



**Committee:** UNICEF

**Topic B:** Prevention and response to illegal intercountry adoption.

**Chair:** Mara Iliette Rios Ramirez

**Moderator:** Santiago Sheridan Serna

### **Introduction of the committee:**

The United Nations International Children's Emergency Fund (UNICEF) was created by the United Nations (UN) in 1946. Its creation was made with the purpose of alleviating daily devastation in many countries, caused by World War II, and finally became officially part of the United Nations in 1953. With the help of governments and non-governmental organizations (NGO's), UNICEF is in charge of taking important decisions, based on the most innovative ideas in order to cause a positive impact on children's quality of life.

UNICEF's priority is to help national efforts to improve the health, nutrition, education, and general welfare of children. Nowadays, UNICEF is working on 190 countries, and its mission is to defend the rights of every child, especially those children who lived in less developed countries, in order to grow in a safe and inclusive environment.

### **Statement of the problem:**

Illegal intercountry adoption violates the human rights of a child, the purpose of such adoption focuses more on finding adoptive parents for the child, than finding a family for the child. Illegal adoptions include crimes such as fraud in the declaration of adoption, the falsification of official documents, the lack of proper consent by the biological parents, the improper financial gain by intermediaries, and related corruption.

Illegal adoption has been occurring since the 1960s. And that's why the UN Convention has created a program called the Convention on the Rights of the Child (CRC), which emphasizes human rights, especially of children, than in other legal documents. The CRC recognizes that it should look for the full and harmonious development for the personality of every child.

According to the Convention on the Rights of the Child, every child has the right to live in a family environment, a child should preferably be taken care of by his or her own family. When a family is unable or unwilling to take care of a child, a solution should be to look for an appropriate and stable family, in order for the child to grow in a caring and supportive environment. UNICEF believes that intercountry adoption may be the best solution, in case that a child cannot be taken care of by a family in their country of origin, and as long as it follows the standards of the 1993 Convention on the Protection of Children and Co-operation in Respect for Intercountry Adoptions.

However, Intercountry Adoption can be a cause of fraud and economic unethical incentives. It has been denounced as child trafficking, and unfortunately, many developing countries like Russia, China, Korea, and Vietnam are lacking a child welfare system that effectively tracks the cases of children living in an orphanage.

## **Body**

According to a 2007 study made by Sharon Glennon of Towson University, one of the negative effects is a problem with language development.

Child laundering is a term that refers to the kidnapping or selling of children to adoption agencies for sale to adoptive families, and this commonly happens in countries like Guatemala, China, Cambodia, and Samoa. Thanks to recent legislation, like the Conventional Rights of Child some actions have already been taken. According to article 35th of the Optional Protocol of the Convention on the Rights of the Child (CRC), any form of sale of children, child prostitution or child pornography, for any purpose like adoption, should be faced by strong measures from governments.

Article 35 of the Optional Protocol says that every State should take all appropriate legal and administrative measures to ensure that all people involved at the moment on a child's adoption, have to comply with international legal instruments. Article 21 of the CRC mentions that every state should ensure that the adoption of the child is being authorized by any competent authority who determines that adoption is allowed by the child's status concerning parents, relatives or legal guardians.

Article 21 also establishes that intercountry adoption should be taken with the principles of subsidiarity, meaning with the help of the nearest authority, and the prohibition of improper

financial gain for those involved in the adoption process. Also, the 1993 Hague Convention creates safeguards to ensure that intercountry adoption should take place taking into consideration the best interests and rights of the child.

## **Conclusion**

Prevention and response to illegal intercountry adoption is an urgent situation because it violates the rights and principles of a child.

This topic is a real concern to this committee because most states have inconsistencies in the process and the stages adoption requires, allowing criminal organizations to take advantage.

We as a committee should also take into consideration the physical and psychological recovery of every victim of any form of neglect, exploitation, and abuse. And the committee should also find a way to correctly assess if every child could be adaptable, inquire if an orphan could be adopted in his/her country as a priority and then determine if intercountry adoption is in the child's best interest.

Taking into consideration this problem, UNICEF invites all delegates to join the cause and help eradicate it.

## **Viable solutions**

- Developing a welfare system that effectively tracks the cases of children living in orphanages.
- Make extensive background checks to people who want to adopt a child.
- Develop family support systems to avoid disintegration.
- Review state and national laws to ensure the absence of loopholes on the protection of children's rights.
- Make extensive audits to people in charge of adoption processes to prevent illegal adoptions.

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