Dutch government mulls ban on international child adoption amid trafficking fears

By Luke Dale-Harris
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LONDON (Thomson Reuters Foundation) - The Dutch government is expected to vote on whether to ban international child adoption amid concerns over the danger of trafficking and laundering children, raising the possibility that other countries could follow suit, experts say.

The vote, being closely watched by the child adoption industry worldwide, is expected in March and follows a report published by the Ministry of Justice that found the adoption process can be used as a front for child trafficking.

Published in November after a string of adoption scandals in recent years, the report was meant to provide advice for a change in policy on intercountry adoption to and from the Netherlands but offered near total condemnation of the process.

Of thousands of adoptions in recent years, the report said "a significant proportion involved serious misconduct, such as child laundering or the sale of a child" with the desire of some Western families for a child at any cost creating an "adoption market".

Yrrah Van Der Kruit, an advisor at the Council for the Administration of Criminal Justice and Protection of Juveniles and one of the report's authors, said the findings were likely to prompt other countries to reconsider their adoption policies.

"If we really want to help the child, [intercountry] adoption has to stop," she told the Thomson Reuters Foundation.

"For as long as rich countries continue to drive a market of adoption from poorer countries, we will have this problem, and the poor countries will not put the necessary developments in place to support their own children."

The report said adequate regulation of intercountry adoption was impossible and the Dutch government needed to shift its focus to protecting children by supporting a "youth protection system in the country of origin".

Before the end of January, the state secretary for security and justice is expected to publish his reaction to the report, which will be followed by a public consultation and then a parliamentary debate in preparation for a vote.

Lawmakers said the outcome of any vote was hard to predict with ministers deeply divided over the issue since 2015 when four leading political parties called for adoption regulation.

A spokeswoman for the state secretary told the Thomson Reuters Foundation that whichever the way the vote goes it is likely to be highly controversial.

"The report has caused a lot of emotion since its release, both among politicians and the public. The vote is likely to cause the same reaction," she said.

Any decision by the Netherlands to regulate inter-country adoption could have significant international consequences.

In recent years, a number of "origin" countries have put limitations on international adoptions, including Romania, Guatemala, Cambodia, Vietnam, Kenya, the Democratic Republic of Congo and Ethiopia.

DOMINO EFFECT

The Netherlands is the home and a key funder of the Hague Convention – the treaty which provides a legal framework for inter-country adoptions in the majority of Western countries.

The Hague Adoption Convention encourages international adoption in cases where neither the return of the child to their family nor domestic adoption is an option. Critically, the convention does not recognizes domestic fostering or residential care as suitable long term options.

If the Netherlands were to place a full or partial ban on inter-country adoption, this could necessitate a withdrawal from the convention, which experts believe could then have a domino effect as other countries launch their own inquiries.

Speaking from her office in Leiden, Roelie Post, author of "The Perverse Effects of the Hague Convention", told the Thomson Reuters Foundation a Dutch ban on intercountry adoption would signal the end of the practice everywhere.

"[The vote] would be a recognition that the Convention hasn't lived up to its goals of preventing child trafficking and has, in fact, done the opposite – whitewashed the trafficking process all across the world," she said.

Intercountry adoption has come under increasing scrutiny in a raft of countries in recent years.

In Italy, the senate heard accusations in October last year against the country's largest adoption agency, Amici Dei Bambini. A month later, Italian police launched an investigation into conflicts of interest in relation to child trafficking and a Bulgarian pedophile ring, local media reported.

In Belgium, an investigation last year into trafficking of Congolese adoptees prompted a police raid on the offices of adoption agencies and the youth minister.

DEMAND FOR CHILDREN

Across the world, the number of children being put up for adoption is falling dramatically, as "origin" countries increasingly look to provide support for children domestically.

In the Netherlands, the number of children adopted from abroad fell to 324 in 2015 from 528 four years earlier.

The fall in the number of children available for adoption had, according to the government report, put increasing pressure on institutions in the origin countries to provide young, healthy children.

This can lead to children being taken from their mothers without consent or under fictitious charges and put up for adoption, the report stated.

Some critics, however, said the report had overstated the negatives of intercountry adoption.

In a joint response from the Foundation for Adoption Services, five Dutch adoption agencies said the report assumed an ideal world where all children grew up with their biological family.

"The reality is not all biological parents want or may care for their children. [In cases where] necessary and desirable, intercountry adoption must remain an option," they said.

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