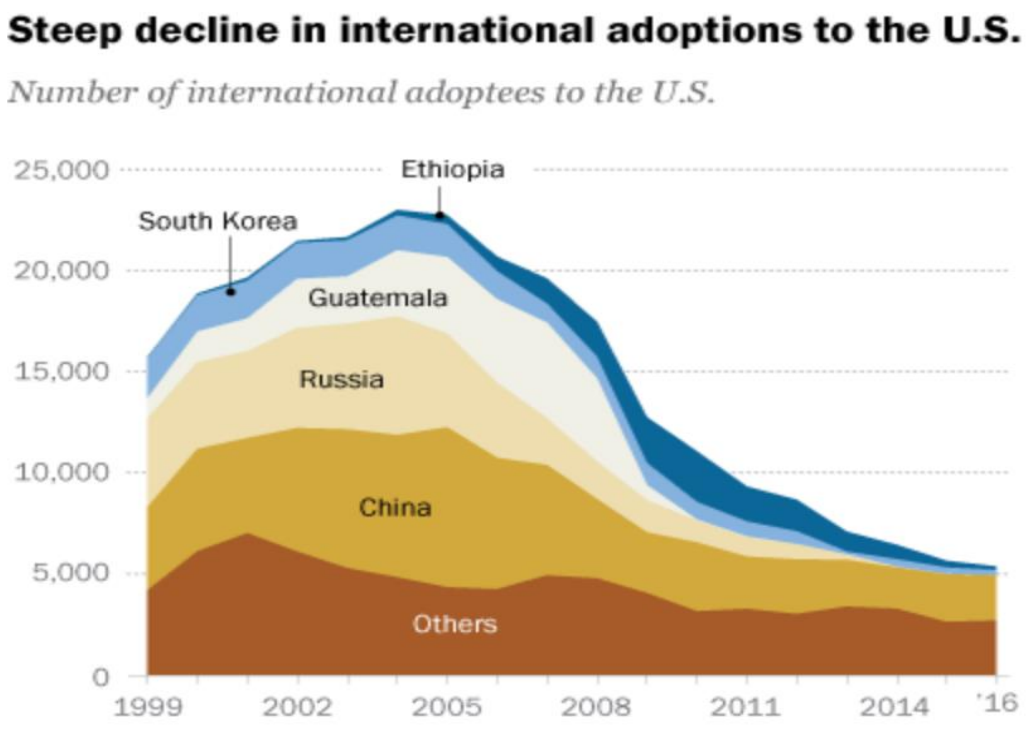
The above were only a few of the reasons why the mentioned countries are important on the international level. A few factors, however, that makes them major players on this issue are the following ones; China, India and Haiti are members of the Hague Convention, whilst at the same time they have the same rules as to who exactly can adopt (married, unmarried couples, etc.) and how old the people do that should be. To add in, these countries have agreed to what seems to be a similar age of children available to adopt.

Other countries' policies are similar based on sex-marriage, and sadly almost all of them do not allow LGBTQ+ individuals or couples to adopt children from them. These countries still however attract numerous international adoptees, despite their restrictions.

Based on one of the most recent reports back in 2016 (about people from the US who adopted), 2.231 children were adopted from China, 360 from the Democratic Republic of Congo, 301 from

Ukraine, 260 from South Korea, 194 from India, 187 from Uganda, 182 from Ethiopia, 178 from Haiti, 131 from Colombia and 59 from Taiwan.





Timeline of Key Events

1851: The first child welfare law in the history of adoption in the U.S. is passed in Massachusetts.

1854-1910: The orphanage system defines the adoption landscape. While orphanages existed for decades past this point, other forms of adoption that had greater protections for children and respect for birth parents would begin to take over.

1910: The first private agencies in the history of adoption are formed. These agencies were instrumental in creating a process that was better for birth parents.

1912: The U.S. government officially creates the U.S. Children's Bureau — a monumental step toward a more unified system of caring for children in the history of adoption.

1910s-1950s: Adoption reforms, regulations and process improvements form the base of the modern adoption system. While the system continues to change to this day, this era of child welfare law was foundational to the process we know as adoption today.

1968: An attempt to harmonise adoption laws among Member States of the Council of Europe was made with the European Convention on the Adoption of Children (1967), which entered into force in April.

1950-53: Since the War, South Korea has expedited the adoptions of over 200,000 Korean children (about 150,000 to the U.S., and 50.000 to Europe, Canada and Australia).

1970-1975: More adoption placements occur this year than any other before or since. Another war in Vietnam precipitated increased adoptions by American families. "Operation Baby Lift" took place five years later, and it was a series of highly publicised "humanitarian" rescue operations that brought at least 2.000 Vietnamese and mixed-raced children (many fathered by American GIs) to the U.S. for eventual adoption. Approximately 1.300 children were also flown to Canada, Europe and Australia.

1978: The Indian Child Welfare Act reshapes the landscape of adoption for Native American adoption history.

1970s: European countries such as Spain, France, Italy, and several Scandinavian countries have experienced a considerable increase in the demand for adopted children from non-European countries as a result of a scarce number of national children available for adoptions.

1990's: Adoption of Ethiopian children by Spanish families goes back to the 1990s, and Ethiopia was the first African country to receive adoption requests from Spain.

1991: Adoption of foreign children was led by Romania (2.552 children).

1993: The Hague Convention ratifies landmark standards for intercountry adoption, instituting significant reforms that altered the history of international adoption.

1998-2007: The top 10 receiving countries of all 23 reported countries, (ranked from the large to small), are the United States, Spain, France, Italy, Canada, Netherlands, Sweden, Norway, Denmark, and Australia. Among these 10 countries, the top 5 accounts for more than 80% of overall adoption.

1999: Americans adopted more than 16.000 children from over 50 countries, including Russia, South Korea, Romania, Guatemala, Vietnam, China, the Philippines, Thailand and Peru. A majority of international adoptions in 1998 (64%) were of girls, and nearly half were infants.

1999: The number of adopted South Korean children (2.008) ranked third after Russia (4.348) and China (4.101).

2000-Modern Day: Birth parent rights in the process, open adoption and other positive reforms increase in prevalence and urgency. The need to put the prospective birth parent in charge of their adoption process becomes common practice in private adoption.

2000-2005: Spain, France and Italy have experienced an increase in international adoptions of 70%, while in Switzerland and in Germany they have decreased and in Norway have remained stable.

2001: Romania placed a moratorium on international adoptions, and officially banned the practice four years later, citing widespread corruption in adoption practices across borders.

2003: Within the European Union regulation, reference to intercountry adoption is made in article 4 of the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

2004: 5541 international adoptions were recorded in Spain, making it the leading country in the European Union and the second in the world, after the United States, in the numbers of adoptions of foreign children. Internationally, only 22.884 children were adopted.

2006: China and Hong Kong Special Administrative Region (SAR) have been party to the Hague Adoption Convention since 1 January 2006.

2007: Ethiopia ranked 5th among countries for international adoption by Americans. This was a large increase from their 16th-place ranking in 2000.

2008: a revised version of the European Convention on the Adoption of Children was prepared by a Working Party of the Committee of Experts on Family Law under the authority of the European Committee on Legal Cooperation within the framework of the Council of Europe. The convention opened for signature on 27 November 2008.

2011: According to data from Newcastle University, international adoptions worldwide decreased from 45.299 in 2004 to 23.500 in 2011, a drop of 52%.

2011: In January 2011, India implemented new procedures to provide more centralised processing of intercountry adoptions. In addition to the new guidelines, prospective adoptive parents should be aware of all Indian laws that apply to intercountry adoption. A child can be legally placed with the prospective adoptive parents under the Hindu Adoption and Maintenance Act of 1956 (HAMA), the Guardians and Wards Act of 1890 (GAWA), or the Juvenile Justice (Care and Protection of Children) Act of 2000 (JJA).

2011: Domestically, Vietnam Government has promulgated the Law on Adoption and it took effect from January 1, 2011. It contains 53 Articles, and addresses both domestic and intercountry adoption. Article 14 of the Vietnamese law outlines the requirements for adopters, which is also applicable to foreign adoptive parents.

2012: Domestically, Taiwan has enforced The Protection of Children and Youths Welfare and Rights Act since May 30.

2013: The 1967 Convention has been ratified by 18 of the 46 Member States of the Council of Europe, while 3 Member States are signatories but have not yet ratified.

2012: Domestically, the Republic of Korea (ROK) Special Adoption Act,] which governs intercountry adoptions from South Korea, went into effect on August 5, 2012. This law prioritises domestic adoptions and endeavours to reduce the number of South Korean children adopted abroad. Under the Special Adoption Act, each intercountry adoption requires the approval of the ROK Family Court.

2013: On May 24, 2013, it signed the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (the convention). This is the first step for South Korea in becoming a Convention partner.

2014: The figures have fallen significantly in Spain.

2012: The latest year for which records are available, 1.669 international adoptions took place in this country, 3.872 fewer than 8 years before, according to the Ministry of Health, Social Services and Equality figures, supplied by Spanish Consulates abroad.

2013-2014: On September 25, 2013, the government of the Democratic Republic of Congo enacted a suspension of exit permits for Congolese adoptive children that prevents adoptive children from being allowed to depart the country with their adoptive parents. Although Congolese courts continue to issue new adoption decrees, these are not currently recognized by

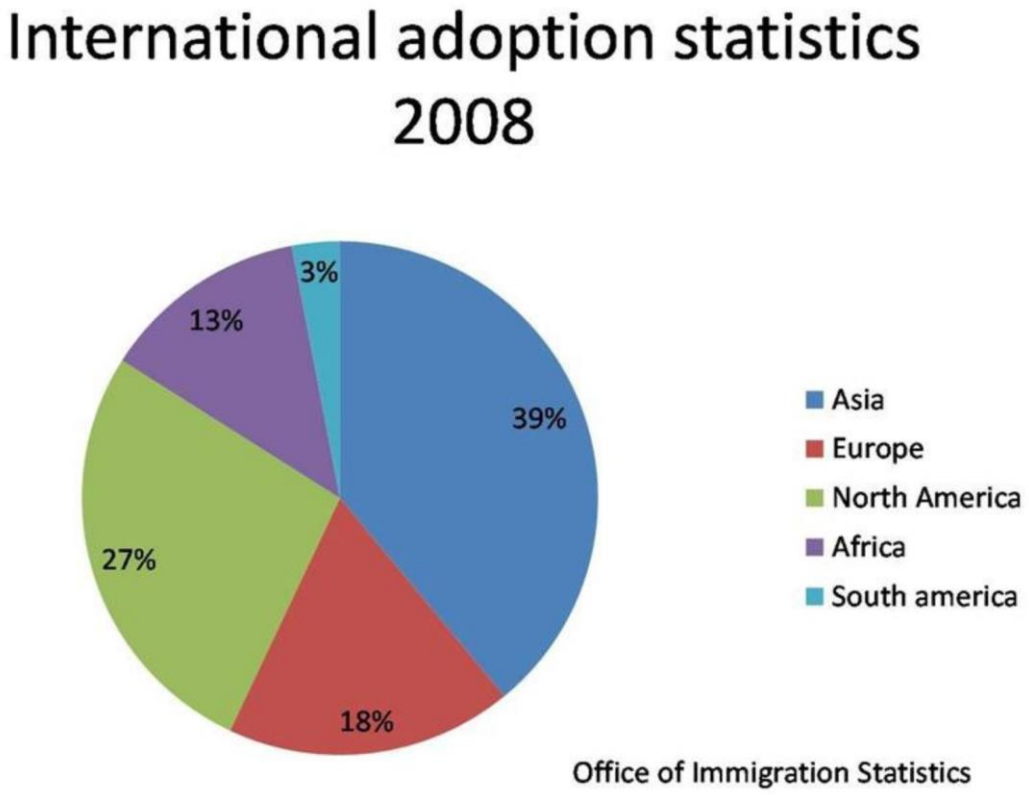
the Congolese immigration service, the Direction Generale de Migration (DGM), which controls the points of entry. Congolese officials have said the suspension will remain in place until the parliament enacts new legislation reforming the adoption process. Because of the suspension, the U.S Department of State announced on October 6, 2014, that it strongly recommends against adopting from the DRC at this time.

2016: Denmark officially ended international adoption with Ethiopia over concerns surrounding the ethics of the adoption process, as well as the health and safety of the children involved.

2018: Ethiopia banned the adoption of children by foreigners, The reason why that happened was because after an Ethiopian child was adopted, her parents were accused of manslaughter, because she ended up dying of hypothermia at the young age of 13, back in 2011.

2019: Only 2.971 children were adopted internationally.

2021: Netherlands, another popular country that has been receiving international adoptees, has suspended foreign adoptions after an investigation was found, according to which the government failed to act on known abuses that took place sometime in the previous years (1967-



1998).

Possible Solutions

First of all, The first step would be determining if international adoptions are desirable or not. If yes, then under what circumstances is it desirable. Most - not all - countries agree that there should be ways to adopt internationally, but it needs to be well regulated. Then the question is: under which circumstances should international adoptions be allowed, and how do we regulate it? How do we ensure safe practices and how do we ensure the safety of the children involved? The following are some proposals that can help tackle the issue.

DIPLOMACY ; Any efforts to promote permanent parental care for children as early in life as possible are supported by the official centre of Adoption. Acceptance of the principle of subsidiarity in the UN Convention on the Rights of the Child must not be allowed to block concurrent planning. A multi-track process, combining reasonable efforts to preserve and reunify families, or pursue domestic adoption with international adoption outreach should be launched at the time the child is identified. Concurrent planning allows for all in-country options to be vigorously pursued at the same time that a pool of potential international adoptive parents is established. If time-limited domestic efforts are not successful, the child can be placed for international adoption. Early removal from situations of abuse and neglect will mitigate harmful effects and make it more likely that children will be able to recover and lead the lives to which they are entitled.

REGULATION ; In order for for safe practices to and for the safety of the children involved to be involved, we have to force countries to report on human trafficking more than once a year, ensure sharing information between law enforcement agencies to combat illegal activities and more.

Because only the most qualified agencies should be allowed the privilege of working in the field of international adoption, universal standards for agencies should be set to match accreditation standards established in accordance with The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (HCIA, or Hague Convention).

The most significant effort at regulation of international adoption is the HCIA, which was signed by the US in 1993 and given Congressional Approval through the Intercountry Adoption Act of 2000 (IAA). However, the HCIA only applies to adoptions where both countries involved are members of the Convention; 80 countries are members of the Hague Convention today.

The Convention sets forth requirements for suitability of children and proper procedures for adoption. It has ethical goals designed to combat baby selling and kidnapping, and also

attempts to streamline the adoption process. The HCIA relies on the creation and on-going supervision of a Central Authority (in the U.S. the Department of State (DOS) to oversee international adoptions. In fulfilling its obligations under the Convention, DOS relies upon State licensing boards which licence private agencies, as well as the Council on Accreditation which accredits agencies in 49 states, and the state of Colorado for Colorado agencies.

Accreditation is intended to be the "gold standard" for agencies. There is copious regulation regarding the conduct of agencies addressing such procedures as the home study process and training. Despite observations that there was a significant weakening of regulation from what was first envisioned in the IAA, particularly with regard to limitations on general liability for performance, and elimination of liability for foreign contractors and agents, Hague accreditation standards , universally and properly applied, represent an important first step in defining best practices for international adoption.

Experience since the implementation of the Hague Convention suggests that the following amendments to the regulations or to the IAA would improve the process:

AGENCY PRACTICE ; Agencies must be prepared to screen potential adoptive parents and to turn down applicants who will not be able to cope with some of the children who are available for adoption. It is vital for potential adoptive parents to hear that successful parenting of older and special needs children presents real challenges, but ones that can be overcome with appropriate planning and resources.

Home-study must be subject to the same kinds of rules and regulations applicable to Hague – accredited agencies. Accredited adoption agencies should be required to actively supervise the work of, and be liable for, the work of independent agencies.

Home studies should assess families for their ability to care for children with special needs. This should include an identification and assessment of services and support networks available in the local community. Prospective parents should be required to create a Post-Adoption Plan. This Plan will outline the educational, emotional, psychological and medical treatment plan for the new child and for the existing family, and require potential adoptive parents to commit to its implementation. Agencies should be required to do on-site pre and post-placement visits for all adoptions.

Ten hours of training for potential adoptive parents are currently required by the Hague Convention on Intercountry Adoption. More extensive training devoted to the likely medical and psychological needs of post-institutionalized children should be included. Hague requirements for cultural sensitivity training do not address these issues. Webinar training, if offered, should be supplemented by establishment of buddy relationships or required

participation in face-to-face adoptive parent forums. Having parents discuss actual issues that they have confronted is invaluable for prospective parents.

Agencies should provide intensive support services after placement. These services should include continued relationships with their buddy families, support for the obtaining of educational and therapeutic services, emergency aid and provisions for respite care. The first few months are always challenging with a new baby or new child—new parents should not be left on their own, unaided and unsupported. The services could be funded by a fee paid by potential adoptive parents prior to the adoption trip. If every family contributed $500 to the post-placement support network, much could be accomplished.

Agencies must develop a protocol regarding adoption disruptions or dissolutions, to be filed with COA. A required acknowledgement of such protocol, which should, as a first step include notification by the client to the agency of any intention in this regard, should be part of the agency contract.

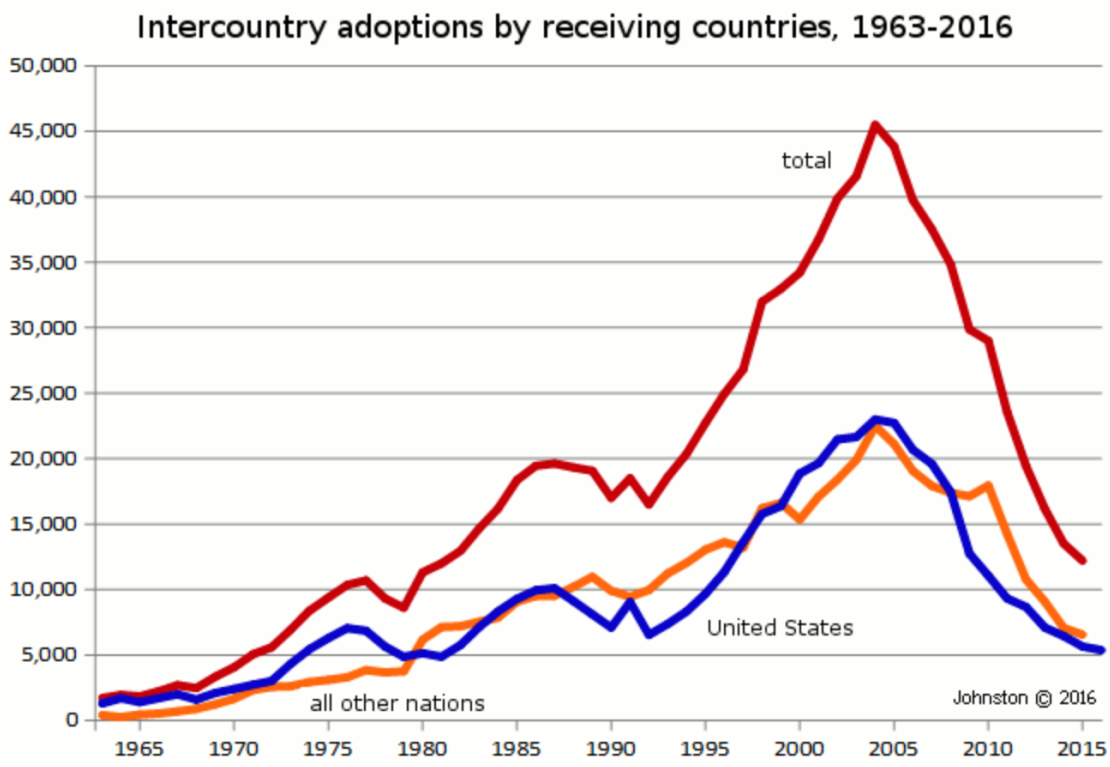
Accreditation fees should be regularly reviewed to ensure that they strike the proper balance between being reasonable but also sufficient to ensure that all aspects of an agency's operations can be subjected to effective scrutiny by the accrediting bodies.

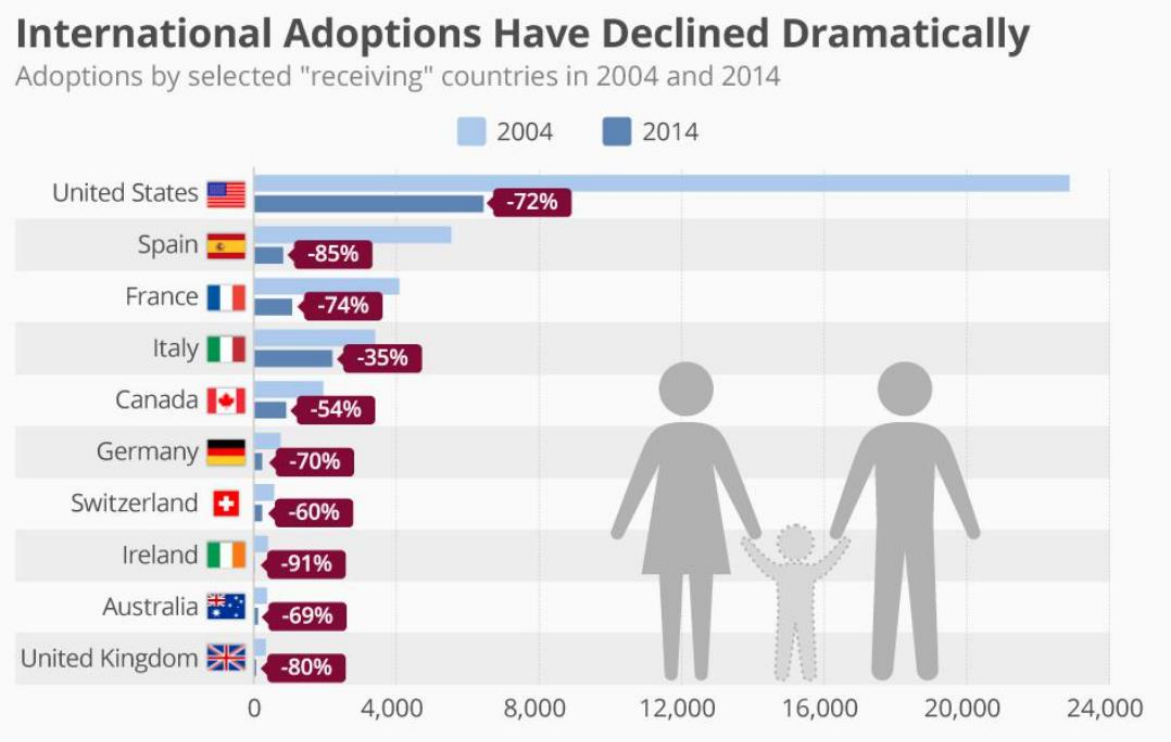
DISCLOSURE ; Agencies and prospective adoptive parents must deal with each other honestly and transparently.

All fees and contributions required throughout the process should be clearly disclosed in the agency contract. This contract, along with the expected disbursement of fees to agents, contractors, orphanage and medical personnel should be posted on the agency's website.

Agencies should be required to promptly advise all clients of any DOS or other US government updates concerning adoption in general and the country program involved in specific.

The Hague complaints registry should be made public. False complaints by competitor agencies are cited as a risk, but if the financial and product safety regulatory bodies can live with this risk, we as a community should be able to do so as well.


Intercountry adoptions by receiving countries, 1963-2016
50,000
45,000
40,000
35,000
30,000
25,000
20,000
15,000
10,000
5,000
0
1965
1970
1975
1980
1985
1990
1995
2000
2005
2010
2015
total
United States
all other nations
Johnston © 2016


International Adoptions Have Declined Dramatically
Adoptions by selected "receiving" countries in 2004 and 2014
2004
2014
United States
-72%
Spain
-85%
France
-74%
Italy
-35%
Canada
-54%
Germany
-70%
Switzerland
-60%
Ireland
-91%
Australia
-69%
United Kingdom
-80%
0
4,000
8,000
12,000
16,000
20,000
24,000

Bibliography

- Administrative Tribunal. "Hague Conference On Private International Law (HCCH)." *coe.int*, https://www.coe.int/en/web/tribunal/hcch. Accessed 26 June 2022.

- The Adoption History Project. "Adoption History in Brief." *pages.uoregon.edu*, https://pages.uoregon.edu/adoption/topics/adoptionhistbrief.htm. Accessed 25 June 2022.

- "BEST PRACTICES in INTERNATIONAL ADOPTION; PROPOSED FRAMEWORK." *adoptionpolicy.org*,http://www.adoptionpolicy.org/BEST_PRACTICES_in_INTERNATIONAL_ADOPTION.pdf. Accessed 26 June 2022.

- Children's Home Society of Virginia. "ADOPTION BENEFITS: ADVANTAGES FOR ADOPTIVE PARENTS, ADOPTIVE CHILDREN AND YOUR COMMUNITY." *chsva.org*, 30 January 2020, https://chsva.org/blog/adoption-benefits-community/. Accessed 9 July 2022.

- Eunice Kennedy Shriver National Institute of Child Health and Human Development. "What are some possible causes of female infertility?" *niche.nih.gov*, https://www.nichd.nih.gov/health/topics/infertility/conditioninfo/causes/causes-female. Accessed 7 July 2022.

- "The Facts About Adoption; THE COMPLETE HISTORY OF ADOPTION [ADOPTION HISTORY TIMELINE]." *givingbabyupforadoption.com*, https://givingbabyupforadoption.com/what-is-adoption/adoption/history-of-adoption/. Accessed 25 June 2022.

- Law Insider. "Adoption Document." *lawinsider.com*, https://www.lawinsider.com/dictionary/adoption-document. Accessed 25 June 2022.

- Natural Resource Governance Institute. "Legal Framework' Navigating the Web of Laws and Contracts Governing Extractive Industries." *resource governance.org*, March 2015, https://www.resourcegovernance.org/sites/default/files/nrgi_Legal-Framework.pdf. Accessed 27 June 2022.

- UNITED NATIONS HUMAN RIGHTS ; OFFICE OF THE HIGH COMMISSION. "Illegal Adoptions." *ohchr.org*, https://www.ohchr.org/en/special-procedures/sr-sale-of-children/illegal-adoptions. Accessed 28 June 2022.

- U.S DEPARTMENT OF STATE - BUREAU OF CONSULAR AFFAIRS. "Intercountry Adoption." *travel.state.gov*, https://travel.state.gov/content/travel/en/Intercountry-Adoption.html. Accessed 6 July 2022.

- "WHAT COUNTRIES CAN AMERICANS NOT ADOPT FROM?" *Adoption & Beyond*, https://adoption-beyond.org/what-countries-can-americans-not-adopt-from/. Accessed June 26 2022.

- Wikipedia. *In Vitro Fertilisation*. 2021. *en.wikipedia.org*, https://en.wikipedia.org/wiki/In_vitro_fertilisation. Accessed 23 June 2022.

- "Child laundering." *wikipedia*, https://en.wikipedia.org/wiki/Child_laundering. Accessed 10th September 2022.

- Cleveland clinic. "Tokophobia (Fear of Childbirth)." *my.clevelandclinic.org*, 12 4 2022, https://my.clevelandclinic.org/health/diseases/22711-tokophobia-fear-of-childbirth. Accessed 10th September 2022.

- "Countries with suspensions or restrictions on international adoptions." *canada.ca*, https://www.canada.ca/en/immigration-refugees-citizenship/services/canadians/adopt-child-abroad/restrictions.html. Accessed 10th September 2022.

- "Easiest Countries to Adopt from 2022." *worlpopulationreview.com*, https://worldpopulationreview.com/country-rankings/easiest-countries-to-adopt-from. Accessed 10th September 2022.

- "Launder." *Merriam-webster*, https://www.merriam-webster.com/dictionary/launder. Accessed 10th September 2022.

- Orr, Shelly N. "INTERNATIONAL ADOPTION." *digitalcommons*, 6 7 2018, https://digitalcommons.tacoma.uw.edu/cgi/viewcontent.cgi?article=1058&context=gh_theses. Accessed 10th September 2022.

- "What are common money laundering schemes?" *linkurious*, https://linkurious.com/money-laundering-schemes/. Accessed 10th September 2022.

- Author. "International Adoption's Trafficking Problem." *Harvard Political Review*, 20 June 2012, https://harvardpolitics.com/international-adoptions-trafficking-problem/. Accessed 10th September 2022

- Pov. "Adoption History: First Person Plural: POV: PBS." *POV*, 18 Jan. 2000, http://archive.pov.org/firstpersonplural/history/2/. Accessed 16th September 2022

- "10 Most Popular Countries to Adopt from and Their Adoption Policies." *Adoption.com*, https://adoption.com/10-most-popular-countries-to-adopt-from-and-their-adoption-policies/. Accessed 10th September 2022.

- McCarthy, Niall. "International Adoptions Have Declined Dramatically [Infographic]." *Forbes*, Forbes Magazine, 10 Aug. 2016, https://www.forbes.com/sites/niallmccarthy/2016/08/10/international-adoptions-have-declined-dramatically-infographic/?sh=6b8397ae6b93.

- Budiman, Abby, and Mark Hugo Lopez. "Amid Decline in International Adoptions to U.S., Boys Outnumber Girls for the First Time." *Pew Research Center*, Pew Research Center, 30 May 2020, https://www.pewresearch.org/fact-tank/2017/10/17/amid-decline-in-international-adoptions-to-u-s-boys-outnumber-girls-for-the-first-time/.
- *Historical International Adoption Statistics, United States and World*, https://www.johnstonsarchive.net/policy/adoptionstatsintl.html.

- "International Adoption - Socialissuesfamily." *Google Sites: Sign-In*, https://sites.google.com/site/socialissuesfamily/home.

- "International Adoption." *Wikipedia*, Wikimedia Foundation, 24 Aug. 2022, https://en.wikipedia.org/wiki/International_adoption.