



Aan Tweede Kamer der Staten-
Generaal
C.c. Permanent Committee on
Safety and Justice
Datum 3 December 2017
Onderwerp Investigation into
intercountry adoptions
from the past
Dossier/Nummer UAI17.brief TK-AO.2011

OPEN LETTER

Honoured Members of the Permanent Parliamentary Committee,

As interest groups for intercountry adoptees we would like to get back to the advisory report “Reflection on Intercountry Adoption” from the Council for the Administration of Criminal Justice and Protection of Juveniles (RSJ) of 14 October 2016. We have been informed that this report will be discussed during the Plenary Meeting of 13 December 2017.

The RSJ gives as advice to stop intercountry adoption in time, to stop immediately with adoptions from the US, China and EU Member States. As interest organisations we support this advice.

However, the RSJ emphasises that her considerations related to the future of intercountry adoptions, do not contain a judgment about intercountry adoptions that took place in the past.

Considering the fact that the RSJ does not give a judgment about the adoptions that took place until now, we call for a thorough investigation into the adoption practices in the past. This could be in the form of an independent investigation, a parliamentary investigation, or to request the public prosecutor to investigate. In this investigation, in our opinion, the focus should be whether or not there was structurally a case of intentional negligence related to truth finding and/or criminal acts. One can think of forgery, kidnapping/withdrawal from parental authority, abuse of position and financial irregularities.

Therefore, we are of the opinion that only stopping intercountry adoption, as the RSJ has indicated, is not sufficient. In the interest of the concerned adoptees we are of the opinion that a judgement must be made about the adoptions that took place in the past.

Since the fifties there are indications that in the adoption system structural abuses happened. These abuses were as far as we know never investigated thoroughly.

Also considering the recent media attention related to abuses in adoptions from for example Congo, Bangladesh, Sri Lanka and Colombia we find an investigation now timely. On the basis of the above mentioned indications and further research, several interest groups will present in 2018 an already drafted black book on “intercountry adoption and child trafficking”.

Not only in the past abuses took place. Until today there are examples that abuses take place in the current system.

On the basis of the outcome of aforementioned investigation, it needs to be decided if an apology and reparations are in order.

Independent of the outcome of aforementioned investigation we are of the opinion that the Dutch authorities need to take responsibility in relation to the reparation of the lost identity of adoptees in conformity with article 8(2) of the UN Convention on the Rights of the Child.

We therefore request you for support for government funding for the costs made by adoptees. One can think of the costs for searching of family in the countries of origin (Birth Family Search) and the use of international DNA-databases, considering that family relations are important components of the identity.

More in general but not less important, we ask attention for a financial contribution for the work of the existing interest organisations which up to today engage themselves voluntarily for the promotion of the interests of the adoptees.

We are always prepared to provide further information.

Yours sincerely,

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