

Compromize and Controversy over Global Intercountry Adoption: A Comparative Analysis of Adoption in Haiti, Chad, Southeast Asian Countries, and Cambodia

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Abstract : *Authorities in belligerent countries are now faced with a new problem: modern warfare and natural disasters. Between 2001 and 2010, four relatively publicized adoption related cases have caused some Third World countries to revitalize their concerns over the rights of children in such cases of adoption, mainly the New Life Children's Refuge (NLCR) in Haiti, the Zoe's Ark in Chad, the Katherine Hart case in Southeast Asian countries, and the twelve United States adoptive parents' case in Cambodia. The thesis of this paper is that there are systemic vulnerabilities and gaps in the current global adoption systems across the Third World Countries, thus creating irregularities and scandals that are predictable to an extent, such as the ones in the four cases under consideration. An investigation will be made as to some of the lessons that can be drawn there from. In the end, this paper concludes by highlighting that, although the four do not hint at the full picture of complications that may arise as a result of global adoption in their corresponding regions, they do, indeed, bear important ramifications, ones that are ignored at the cost of the well-being of children involved.*

Keywords : Third World Countries, Global Adoptions, Non-Governmental Organization, Child Rescue, Abduction, Child Trafficking

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Introduction

A non-governmental organization (NGO) is a type of non-profit organization that works to promote human good while operating independently from the state.¹ The definition of an NGO varies slightly from nation to nation, but most NGOs fall within this framework. They carry out extraordinary works and services and, mostly, have a charter or code of conduct. Among such services are working on behalf or the benefit of children, refugees, and displaced people.

Inevitably, during the times of disaster or war, there are individuals or groups that attempt child rescues without the required paperwork or clearance, perhaps creating a questionable framework. However, not all NGOs have a tendency to operate in such manners, but the increase in the so-called “harmful” numbers of such establishments is giving the good ones a bad name. These are, certainly, challenging situations and require closer attention.

Some of the issues this paper will attempt to address are whether the NGOs’ legitimacy in furthering their objectives is based on moral and legal grounds, or on private benefits. While child trafficking is controversial and of a global concern, effort is made to explore how various NGOs, such as the NLCR members, the Zoe charity workers, Katherine Hart, and the twelve United States adoptive parents complement each other in their related scandals, as well as to investigate the extent to which such situations prevail. The present paper does not address any questions with respect to the jurisdiction of the International Court of Justice (ICJ) in the four cases.

The paper has three main sections. Section one presents the approaches commonly relevant to intercountry adoption. Section two focuses on an international comparative analysis in which blackmarkets for adoptions thrive. Finally, section three offers remedies to combat such emerging blackmarkets following the catastrophes in Haiti, Chad, the Southeast Asian countries, and Cambodia.

Approaches to Global Adoption

Adoption, both domestic and international, is a legal act of transfer of rights to keep a child.² At a broader level in policy, international adoption involves a network of diverse stakeholders, among others the state, lawyers, non-governmental organizations, and private consulting adoption agencies. There are three international agreements generally relevant to intercountry adoption; these are the Hague Global Adoption Convention, the Convention on the Rights of the Child (CRC), and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography (Optional Protocol).³ Each agreement is examined in the following paragraphs.

The Hague Convention directly implements the policies of the CRC, sets forth detailed regulations, and establishes regulatory bodies to maintain the standards of that Convention.⁴ It only regulates adoptions between member countries⁵ carried out through the use of bilateral agreements and assistance from local law enforcement authorities.⁶

As to the CRC, it provides general policies related to child trafficking. More specifically, it encourages other multinational agreements and sets up measures to prevent trafficking, and regulates the financial aspects of adoption.⁷ Somalia and the United States are the only United Nations member countries that have not ratified the CRC.⁸

Finally, the Optional Protocol imposes criminal, civil, or administrative punishments for intermediaries who encourage child trafficking.⁹ The Protocol also requires member states to cooperate with the prosecutions of intermediaries.¹⁰ The organization that promotes and carries out the Optional Protocol is the United Nations Children’s Fund (UNICEF).¹¹

While these conventions serve as a basis for regulating child trafficking and intercountry adoption in countries where they are recognized, they have had limited success in curbing problems in poor countries that lack the resources to implement the provisions or have not yet ratified them. These nations have the notorious reputation for being the poorest countries in the world characterized by modern warfare and natural disasters.

The discourse concerning global adoption and any movement of children across international boundaries for this purpose must begin with the conception of the “best interests of the child”. The international standards for child welfare, in this case, adoption rest upon this overarching principle. The *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption* states in its preamble that signatories agree to “take measures to ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, the sale of, or traffic in children”.¹² The *Convention* makes a priority of children remaining with their biological families or with non-relative/domestic adoptions in their own country as protective measures prior to the release of the child to the ICA.¹³ However, this idea of the best interests of the child has raised many issues for debate, and there are significant points of disagreement depending on the perspectives held.¹⁴ In fact, it can be a rather ambiguous concept used to justify any decision made regarding child custody and adoption. From a legal perspective, the intended application is supposed to be on a case-by-case basis.¹⁵ However, contemporary ICA discussion and debate tends to promote broad and sweeping generalizations as to the best interests of the children in the developing nations as the most vulnerable group in the world, often living in extreme poverty. In this discourse, the paper established that there are inherent mistakes in this approach, one which is fraught with ethical dilemmas.

One cannot fully embrace the conception of the best interests of the child without the *United Nation's Convention on the Rights of the Child (CRC)* and its relevant articles related to child rights and alternative care.¹⁶ The articles most related to this discourse are presented below. These articles underscore the conception of cultural heritage and the child's right to be reared by his or her family. Additionally, the governments' obligations to protect children from illegal separations and adoptions are covered.

Related Articles of the Convention on the Rights of the Child

Related articles of the convention on the rights to the child are as follows:¹⁷

- Article 7** Every child has the right to a name, a nationality, and to know and be cared for by her or his parents.
- Article 8** Every child has a right to preserve her or his identity, including nationality, name, and family relations.
- Article 9** Children cannot be separated from their parents against their will, except when competent authorities determine it to be in the child's best interests.
- Article 11** Governments have a responsibility to protect children against illegal separations or adoptions.
- Article 20** Children who are deprived of their family must receive alternative care with due regard to the child's ethnic, religious, cultural and linguistic background.
- Article 21** Governments have a responsibility to make sure that all rules and processes involving adoption are respected, and to make sure that there are protections against selling or kidnapping children.

Among the most vocal proponents of the ICA, one can refer to the legal scholar, Elizabeth Bartholet, who openly criticizes the *CRC* and frequently discusses the need for expediency in the ICA to prevent children from languishing in institutions. To emphasize her views, she characterized child trafficking as "kidnapping or baby buying" as a "tiny part of the larger picture and very unfortunate".¹⁸ Bartholet made these comments in Guatemala City at the *Focus on Adoption Conference* where her remarks were entitled "In the best interests of children: A permanent family".¹⁹ In these keynote remarks, she attacked the efforts made by the international community to demand for reforms in line with the Hague Convention in the country, stating that they "...are condemning thousands on thousands of children to life and death in the intolerable conditions typical of the world's orphanages".²⁰

Bartholet goes on to identify Guatemala in that 2005 address as "one of the best"²¹ ICA countries in the world. However, in her remarks she failed truly to

recognize that children were, in fact, at risk due to inadequate legal regulation and child trafficking at the height of Guatemala's adoption boom, and that the system was facing the risk of closure due to these allegations.²² Instead, a legal analysis could have clearly highlighted problems with adoption procedures and processes in Guatemala, and Bartholet to have made recommendations for legal improvements and system-strengthening. Disappointingly, in her public address, she did not take this opportunity to do as such. Her views and positions were challenged,²³ and, instead, other scholars and advocates defined and presented the facts on the dire ICA circumstances in the nation at the same time.

To provide an example, human rights advocates most qualified to discuss the best interests of children in Guatemala, that is, those who are either citizens of the nation or who have spent considerable time working in the field of child protection, agreed that not only child sales, but also child theft did take place in Guatemala, although the extent of such incidents is arguable. Bunkers, Groza, and Lauer have described cases of child sales, including a detailed discussion of payments to birth mothers and how events had been orchestrated as a form of entrapment in the child relinquishment process.²⁴ Also, Rotabi and Bunkers made a systems analysis of the problems in that country, including vulnerabilities for child sales.²⁵ Separately, Rotabi describes cases of child theft allegation and DNA fraud as a follow-up to a detailed analysis of the underlying conditions and problems in the previous or "pre-reform" Guatemalan ICA system.²⁶ It is apparent, then, that all of these scholars have presented facts and proposed recommendations emphasizing the need to protect the interests of birth families and human rights in order to fulfill the nation's obligation to promote the best interests of the child.

This is while Bartholet and others, such as practitioners in the field of child adoption, have always encouraged more and more adoptions as a form of child welfare intervention, even when there is overwhelming evidence of abuse. Bartholet made the following statements:

Their interests demand prompt action to remove them to safe places, investigate whether they have birth relatives ready to provide homes, and place them either in birth or adoptive homes...it is hypocritical to delay or shut down such adoption in the name of protecting children. The real risk of abuses occurs when unparented children are *not* placed for adoption.²⁷

In this discourse, Bartholet fails to note the fact that traumatized children gain greater psychological benefits when cared for in their own context, sharing language, food, and culture with their caregivers. In fact, she proposes a classic and provocative argument about children languishing in institutions, using terms such as "orphans", citing child death from deprivation under such conditions.

Smolin, an expert in child trafficking within the adoption schemes,²⁸ has pointed out that "trying to move children quickly out of a country in the aftermath of a disaster, particularly for adoption, is one of the old mistakes. International

organizations have been warned against it in past disasters, such as the Indonesian Tsunami of 2004, Cambodia of 2001, Chad of 2007, and are doing the same following the 2010 catastrophes in Haiti.²⁹ Bartholet, Smolin, and others have referred to important points in considering the best interests of the child and, to some observers, specially, those considering the ICA, this discourse may appear to be high minded or academic conceptions of what is “right”.

The “open market for adoption” theory proposed by Judge Richard Posner discusses the transfer inherent in adoption within an economic framework.³⁰ According to Posner, adoption is subject to the same pressures as any economic market, such as supply, demand, quality controls.³¹ While Posner’s framework has been criticized for advocating the commodification of human beings, it provides a useful model for analyzing the issues pertaining to adoption. According to this, the first related to adoption framework is between the child, the adoptive parents, and the biological parents.³² The second presents two related to adoption framework that illustrate the interests of the parties involved.³³ It portrays the additional interests involved in international adoption that include the interests of the adoptive child, the country of origin, and the receiving country.³⁴

With the interest of the various parties involved in intercountry adoption as the backdrop, this section highlights the circumstances where “market pressures” spur a black-market for adoption, and the remedies implemented to curb that market. Four different cases will be examined in the following to illustrate the problems associated with adoption during the times of crisis. These are:

A. The New Life Children’s Refuge (NLCR) in Haiti, in which an increase has been noted in the number of children whose status as orphans cannot be confirmed;

B. The Zoe’s Ark in Chad, in which many applications existed for adoption due to the war and its consequences from the border regions between Sudan and Chad;

C. The case of the Southeast Asian countries affected by the tsunami, a difficult situation in assessing the intent of the adoptive parties; and

D. The twelve United States adoptive parents in Cambodia, a crisis environment in which demand creates a black-market.

A. NLCR in Haiti

The “good” intentions of Laura Silsby of this organization are, perhaps, of stark contrast.³⁵ The NLCR is an Idaho-based charity organization whose members are mostly American Southern Baptists “dedicated to rescuing, loving and caring for orphaned, abandoned and impoverished Haitian and Dominican children, demonstrating God’s love and helping each child find healing, hope, joy, and new

life in Christ”³⁶. Originally, the establishment attempted to raise sufficient funds to build an orphanage in Magante, Dominican Republic.³⁷ However, following the earthquake on January 12, 2010 in Haiti, its mission changed to “rescue Haitian orphans abandoned on the streets, make shift hospitals or from collapsed orphanages in Port-au-Prince and surrounding areas, and bring them to a refuge in Cabarete, Dominican Republic”³⁸.

The Haitian officials apprehended Silsby and nine members of the NLCR at the border between Haiti and the Dominican Republic with thirty three Haitian children between the ages of two and twelve.³⁹ Many of the children did not have the necessary documents, and had living parents or close relatives.⁴⁰ As a result, the NLCR members were charged with child abduction and criminal conspiracy.⁴¹ While they claimed that the arrest had interrupted a rescue attempt, Yves Christallin, the Haitian Social Affairs Minister, stated that “this was an abduction, not an adoption”.⁴² The United States Department of State (USDOS) allowed the Haitian authorities to prosecute the NLCR members.⁴³ Though eventually, Judge Bernard Saint Vil released all the members, except for Silsby.⁴⁴ As one commentator has noted, “the association of child, trafficking with intercountry adoption will likely strike some readers as obvious, others as offensive”⁴⁵.

It should also be noted that equating NLCR members rescuing children from demolished orphanages with a child being sold into slavery on the streets of Port-au-Prince depends solely on the difficult task of establishing the NLCR members’ intent.⁴⁶ This is particular since, following the January 12, 2010 earthquake, Haiti exemplified a country where economic circumstances fostered an illegal adoption market, and the earthquake placed those already vulnerable in a dire state.

B. Zoe’s Ark in Chad

The NGO Zoe’s Ark⁴⁷ was founded by Eric Breteau following the 2004 Tsunami.⁴⁸ Three years later, six French members of the foundation were among the seventeen adults arrested for attempting to fly out 103 African children from the border regions between Sudan and Chad.⁴⁹ These children were allegedly orphans from the Darfur⁵⁰ conflict, one that had resulted in 200,000 deaths and more than 2.5 million people displaced and made to live in refugee camps.⁵¹ However, after detaining these charity workers, officials found that many of the children were not Sudanese but Chadian, and had parents who entrusted their children to the Zoe’s Ark under the impression that the children would be educated at a project located in Chad.⁵² The group had been warned in advance that this course of action was illegal, and that it would result in prosecution.⁵³

Following a four-day trial in Ndjamena, the six members were sentenced to eight years of hard labor, and fined \$9 million dollars.⁵⁴ Evidence presented against the group included the following:

The UNICEF reports indicated that the Zoe charity workers bandaged the children and portrayed them as victims of the war; also, there were reports of a number of French families claiming that they had paid up to \$9,000 towards the adoption of these children. Testimony evidence showed that Zoe charity workers had lured the children with candy, money, and food to abduct them.⁵⁵ The investigating officials speculated as to the ultimate motive of these workers, some describing them as a “ring of pedophiles” while others accused them of “arrogant European colonialism”⁵⁶.

C. Southeast Asia

The situation in the Southeast Asian countries affected by the tsunami on December 26, 2004 incorporates the circumstances in the subsections (A) and (B) above, thus providing a meaningful comparison to Haiti following the 2010 earthquake. Due to the 2004 tsunami, nearly 216,000 people died in Asia and Africa leaving unknown sums of orphans and children displaced from their families.⁵⁷

After televised images were released, the United States’ public sought to provide aid to these children.⁵⁸ One potential adoptive parent, Katherine Hart, decided to adopt a child from Thailand, after viewing the tsunami footage.⁵⁹ She stated, “I know these children are going to have some trauma to go through, but these children need to be loved on sic now”⁶⁰. However, during this period of desperation, the inability to identify and control adoption in the tsunami’s aftermath led to many of the affected countries to shut down their borders.⁶¹ Though, the ban on intercountry adoption in this region was not entirely radical⁶² as India, Sri Lanka, and Thailand already possessed strict adoption policies to slow down their own stream of sexual child trafficking; Indonesia and Malaysia rarely allow adoptions to non-Muslims; and Bangladesh essentially prohibits intercountry adoption.⁶³

In parallel action, the USDOS and many Western European nations temporarily prohibited adoptions from the affected nations.⁶⁴ To assist in the process, the UNICEF set up what was known as ‘safe spaces’, which are temporary orphanages to hold and register potential orphans, eventually reuniting 90% of children with relatives.⁶⁵

D. Cambodia

Cambodia is among those cases exemplifying conditions in which demand causes a black-market to form.⁶⁶ Following the September 11th terrorist attacks, twelve United States adoptive parents who were visiting Cambodia to pick up their adopted children, were unexpectedly delayed for a month in that country by its immigration

agency.⁶⁷ There, the authorities had noticed significant discrepancies among the documents handed in for the children leaving the country, including age, birth date, gender.⁶⁸

The discovery launched a nationwide and full scale investigation into the adoptions by the USDOS, the United States Immigration Service, and the Cambodian government.⁶⁹ Additionally, the United States Immigration and Customs Enforcement Office (ICE) conducted a criminal investigation into the possible U.S. involvements in the adoptions.⁷⁰ Under the research warrants issued in 2002 and continuing throughout the years that followed, the ICE managed to reveal the industry of intercountry adoption in Cambodia⁷¹ that included “baby recruiters,” “baby buyers,” false document forgery; and a highly organized, multi-layered system to acquire children from their parents.⁷²

Ultimately, this investigation resulted in the criminal prosecutions of two sisters, Lauryn Galindo and Lynn Devin, who had illegally transferred about 700 Cambodian children through a United States adoption agency, netting an amount of approximately \$8 million.⁷³ The ICE charged the sisters with visa fraud, conspiracy to launder money, and structuring to which they pled guilty.⁷⁴

Despite the investigation and subsequent convictions, the United States continues to prohibit intercountry adoptions from Cambodia.⁷⁵ In addition, “France, the Netherlands, Switzerland, Belgium, Canada, and the United Kingdom have suspended adoptions from Cambodia due to the corrupt practices there”.⁷⁶

Recommendations

As articulated by professional social work and child welfare organizations, any discussion concerning the appropriate response to natural or man-made disasters with regards to children should be carried out with their best interests in mind. Multilateral agreements such as the *Convention on the Rights of the Child (CRC)*, the aforementioned *Hague Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption (the Hague Adoption Convention)*, and domestic legislation includes the *Trafficking Victims Reauthorization Protection Act*. Drawing on comparative circumstances, the steps below should be implemented in order to maintain control of the adoption market following a crisis:

Firstly, the children already involved in adoption proceedings may be allowed to leave the country conditional upon a follow-up certification once the regulating bodies have become functional. As soon as the infrastructure is reestablished, temporary elements need to be made permanent or, alternatively, the orphans can be returned to the claiming parents.

Secondly, there should be an increase in the criminal prosecutions of individuals involved in intercountry trafficking following a crisis. In addition, without

the resolution of the existing child trafficking issues, the international moratoria should be imposed by the immigration officials. However, any placement made in conjunction with such loosened administrative oversight should be only temporary and contingent with the immigration officials following up on the placement cases. Outside of this narrow exception, any permanent adoption must be suspended, and the children involved should remain in the country.

In times of crisis, a similar waiting period can be deemed appropriate. Any punishments resulting from convictions should be augmented for the parties exploiting the crisis. Unless there is an entire ban placed on international adoptions in crisis environments, a reasonable alternative is to increase prosecutions for conducting ancillary to human trafficking violations. An example of the effectiveness of this type of prosecution was the convictions of Galindo and Devin in Cambodia based solely on visa fraud, conspiracy to launder money, and structuring, and not necessarily human trafficking violations per se.

Thirdly, regardless of the outcomes of individual prosecutions, if the accompanying investigations produce evidence of significant corruption failed to be addressed by the source country, the international community has to impose a moratorium with respect to that country. Therefore, potential adoptive parents would be protected from adopting children with questionable orphan status. Possibly, the local enforcement officials in that source country would be incentivized to have lifted this moratorium.

Fourthly, and finally, the inevitability of natural disasters' devastating nations and families, not just in the present regions of research but worldwide, necessitates that NGOs apply a set of universal ethical principles and standards in their practices. With this in mind, it becomes contingent on professional social work organizations to assume leadership through advocacy, and to take a clear stand on practices that would undermine the families' abilities to reunify and the nations' to determine within the international, local, and customary standards, the best interests of their children.

Conclusion

Economic and criminal issues plague intercountry adoptions. During a crisis, the supply of available children increases, and so does the demand for those children, making it difficult, if not impossible, to assess the intentions of those involved. Allowing adoptions to take place under such conditions propagates the parade of horrors which the Hague Convention and the Optional Protocol were created to avoid. In the light of these, the restrictions on intercountry adoption should be heightened and transportation of children should cease, while the number and the extent of criminal investigations and penalties for child trafficking need to increase. The similarities among the adoption cases, namely the NLCR, the Zoe's Ark,

Katherine Hart, and the twelve parents from the States illustrate that even with relatively convincing circumstantial evidences, the intentions of the parties involved are difficult to discern.

The instances of illicit activities detailed in this paper should be viewed as merely the tip of the iceberg as the issue of illicit activities in intercountry adoption from these regions is not only about the cases we know of, but also about those of which we have no knowledge about. While the lessons from these instances have contributed to informed debate about the extent of intercountry adoptions, additional investigation would further the discussion and knowledge of the extent to which these situations prevail and, more importantly, how to eradicate such incidents through precise and targeted legal and social means.

NOTES

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⁴¹ Ibid.

⁴² "Haiti Arrests US Nationals Over Child 'Abductions'," *BBC NEWS*, [Online: web] Accessed on 31 January 2010, URL: <http://news.bbc.co.uk/2/hi/americas/8489738.stm>.

⁴³ Lonzo Cook and Sara Sidner, "Freed from Haiti, Missionary Returns 'with Mixed Emotions,'" *CNN WORLD*, [Online: web] Accessed on 9 March 2010, URL: <http://www.cnn.com/2010/WORLD/americas/03/09/haiti.americans.detained/index.html>.

⁴⁴ Tom Ramstack, "French Propose International Oversight of Haitian Adoptions," *All Headline News*, 10 February 2010, [Online: web] Accessed on 9 March 2010, URL: <http://www.allheadlinenews.com/articles/7017783709?French%20Propose%20International%20Oversight%20of%20Haitian%20Adoptions#ixzz0fS5GK01W>.

⁴⁵ David M. Smolin, "Intercountry Adoption as Child Trafficking," 39 *The Vanderbilt Journal of Transnational Law*. 281, 283 (2004).

⁴⁶ Lonzo Cook and Sara Sidner, "Freed from Haiti, Missionary Returns 'with Mixed Emotions,'" *CNN WORLD*, [Online: web] Accessed on 9 March 2010, URL: <http://www.cnn.com/2010/WORLD/americas/03/09/haiti.americans.detained/index.html>. ("Saint-Vil released the eight others, but Silsby and Coulter remained in custody because the judge wanted to learn more about their motives").

⁴⁷ "L'Arche de Zoé" (translated to mean "Zoe's Ark") is the official name of the organization.

⁴⁸ Profile: Zoe's Ark, *BBC NEWS*, [Online: web] Accessed on 29 October 2007, URL: <http://news.bbc.co.uk/2/hi/europe/7067374.stm>.

⁴⁹ Associated Press, "Africa Charity Workers Charged with Kidnapping," *MSNBC*, [Online:

web] Accessed on 30 October 2007, URL: <http://www.msnbc.msn.com/id/21547226/>; *Africa Research Bulletin*, Chad-France, Zoe's Ark Affair, (Blackwell Publishing, 2007).

⁵⁰ It should be noted that Darfur is a region in Sudan.

⁵¹ Profile: Zoe's Ark, *BBC NEWS*, [Online: web] Accessed on 29 October 2007, URL: <http://news.bbc.co.uk/2/hi/europe/7067374.stm>.

⁵² Angelique Chrisafis, "Chad President Pardons French Charity Workers", *The Guardian (UK)*, [Online: web] Accessed on 1 April 2008, URL: <http://www.guardian.co.uk/world/2008/apr/01/france.internationalaidanddevelopment>.

⁵³ See Profile: Zoe's Ark, *BBC NEWS*, [Online: web] Accessed on 29 October 2007, URL: <http://news.bbc.co.uk/2/hi/europe/7067374.stm>.

⁵⁴ "Zoe's Ark French Charity Workers Back in France from Chad to Serve 8 Years in French Prison", Web in France Mag., [Online: web] Accessed on 29 January 2008, URL: <http://www.webinfrance.com/zoe-ark-french-charity-workers-8-years-prison-129.html>.

⁵⁵ Ibid.

⁵⁶ Ibid. Interestingly, these six Zoe charity workers did not serve hard labor in Chad but instead served a few months in a French prison before Chadian President, Idriss Déby, pardoned them. See Profile: Zoe's Ark, *BBC NEWS*, [Online: web] Accessed on 29 October 2007, URL: <http://news.bbc.co.uk/2/hi/europe/7067374.stm>.

⁵⁷ See Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and Its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law*, 1612 (2007).

⁵⁸ Mike Sims, "Red Light for Tsunami Adoptions," *CBS NEWS*, [Online: web] Accessed on 7 January 2005, URL: <http://www.cbsnews.com/stories/2005/01/07/world/main665382.shtml>.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.; See Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and Its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law*, 1612, (2007).

⁶² Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law* 1613 (2007).

⁶³ See Mike Sims, "Red Light for Tsunami Adoptions," *CBS NEWS*, [Online: web] Accessed on 7 January 2005, URL: <http://www.cbsnews.com/stories/2005/01/07/world/main665382.shtml>.

⁶⁴ Ibid.

⁶⁵ Kathryn Westcott, "Protecting Haiti's Children from 'Cowboy Adoptions'," *BBC NEWS*, [Online: web] Accessed on 1 February 2010, URL: <http://news.bbc.co.uk/go/pr/fr/-/2/hi/americas/8491981>.

⁶⁶ See Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and Its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law*, 1622-23, (2007).

⁶⁷ Trish Maskew, "Child Trafficking and Intercountry Adoption: The Cambodian Experience," 35 *Cumberland Law Review* 621-22 (2004-05) (citing the Immigration and Nationality Act, 8 U.S.C. § 1101(b)(1)(F) (2004); 8 C.F.R. § 203.3(a)(2) (2005)).

⁶⁸ Ibid. at 622.

⁶⁹ See Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and Its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law*, 622, (2007).

⁷⁰ Ibid.

⁷¹ Trish Maskew, "Child Trafficking and Intercountry Adoption: The Cambodian Experience," 35 *Cumberland Law Review* 624-25, 632-35 (2004-05) (citing the Immigration and Nationality Act, 8 U.S.C. § 1101(b)(1)(F) (2004); 8 C.F.R. § 203.3 (a)(2) (2005)).

⁷² Ibid. at 633-35.

⁷³ Ibid. at 632-33.

⁷⁴ Ibid. at 632.

⁷⁵ See United States Department of State, Office of Children's Issues, Intercountry Adoption: Cambodia Country Information, [Online: web] Accessed on 12 April 2010, URL: <http://adoption.state.gov/country/cambodia.html>.

⁷⁶ See Kate O'Keeffe, "The Intercountry Adoption Act of 2000: The United States' Ratification of the Hague Convention on the Protection of Children, and Its Meager Effect on International Adoption," 40 *The Vanderbilt Journal of Transnational Law*, 1623, (2007).