

A.C.T. Against Child Trafficking

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Nijmegen, 2 November 2008

Dear Sir, Madam,

ACT is a non profit organisation registered in The Netherlands that researches intercountry adoption in order to document past and current practices.

Considering the ongoing debate in Australia on intercountry adoptions, we hereby forward you some of our documentation. It concerns documents related to Australia's adoption partners in China, Colombia, Ethiopia and India.

We hereby express concern about the regular breach of adoption rules and procedures and the continuation of partnerships with partners that were, in some cases, already convicted for child trafficking, while in other cases their trustworthiness is at least questionable.

Although trafficked children enter Australia under legal adoption procedures, we would invite you to consider the Australian authorities' liability in adoption cases of kidnapped children where available information was wilfully ignored.

Notwithstanding the above, we would like to compliment Australia with its decision to centralise intercountry adoptions by having them handled by government authorities only. Based on our research on other country's experiences, we consider that this option gives the maximum oversight and control.

However, the existing (financial) links between the Australian adoption community (NGO's) and the sending countries are reason for concern. By combining adoption interests and project aid an unsound interdependency may occur.

We kindly advise the Australian Authorities to continue thorough investigation into the adoption practices, including the role and involvement of the Australian NGO's.

In case you would require further information or assistance, you may contact us by e-mail.

Yours sincerely,
[signed]
N. Hoogeveen
President
A.C.T.

Child trafficking and Intercountry Adoption

AUSTRALIA

China

The Chinese adoption programme had a long-time reputation for being clean and well-organised. However, for several years now, this programme appears to be functioning by means of buying and selling of children. Multiple reporting has been made of the so-called reward programmes for 'finders' who bring children to orphanages. Audio taped conversations also indicate that money is being offered to biological parents.

In a number of orphanages, and there is enough reason to believe that a significant number of orphanages is involved, the directors pay the 'finders' money that amounts to four to six months of average Chinese salary. The orphanage directors have such money at hand, as they receive so-called mandatory orphanage donations directly from foreign adoptive parents. These mandatory donations have recently been increased from 3.000 to 5.000 US dollars.

The information available suggests that these criminal activities are ongoing. Additionally there are indications that children taken by force from families by the Chinese family planning authorities have ended up in intercountry adoption channels.

Documentation:

1. Criminal Judgement, Intermediate People's Court of Hengyang Municipality, Hunan Province, 2006
2. Letter Dutch Minister of Justice to Chairman of Second Chamber, unofficial Dutch translation, 20 September 2008
3. Corruption in China's International Adoption Program, Brian H. Stuy
4. Sold Into Adoption: The Hunan Baby Trafficking Scandal Exposes Vulnerabilities in Chinese Adoptions to the United States; Patricia J. Meier, Xiaole Zhang, January 2008

Colombia

Recent Documentation, publicly available, suggests corruption issues within the Colombian Central Authority, the ICBF, and it is alleged that ICBF staff paid money for children.

Newspaper articles furthermore stipulate that huge sums of money are paid by foreign adoptive parents to privately run children's homes, such as Chiquitines, the home from which Australia received children.

Documentation:

1. Procesos Disciplinarios en curso por conductas irregular, ICBF, March 2008
2. Complaint of sale of children for adoption, Hope Foundation, 16 June 2006
3. Is free to charge ex-officer accused of adoptions, Caracol, 25 April 2008

Ethiopia

In Ethiopia, the Australian governments are formally represented by Ato Lakew Gebeyehu, who together with his wife Misrak also runs the Koala foster home.

Early 2007, Lakew was arrested, supposedly in connection with an Austrian adoption case of a girl who was alleged to have been kidnapped and sold to Austrian adoptive parents, through mediation of the Austrian adoption agency Family for you and its Ethiopian representative Deribe Nesibu.

There is reason to believe that Ethiopian children were also processed through Sele Enat to Australia.

From the documentation one can read that:

- Foster Home Sele Enat's director Hana Berhanu was involved in the laundering of the concerned child by admitting her into the foster home on falsified identity papers.
- The name of Lakew is not mentioned in the Austrian case. The identity of the Ethiopian representative of the Austrian agency was known right from the start of the official investigation.

- The official statement made by the Australian authorities that Lakew's arrest was based on confused identity (Austrian/Australian) finds no confirmation in the Ethiopian documents.

Documentation:

1. Investigation report Ethiopian Ministry of Foreign Affairs, 16 May 2007
2. Adoption agency in child kidnap probe, Agence France Presse, 9 January 2008

India

The Indian Supreme Court in 1984 laid down guidelines on fees and donations in order to prevent trafficking of children, which were later confirmed in the 1995 Revised Cara Guidelines.

Based on our research we have reason to believe that these guidelines were systematically violated.

Documentation:

1. Supreme Court and CARA on fee donations

Andhra Pradesh

Australia received children from Andhra Pradesh, particularly from Tender Loving Care, that was convicted on child trafficking, buying and selling and falsifying paperwork for monetary consideration. Children came also to Australia from Precious Moments, run by Anita Sen, the wife of the former Director General of Police - who cooperated with Joan Krishna Reddy, an Australian citizen married to an Indian citizen - and was charge sheeted by the criminal investigation agency.

Australia also worked for many years with Mission of the Nations in Kakinada. CARA was already concerned about their practices and social workers made allegations of trafficking. However, since Kakinada is distantly remote from Andhra Pradesh' capital Hyderabad, the activists that unveiled the Andhra Pradesh scandals did not have the means to push for further investigation.

We would like to underline that the letter of the Department for Women and Children Affairs, indicates that 2.000 Indian families were registered for national adoption in 2002. This raises serious questions as to why national adoptions, as required by the Hague Adoption Convention, were not preferred to intercountry adoptions.

Documentation:

2. The Two Faces of Intercountry Adoption: the Significance of the Indian Adoption Scandals, David M. Smolin, 2005
3. Indian babies sold in Australia?, The Tribune, 6 May 2001

Mission of the Nations

Documentation:

4. Missions to the Nations, 8 February 2002

Precious Moments

Documentation:

5. Charge Sheet in Crime No. 364/2001
6. Anita Sen surrenders before court, The Hindu, 20 May 2001

Tender Loving Care

Documentation:

7. Court Judgement, 30 August 2005
8. Letter from State Government to CARA: Violation CARA Guidelines, 31 May 2002
9. E-Group Message 226, August 2005

Delhi

Missionaries of Charity

The German Childrights NGO Terre des Hommes documented the systematic irregularities amounting to crimes in the adoption practices of Missionaries of Charity. Children from the Missionaries of Charities also were adopted to Australia .

Documentation:

10. Crime and other small things, Terre des Hommes, September 1999

Maharashtra

Preet Mandir

In recent years, Preet Mandir was almost the only Indian orphanage Australians could adopt from. However, this placement agency has been surrounded by news about serious irregularities and plain baby selling.

It is important to know that till 2006 Indian agencies were allowed, according to the guidelines, to charge a maximum sum of approximately 1.500 US dollars per adoption. According to our information Australian parents were asked to pay much more.

In 2007 it became clear that Preet Mandir paid for the hotel accommodation of CARA Chairperson Lakshmi Mittal when the latter came to Maharashtra for a formal inspection, which raises the issue of independency

Documentation:

11. CARA memo and CARA meeting, 7 June 2004
12. E-mail Bob Sprenkels to CARA,, 29 December 2003
13. Inside Story of an Adoption Scandal, Arun Dohle, 2008
14. Hotel Bill CARA, 7 June 2007
15. Babies in Limbo, Adelaide Now, 8 October 2006

Shraddanand Ananthalya Nagpur

Australia also received children from Shraddanand Ananthalya Nagpur, which indulged in trafficking of children. According to our information there is still a case pending in the Indian High Court against Shraddanand.

Documentation:

16. Kingdom of Compassion or Cesspool of Corruption – Shri Shradhhanand, May 2001 and
The Glory Continues... Shraddhanand Anathalya, June 2001

Tamil Nadu

Several adoption scandals have erupted from Tamil Nadu. There appear to be serious issues in the adoption affairs of this particular Indian State, and what has been exposed so far, may well be just the tip of the iceberg.

Documentation:

17. Fact Finding Investigation into the functioning of Licensed and Recognised/Registered Adoption Placement Agencies and Regulatory Bodies in Tamil Nadu, CACT-TN), 19 August 2005
18. Adoption Agencies and Institutional Practices in Tamil Nadu: A Sociological Study, Sujata Mody

Madras Social Service Guild

One orphanage located in Tamil Nadu where Australia received children from is Madras Social Service Guild. The Australian adoptive mother Julia Rollings found out that both her adopted children were stolen and recently published a book ‘Love Our Way: a mother's story’.

As early as 1999 Madras Social Service Guild was caught up in a scandal. Four children were stolen from a hospital, and brought to the Madras Social Service Guild by Somusundaram (who was at the time manager of Malaysian Social Service, and involved in the recently exposed kidnapping case of a child placed with a Queensland family) . However, Madras Social Service director Mr. Thangavel and Somusundaram managed to escape from the clutches of the Indian Courts.

Documentation:

19. Court Judgement, 29 August 2002
20. Child-lifting racket busted in Salem, 1999
21. Missing children: two held on kidnap charges, 3 March 2006

Malaysian Social Service (MSS)

Australia received children from Malaysian Social Services, which, as was recently reported by the Time Magazine, was involved in the laundering of kidnapped children. MSS paid money to the 'finders'; the children were then placed for intercountry adoption. This scandal hit the Indian news already in 2005. In 2007 the Dutch connection to this scandal were exposed by the Dutch television program ‘Netwerk’ that triggered an extensive investigation by the Dutch government. Till date the outcome of the investigation “what happened in India?” is still pending.

Documentation:

22. Warning letter from Indian Council of Child Welfare to Australian Department of Family Services, 29 April 1995
23. Police report, 3 May 2005
24. Central Crime Branch Report, 2006
25. High Court Order, 20 September 2006
26. Guardianship Papers, 1 March 2008
27. Various newspaper articles Tamil Nadu

AUSTRALIA

The Australian adoption related NGO's are basically self help groups of adoptive parents that maintain close ties to Australia's adoption partners abroad and also supply money/project aid.

Documentation:

1. Submission by the Government of South Australia for the Government inquiry into adoption, September 2005
2. World Families Australia - India Mission of the Nations
3. Adoption International of Western Australia – India Malaysian Social Services
4. ICARN – India
5. ASIAC – Masos Guild Social Services; Malaysian Social Services
6. Australians Aiding Children Adoption Agency – Preet Mandir
7. Australian Families for Children – Colombia Chiquitines
8. AACASA – Ethiopia Sele Enat, Koala House, Grace Center

AUDIO-VISUAL MATERIAL

China

[Audio tape on payment for child finders, published by Brian Stuy on 14 October 2008](#)

<http://research-china.blogspot.com/>

INDIA

TV DOCUMENTARIES

BABYSNATCHERS (CNN IBN - Broadcasted from 16 June 2006 onwards)

1. [Pay in dollars and adopt a child](#)
<http://www.ibnlive.com/videos/13358/pay-in-dollars-and-adopt-a-child.html>
2. [Black label bottle cash and a child](#)
<http://www.ibnlive.com/videos/13368/black-label-bottle-cash-and-a-child.html>
3. [Pune agency violates adoption laws](#)
<http://www.ibnlive.com/videos/13448/pune-agency-violates-adoption-laws.html>
4. [Babies are a steal in steel city](#)
<http://www.ibnlive.com/videos/13451/babies-are-a-steal-in-steel-city.html>
5. [Adoption agency gives HIV baby](#)
<http://www.ibnlive.com/videos/13536/adoption-agency-gives-hiv-baby.html>
6. [Impact confessions of a conman](#)
<http://www.ibnlive.com/videos/13573/impact-confessions-of-a-conman.html>
7. [Unwanted babies in great demand](#)
<http://www.ibnlive.com/videos/13614/unwanted-babies-in-great-demand.html>
8. [Impact baby snatchers in the dock](#)
<http://www.ibnlive.com/videos/13654/impact-baby-snatchers-in-the-dock.html>

9. [Bought in villages sold in cities](http://www.ibnlive.com/videos/13692/bought-in-villages-sold-in-cities.html)
http://www.ibnlive.com/videos/13692/bought-in-villages-sold-in-cities.html
10. [Orissa wakes up to adoption racket](http://www.ibnlive.com/videos/13710/orissa-wakes-up-to-adoption-racket.html)
http://www.ibnlive.com/videos/13710/orissa-wakes-up-to-adoption-racket.html
11. [Child snatchers roam free in Pune](http://www.ibnlive.com/videos/13748/child-snatchers-roam-free-in-pune.html)
http://www.ibnlive.com/videos/13748/child-snatchers-roam-free-in-pune.html
12. [Adoption agency burns evidence](http://www.ibnlive.com/videos/13811/adoption-agency-burns-evidence.html)
http://www.ibnlive.com/videos/13811/adoption-agency-burns-evidence.html
13. [Proofs from adoption racket jigsaw](http://www.ibnlive.com/videos/13873/proofs-from-adoption-racket-jigsaw.html)
http://www.ibnlive.com/videos/13873/proofs-from-adoption-racket-jigsaw.html
14. [Nri spills beans on Preet Mandir](http://www.ibnlive.com/videos/14032/nri-spills-beans-on-preet-mandir.html)
http://www.ibnlive.com/videos/14032/nri-spills-beans-on-preet-mandir.html
15. [Chennai lady waits for kidnapped son](http://www.ibnlive.com/videos/14295/chennai-lady-waits-for-kidnapped-son.html)
http://www.ibnlive.com/videos/14295/chennai-lady-waits-for-kidnapped-son.html
16. [Preet Mandir loses goa license](http://www.ibnlive.com/videos/14536/preet-mandir-loses-go-a-license.html)
http://www.ibnlive.com/videos/14536/preet-mandir-loses-go-a-license.html
17. [Impact Preet Mandir kids rescued](http://www.ibnlive.com/videos/15129/impact-preet-mandir-kids-rescued.html)
http://www.ibnlive.com/videos/15129/impact-preet-mandir-kids-rescued.html
18. [When Preet Mandir kidnapped a baby](http://www.ibnlive.com/videos/15201/when-preet-mandir-kidnapped-a-baby.html)
http://www.ibnlive.com/videos/15201/when-preet-mandir-kidnapped-a-baby.html
19. [Impact rally against adoption racket](http://www.ibnlive.com/videos/15321/impact-rally-against-adoption-racket.html)
http://www.ibnlive.com/videos/15321/impact-rally-against-adoption-racket.html
20. [Steal city baby snatchers roam free](http://www.ibnlive.com/videos/17353/steal-city-baby-snatchers-roam-free.html)
http://www.ibnlive.com/videos/17353/steal-city-baby-snatchers-roam-free.html

CHILDREN FOR SALE (CNN IBN - Broadcasted October 2007; 30 minutes each)

1. [Children for Sale_ Child adoption process needs to be transparent](http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_1/child-adoption-process-needs-to-be-transparent.html)
http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_1/child-adoption-process-needs-to-be-transparent.html
2. [Children for Sale_ Child adoption process needs to be transparent](http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_1a/child-adoption-process-needs-to-be-transparent.html)
http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_1a/child-adoption-process-needs-to-be-transparent.html

3. [Children for Sale _ Child adoption process needs to be transparent](http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_2/child-adoption-process-needs-to-be-transparent.html)
http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_2/child-adoption-process-needs-to-be-transparent.html
4. [Children for Sale _ Child adoption process needs to be transparent](http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_3/child-adoption-process-needs-to-be-transparent.html)
http://www.ibnlive.com/videos/50909/10_2007/30mins_forsale_childern_3/child-adoption-process-needs-to-be-transparent.html

Danish Public TV - Broadcasted 2008

[Danish Scandal Preet Mandir/ Priyadarshani/John Abraham Memorial Home \(Danish public TV\)](http://video.google.com/videoplay?docid=4257012634640411709&hl=en)

<http://video.google.com/videoplay?docid=4257012634640411709&hl=en>

Dutch Public TV - Broadcasted 2007

1. [Dutch Scandal \(Malaysian Social Service\)](http://player.omroep.nl/?afIID=4660643&start=00:00:00&end=00:25:00)
<http://player.omroep.nl/?afIID=4660643&start=00:00:00&end=00:25:00>
2. [Dutch Scandal \(Malaysian Social Service\)](http://player.omroep.nl/?afIID=4660672&start=00:00:00&end=00:25:00)
<http://player.omroep.nl/?afIID=4660672&start=00:00:00&end=00:25:00>
3. [Dutch TV: Press conference on outcome of Dutch investigation: \(English subtitles\)](http://video.google.com/videoplay?docid=-4480208995990653116)
<http://video.google.com/videoplay?docid=-4480208995990653116>
4. [Julia Rollings, Australian adoption of stolen children from India, Broadcasted by Dutch public TV, 2007](http://player.omroep.nl/?afIID=4726834&start=00:06:15&end=00:25:00)
<http://player.omroep.nl/?afIID=4726834&start=00:06:15&end=00:25:00>

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