

Press Release

Truth Investigation into Human Rights Violations in the Intercountry Adoption Process Due to the Government's Systemic Failure in Oversight and Management

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Confirmation of human rights violations including fraudulent orphan registrations, identity tampering, and inadequate vetting of adoptive parents.

Recommendations for an official state apology, ratification of the Hague Convention on Protection and Co-operation in Respect of Intercountry Adoption, and additional corrective measures

- The Truth and Reconciliation Commission of the Republic of Korea (Chairperson: Park Sun-young, hereinafter referred to as the "Commission") concluded during its 102nd Committee Meeting on the 25th, held at its headquarters in Jung-gu, Seoul, that the government had violated the fundamental human rights of adoptees by sending numerous children overseas without proper legislative frameworks, oversight, or adherence to administrative procedures. This failure resulted in the infringement of adoptees'

rights, which are protected under the Constitution and international conventions.

- This case pertains to a petition filed by 367 adoptees sent overseas between 1964 and 1999 to 11 different countries. These individuals claimed that, during the adoption process, their identities were altered, and they were collectively registered as “orphans,” often through forged documentation that misrepresented their status as abandoned children. As a result, their “right to know their identity” was severely infringed upon.
- In response, the Commission conducted an extensive investigation, gathering a vast amount of data from the National Archives, the Diplomatic Archives, and the Seoul Archives. Additionally, the Commission secured adoption records of 367 petitioners from four major adoption agencies and conducted interviews with relevant government officials, adoption agency and welfare facility staffs, and the biological families of adoptees.

* Holt Children’s Services, Korea Social Service, Korea Welfare Services, Eastern Social Welfare Society

Overview of Intercountry Adoption in Korea

Korea’s intercountry adoption practice originated in the aftermath of the Korean War, primarily targeting mixed-race children who were perceived as incompatible with Korea’s ethnically homogeneous society. The enactment of the Special Adoption Act for Orphans in 1961 facilitated expedited intercountry adoptions, which later expanded to include children of unwed mothers, abandoned infants, and children classified as “in need of protection.” The government entrusted all adoption-related tasks – including child intake, adoptive parents screening, legal processing, departure arrangement, and finalization of legal adoption procedures overseas – to private adoption agencies. Between 1955 and 1999, approximately 141,778 children were adopted internationally.

- Based on its two-year and seven-months investigation, the Commission identified the following major issues in the process of Korea’s intercountry adoption:
 - For nearly 50 years following the Korean War, the government prioritized intercountry adoption as a cost-effective alternative to strengthening domestic child welfare policies. By delegating full authority over adoption procedure to private agencies without proper oversight, the government failed in its duty to protect children’s rights.
 - Under relevant legislation*, adoption agency directors were granted extensive authority, including guardianship and the right to consent to adoption. This lack of oversight made it difficult to regulate misconduct by adoption agencies, ultimately resulting in large-scale intercountry adoption of children in need of protection.

**Special Adoption Act for Orphans (1961-1975) and Special Adoption Act (1977-Present)*

- The identities and family information of many children were lost, falsified, or fabricated. After being sent abroad, adoptees were left without appropriate legal protections, depriving them of the rights enshrined in the Korean Constitution and the UN Convention on the Rights of the Child.

The Commission confirmed the following specific human rights violations in the intercountry adoption process (see the attached documents for details)

- **Lack of Proper Consent for Adoption:** Although the law required the submission of a parental or guardian consent form before proceeding with adoption, numerous cases were identified where proper legal consent procedures were not followed.
- **Fabrication of Records, including False Reports of Abandoned Child:** Children without birth registration(Ho-juk) were falsely recorded as foundlings at "Orphan Registration" through fabricated reports stating they were abandoned outside the premises of adoption agencies. These false records violated Articles 228 (Falsification of Public Documents) and 229 (Use of Forged Official Documents) of the Criminal Act.
- **Tokenistic Public Notice for Guardians** (Footnote 1: 'Public Notice of Ascertainment of Support Provider' (Ministry of Health and Welfare of Republic of Korea)): In cases where abandoned children were classified as orphans, a public notice procedure was mandated to verify the existence of legal guardians. However, this process was often perfunctory, with notices being posted at unrelated local offices long after the child's disappearance.
- **Deliberate Identity Substitution:** If a child in the adoption process passed away or was reclaimed by their biological family, agencies would substitute another child's identity to expedite the adoption, severely violating adoptees' rights to their true identities.
- **Inadequate Screening of Adoptive Parents:** Despite regulations requiring verification of adoptive parents' eligibility, an overwhelming majority (99%) of intercountry adoption approvals (as of 1984) were granted on the same day or the following day, rendering the screening process ineffective.
- **Neglect of Guardianship Duties:** Korean adoption agencies were responsible for acting as guardians until legal adoption procedures were finalized in the receiving country. However, in practice, agencies frequently

transferred guardianship through informal declarations before the child even left Korea, neglecting their legal duties.

- **Mass Exportation of Children to Meet Demand:** Korean adoption agencies complied with foreign agencies' demands to send a set number of children each month, facilitating large-scale intercountry adoptions with minimal procedural oversight.
- **Forced Donations for Adoption Placement:** The government failed to regulate adoption fees, allowing agencies to set fees through internal agreements. Furthermore, adoptive parents were compelled to pay additional "donations," which were used to secure more children for adoption, effectively turning internal adoption into a profit-driven industry.
- The Commission has determined that the long-standing intercountry adoption practices represent a failure of the government to uphold its responsibility to protect the fundamental human rights of its citizens. Accordingly, the Commission recommends the following measures:
 - An official government apology
 - A comprehensive survey on adoptees' citizenship status and corresponding policy measures
 - Remedies for victims whose identities were falsified
 - Prompt ratification of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption*
 - Commitment from adoption agencies to restore adoptee's rights
- The Commission urges the government to implement these recommendations to address past injustices and uphold the fundamental human rights of adoptees.

Hague Convention on Intercountry Adoption

The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption was adopted on May 29, 1993, at The Hague Conference on Private International Law and came into effect on May 1, 1995. It establishes procedures and requirement to protect the human rights of children involved in intercountry adoptions and prevent abduction and trafficking. South Korea signed the treaty but, along with Nepal and Russia, has not ratified it.

- **Upcoming Engagement:** The committee will meet with Norwegian Investigation Committee on Intercountry Adoption (Chair: Ms. Camilla Bernt) on March 27 at 9:30 AM at the Commission's headquarters to share findings and discuss future cooperation on adoption investigation.

Attached file: Detailed Findings on Human Rights Violations in the Inter-country
Adoption Process

Detailed Findings on Human Rights Violations in the Intercountry Adoption Process



1. Adoption Procedure Conducted Without Proper Consent

Case of Applicant P

친권포기 및 입양승락서

출생지 서울 # K80-52
아동명 박 [redacted] 성별 남 인종 한 Name Park Jung Su D
생년월일 1980. 1. 9 B.D. 1-9-80
Color K Sex M
By Unnamed Mother
Date 1-10-80
PL Foster Home

본인 박 [redacted] 은 상기 아동의 친모 되는 사람으로서 이 아동은 본인이 양육하는 아동임을 확인하였으며 입양특례법 제2조에 의하여 홀트아동 복지회에 친권자로서의 모든 권리를 포기함을 선언하고 이 아동의 장래를 위하여 귀회의 알선으로 입양하는 것을 승락합니다.

1980년 1월 10일

서약자 주소 강원도 정선군 [redacted]
성명 박 [redacted] 성별 여 연령 24
직업 무 아동과의 관계 친모
주민등록번호

- The biological mother signed an adoption consent form the day after giving birth at a maternity hospital and entrusted the child to Holt.
- Holt took custody of the child after conducting only a single interview with the birth mother, without obtaining any documentation verifying her identity or biological relationship to the child (This violated the *Enforcement Regulations of the Special Adoption Act*, which mandate confirmation of the identity of the consenting party).

Case of Applicant K

入養兒童調書		仰 會 長 部 長 次 長 擔 任 決 裁			
依頼機関名	K S S C	記録者 姓名	林 正 俊	記録年月日	1980. 12. /
兒 童 姓 名	김 [redacted]	氏 名	김 [redacted]	生年月日	1980年 11月 30日 當年滿 歲 個月
現 住 所	인천 道 市 市 區 [redacted]				
出 生 地	[redacted] 道 市 市 區 [redacted] 洞 面 洞				
親父母의 血統	(✓) 韓國人 () 韓, 白人 () 韓, 黑人 () 其他				
現在 保 育 者	姓名	김 [redacted]	兒童과의 關係	保育始作 年月日	1980年 11月 30日
入 養 承 諾 者	姓名	"	兒童과의 關係	承 諾 日	1980年 12月 / 日

후원인 (어린이집 원장) 님께 기하면 아동의 모든 후원인 친구의 딸이다 아동의 부모는 동거를 하면서 생활에 전념하지 못해 아동의 복지 사후의 큰 위험 계약으로 노동의 직업은 없고 퍼스워 (4차 13월) 전제까지 신적이 없이 변심한 것으로 생각됨

- A daycare director, who was merely an acquaintance of the child's maternal grandmother, volunteered as the guardian and requested adoption through the Korean Social Service(KSS) the day after the child's birth.
- This daycare director had no legal basis for acting as the child's guardian, as there was no biological relationship.
- Neither documentation proving the guardian's identity nor the birth mother's adoption consent form was submitted.

2. Falsified Reports of Foundings and Fabrication of Adoption Records

Pre-Filled Foundling Reports with Same Information

Standard Form for Reporting Foundlings

발견장소	서울특별시 도봉구 쌍문동 533번지의 3호
발견시	서기 1974. 10. 22. 시 불상
부속물	없음
기타사항	서울특별시 도봉구 쌍문동 533번지의 3호 김 영 회 보호 양육함
서기 1974. 10. 22. 서울특별시 도봉구 쌍문동 533번지의 3호 한국사회봉사회 김 영 회의 기아발견 신고가 유하였으므로 동일 기아조서를 작성하여 아래와 같이 이름과 본적을 정함	

- When an adoption candidate had no official family registration, the local government created an "Orphan Registration" based on the Foundling Report.
- However, apart from the discovery date, details such as the location, accompanying items, and the identity of the reporter were pre-printed on the form and submitted with identical information each time.

Case of Applicant S – Request for Protective Custody and Foundling Report

580 要保護者收容依頼書 No. 234

1. 要保護者				
本 籍	부산			
住 所	4			
姓 名	性 別	生 年 月 日	備 考	
[Redacted]				
성명	성	년월일	비고	
이름	이	1978. 11. 27	중부서	
[Redacted]				
2. 施設入所理由				
여성이란이 불로중 의뢰됨 10 27				

기 아 발 견 신 고

By virtue of my right as legal guardian of

898, 24, Yoon (S) 기 아 (S) (女) 성 별 (女)

having sole custody of the said child, I hereby irrevocably consent to his/her emigration to the 추 정 서기 1978. 11. 27. 일생

adoption by suitable adoptive parents. I hereby authorize the 서기 1978. 11. 27. 시 불상

THE PRESIDENT OF THE REPUBLIC OF KOREA, MINISTRY OF SOCIAL AFFAIRS, 1978. 11. 27. 서울특별시 도봉구 쌍문동 533번지의 3호에서 발견하여 한국사회

봉사회에서 양육하고 있음에 자이 신고합니다

서기 1978. 11. 27. adoption.

- 'Request for Protective Custody' (Sep. 25, 1978) stated that the adoptee was found by the Busan Jungbu Police Station and transferred to Namgwang Temporary Child Protection Center.
- However, the *Foundling Report* (Nov. 27, 1978) falsely stated that the child was discovered by the adoption agency, Korea Social Service(KSS).

Falsified Adoption Records (English)

- 1 -

入養兒童調書

仰 決 裁	會 長	部 長	次 長	担 任
				林

依頼機關名 _____ 記録者 姓名 林 _____ 記録 年月日 1975.12.1.

兒 童 姓 名 張 (男/女) 生年月日 1974年4月18日 當年滿1歲7個月

現 住 所	道 市 郡 區	洞.面 洞
出 生 地	서울 道 西 門 市 郡 區	洞.面 洞 242-110 号
親 父 母 的 血 統	(<input checked="" type="checkbox"/>) 韓國人 (<input type="checkbox"/>) 韓.白人 (<input type="checkbox"/>) 韓.黑人 (<input type="checkbox"/>) 其他	
現 在 保 育 者	姓名 K S S	兒童과의關係 母 始作年月日 1975年11月1日
入 養 承 諾 者	姓名 張	兒童과의關係 母 承 諾 日 1975年12月7日
後見人指定年月日	19 年 月 日	() 手續畢 () 手續未畢 豫定
依 頼 機 關		

I 家族事項

親 母	
姓 名	張
生 年 月 日	1952年11月11日 當年23歲
職 業	過去 無 現在 無
兒童親父와의關係	() 正式結婚 () 契約結婚 () 約婚 (<input checked="" type="checkbox"/>) 其他 1974年2月20日 () 생이별 () 死別

The initial adoption request record for Applicant J accurately documented the birth mother's personal details and birthplace (Seoul).

ADOPTION CENTER
ECKERSBERGSGADE 17 • 8000 ÅRHUS C

Information for ADOPTION in Denmark of a foreign child.
(Information concerning the child and his/her mother)

The below particulars should, if possible, be supplied by the foreign institution referring the child for possible adoption in Denmark.

A. Data relating to the child.

1. Full name	CHANG [REDACTED] (Female) Case No. K-[REDACTED]
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10. Any other information?..

The baby was referred and released on December 1, 1975 for overseas adoptive placement by Mr. Tae Duk PARK, Superintendent of Nam Kwang Children's Home located in Pusan City. Director of Korea Social Service, Inc. is to be appointed as the legal guardian of this baby around January 14, 1976. The referral records of the above-said Home indicated that the baby was placed to the Home on November 1, 1975 as an abandoned baby through Pusan City Office and her name and birthdate were known by a paper-slip, found in her clothings at that time of placement to the Home. Information about the baby's parents is not available from the record.

10 00,0-103a

However, the English version of the adoption record provided to the adoptive parents falsely stated that the child was entrusted to Namgwang Children's Welfare Center in Busan, and that the birth parents were unknown.

3. Token Public Notice of Ascertainment of Support Provider

Public Notice of Ascertainment of Support Provider

Prior to adoption, efforts were made to locate the child's biological family through a public notice procedure. Under the Special Adoption Act for Orphans (1961-1976), local courts posted notices in newspapers and on courthouse bulletin boards twice at 20-day intervals after receiving an adoption application. Under the Special Adoption Act and Facility Minor Guardianship Act Enforcement Decree (1977~), the head of the child protection facility was required to request a public notice through the local government.

Public Notices Issued in Locations Unrelated to the Child's Discovery

Case: Public notice locations for 21 children adopted from Brother's Home

Initial Facility	Transferred Facility	Public Notice Location (District Office)	Number of Children
Brother's Home (Sasang-Gu , Busan)	Busan, Namgwang Children's Welfare Center	Dongnae-gu , Busan	1
Brother's Home (Sasang-Gu , Busan)	Busan Deokseong Orphanage	Haeundae-gu , Busan	2
Brother's Home (Sasang-Gu , Busan)	KSS	Gangnam-gu , Gangdong-gu , Seoul	15
Brother's Home (Sasang-Gu , Busan)	Holt	Mapo-gu , Seoul	1
Brother's Home (Sasang-Gu , Busan)	Eastern (ESWS)	Seodaemun-gu , Seoul	2

Notices That Omitted Crucial Details of the Child's Discovery

기. 미아 및 가출아 보호 의뢰서

아 동 의 사 유	본 지	부산					
	주 소	11					
	성 명	송	성 별	남	생년월일	82.3.3	
	발견 일시	1983. 6. 7. 오전 3시		발견 장소	해주시 남구 새마을 운동장		
현 장 조 사 의 내 容	송은 미생 원의숙로 길가에서 가려져서 한참을 돌아서 (기려져서 못가게 된 것은 9월 14일 에게 기아의 생애를 생년월일을 비정함)						
가 족 조 사	관 계	성 명	성 별	년 월	직 명	비 고	
		부	남				
발견경위 1983. 6. 7. 오전 3시경 해주시 남구 새마을 운동장 부근에서 한참을 돌아서 (기려져서 못가게 된 것은 9월 14일 에게 기아의 생애를 생년월일을 비정함)							
상기 아동을 보호 의뢰합니다 1983. 6. 7. 봉덕 카운슬장 장길							

Request for Protection of a Found Child: Provided detailed information about the discovery.

부양의무자 확인 공고

고아	①성명	김 [redacted]	②성별	남	③연령	④성격
인적사항	④본적					
	⑤주소					
부양의무자 기타보호자	⑥주거					
	⑦직업					
보호시설	⑧시설명	대 상 원	⑨고아원 소재지	도		
	⑩보호 개시일	1983년 6월 7일	⑪소재지	대3직할시남부일각구300		
후견인	⑫성명	도	⑬주소	상 동		
광고사항						

보호시설에 있는 고아의 후견직무에 관한 법률 시행령 제3조의 2의 규정에 의하여 부양의무자를 확인하기 위하여 위와 같이 공고하니 부양의무자는 신고하여 주시기 바랍니다

1983년 6월 30일

구청장
시
군
수

Public Notice of Ascertainment of Support Provider: Omitted key details such as discovery location and time.

4. Deliberate Neglect of Finding Birth Families by Adoption Agencies

Employee Training Material from an Adoption Agency Head (1984)

"In a country like ours, where many children are abandoned, it is practically unclear how the government or adoption agencies can locate the biological parents. The media, being a business, is unlikely to post daily free advertisements in newspapers to help find parents...

(Referring to the mandatory 6-month waiting period for finding birth families) To prevent incidents that might happen once in a decade, we would tie up a large number of children in uncomfortable environments, and the costs for this would be entirely borne by the foreign adoptive parents. This is something that cannot be justified."

[Media] Dong-A Ilbo, "Kidnapped Daughter Tracked for 1 Year and 3 Months, Adopted by American Family Due to Adult Indifference," May 16, 1979.

- In February 1978, a 9-year-old girl, A, from Pohang, followed a junkyard worker, S, and went missing.
- After hearing from S's friend that he was imprisoned in Daegu Prison, detectives visited him, where he revealed that he had abandoned the child in Busan's Nampo-dong. Following this, the child went through a police station and child protection center before being adopted by an American family after a year via an adoption agency.

When the child's biological father, J, filed a complaint, an adoption agency staff member reportedly responded, *"I have no obligation to search for parents using my own money, so feel free to report me if you want."*

[Media] Dong-A Ilbo, "Grandmother Searching for Lost Grandson Finds Him Already Adopted by an American Family", Sep 24, 1986.

- K (61), a grandmother, lost her grandson S (6) while temporarily visiting Korea from the U.S. and searched for him for three years. It was later confirmed that S was adopted by an American family after being lost.
- After seeing news coverage of the case, a writer wrote a short story based on it, and coincidentally, a foster mother from the Korea Social Service (KSS) contacted K to inform her that S had been adopted.
- KSS sent staff to the U.S. to persuade the adoptive parents, but failed. They then informed the grandmother's side, *"Due to adoption regulations, we cannot reveal the adoptive parents' address or arrange a direct meeting with S. We can offer financial compensation, but you must relinquish your claim to him."*

5. Intentional Replacement of Children's Identities

Identity Replacement

If a child undergoing adoption procedures died before departure or was reclaimed by their biological family, adoption agencies sometimes assigned a different child to the same case, using the original child's identity to expedite the process. This practice helped agencies avoid refunding adoption fees and bypass administrative procedures for newly acquired children. However, it was an illegal act that made it difficult to trace the true origins and identities of adoptees.

Case of Applicant K

Substituted Child: E (January 25, 1976)

1976.12.15: E was found abandoned in Seoul.

1976.12.20: A falsified record was sent to Denmark stating that the child had been referred by Namgwang Children's Welfare Center in Busan.

1976.12.30: Orphan Registration.

1977.2.16: Obtained permission for overseas emigration.

1977. (Date Unknown): Presumed death of E.

Applicant: K (January 25, 1976)

1977. 3. 14: The applicant K was born to an unmarried couple and raised by his uncle before being entrusted to an adoption agency.

1977. 3. 15: K's identity was switched with that of E, whose adoption process was already in its final stages. Just one day after being entrusted for adoption, K was sent to Denmark under falsified identity.

仰 會 決 裁	會 長	部 長	次 長	担 任

入養兒童調書

依頼機關名 K-5490 2/m 2/15 出國 記錄者姓名 康 記錄年月日 1977. 3. 14.

兒 童 姓 名 張 亞 興 (男·女) 生年月日 1976 年 1 月 25 日 當年滿 1 歲 2 個月

The Adopted Child Report for K records that he departed for Denmark on March 15 under the name of another child, E (listed in English). The adoption agency, Korea Social Service(KSS), did not inform the adoptive parents of this identity swap. It was only in 2009, when the adoptive parents and the applicant visited Korea, that this fact was finally disclosed to them.

Case of Applicant J

Substituted Child: P (April 15, 1973)

1973.5.8: P found abandoned in Dong-gu, Incheon, and placed in 'Star of the Sea Children's' Home'. KSS prepared him for adoption to Denmark.

1973.6.8: A U.S. serviceman named Mr. A visited 'Star of the Sea' and expressed interest in adopting P privately.

1973.6.26: P was privately adopted by Mr. A and his adoption process through KSS was canceled.

Applicant: J (March 15, 1975)

1973.10.20: The biological father of J requested adoption through KSS.

1973.10.28: Instead of processing J under his real identity, the adoption agency switched his identity to that of P, who had already been prepared for adoption. J was sent to Denmark only a week after the request.

- 1 -

AL 片 + 1 代次
Free

入養兒童調書

仰 決 裁	會 長	副 會 長	部 長	擔 任

依願機關名 _____ 記錄者 姓名 _____ 記錄 年月日 1973. 10. 21.

兒 童 姓 名 石 某 (男/女) 生年月日 1973年 9月15日 當年滿 歲 7個月

The adoption record of applicant J states that it was a case of substitution, with another child, P, being used in place of the applicant.

6. Inadequate Screening of Adoptive Parents

Qualification on Adoptive Parents on Adoption Act

Special Adoption Act for Orphans (1961.9.30.)

1. Eligibility to adopt under their home country's laws
2. Sufficient financial resources to support the child
3. Good moral character with no criminal background
4. Prohibition of using the child for labor, servitude, or other human rights violations
5. A commitment to granting religious freedom and ensuring the child's social integration, with certification from public authorities

Special Adoption Act (1977.1.31.)

1. Compliance with their home country's adoption laws
2. Sufficient financial means to support the child
3. Prohibition of using the child for exploitative labor or degrading occupations
4. Assurance of religious freedom and appropriate upbringing as a member of society

Overseas Emigration Permit: A mere Formality

- The Ministry of Health and Social Affairs conducted the only available screening process for adoptive parents
- A former official from the Ministry's Women and Children's Bureau stated: "It was practically impossible to thoroughly review thousands of intercountry adoption cases annually."
- In 1984, out of 7,964 applications for emigration via adoption, 6,599 (82.9%) were approved on the same day, and 1,279 (16.1%) the following day

Case of Ineligible Adoptive Parents in Norway (Applicant K)

Notification from the Norwegian administrative authorities to the adoptive parents of K

RF ark 656/84-35 IK/IH 16. mars 1984

SØKNAD OM ADOPSJON [redacted] FRA KOREA - [redacted]
[redacted] OG [redacted],
4360 VARHAUG

Ovennevnte ektepar har ved søknad av 30.01.84 vedlagt foreskrevne attester og erklæringer.

Hå barnevernsnemnd har i møte 07.03.84 vedtatt å godkjenne ekteparet som fosterforeldre med tanke på adopsjon av deres fosterdatter Kim [redacted] ved det norske navnet [redacted].

Søkerene har tidligere søkt om godkjenning som adoptivforeldre til utenlandske barn. Søknaden ble avslått i vedtak av justisdepartementet 18.04.77. Søkerene reiste imidlertid til Korea og kom den 23.03.78 tilbake med Kim [redacted], som siden har bodd hos dem.

Kim Jung Ah er døpt i Norge og heter nå In [redacted]-To [redacted] Ha [redacted]. Hun har ingen tilknytning til Korea lenger. For å sikre henne best mulig mener fylkesmannen at hennes fosterforeldre nå må få adoptere henne selv om hun ble ulovlig brakt inn i landet for 6 år siden.

Familien Ueland har sparsomme opplysninger om deres fosterdatter fra Korea, men det går fram av et dokument derfra at In [redacted]-To [redacted] kom fra et barnehjem og selv var innstilt på adopsjon.

Fylkesmannen vil be om justisdepartementets vurdering av om vilkårene for adopsjon er tilstede siden denne saken er noe spesiell, og blant annet samtykke fra barnets verge i Korea ikke foreligger.

Vedlagt oversendes sakens dokumenter.

English version:

(...)

The applicants have previously applied for approval as adoptive parents of foreign children. The application was rejected in a decision by the Ministry of Justice on 1977. 4. 18. However, the applicants traveled to Korea and on 1978. 3. 23. returned with Kim **** ** who has since been staying with them.

Kim Jung Ah was baptized in Norway and is now called In***-To** Ha****. She has no connection to Korea anymore. In order to secure her as best as possible, the county governor believes that her foster parents must now be allowed to adopt her, even though she was illegally brought into the country 6 years ago.

[자료 해설]

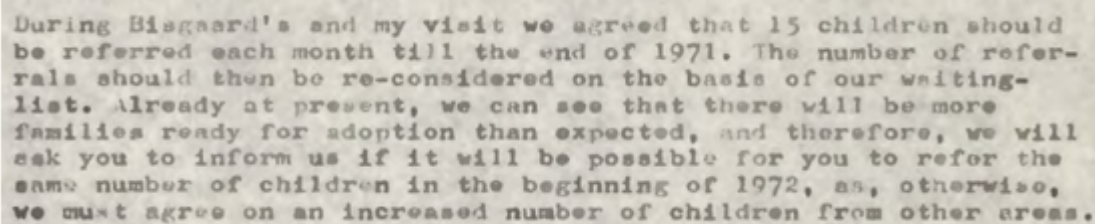
- A Norwegian couple in their mid-50s was denied approval from Norwegian authorities due to their age.
- However, Mr. and Mrs. A visited an orphanage in South Korea and unlawfully took K, who was already a middle school student, to Norway, where they raised the child. Six years later, they submitted a retroactive adoption application to the Norwegian administrative authorities.
- Norwegian authorities acknowledged the illegality but approved the adoption due to the child's prolonged residency(for six years) and lack of Korean ties.

7. Mass Exportation of Children to Meet Demand

Adoption Agencies Prioritizing the Demand of Adoptive Parents

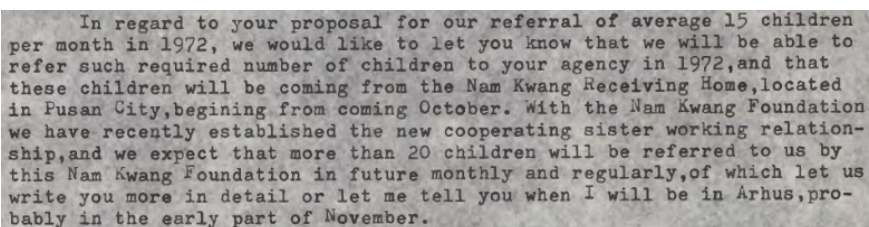
Correspondence between KSS and the Danish Adoption Center (1971 ~ 1972)

Adoption Center to Korea Social Service (1971.9.17)



During Bisgaard's and my visit we agreed that 15 children should be referred each month till the end of 1971. The number of referrals should then be re-considered on the basis of our waiting-list. Already at present, we can see that there will be more families ready for adoption than expected, and therefore, we will ask you to inform us if it will be possible for you to refer the same number of children in the beginning of 1972, as, otherwise, we must agree on an increased number of children from other areas.

Korea Social Service to the Adoption Center (1971.9.23.)



In regard to your proposal for our referral of average 15 children per month in 1972, we would like to let you know that we will be able to refer such required number of children to your agency in 1972, and that these children will be coming from the Nam Kwang Receiving Home, located in Pusan City, beginning from coming October. With the Nam Kwang Foundation we have recently established the new cooperating sister working relationship, and we expect that more than 20 children will be referred to us by this Nam Kwang Foundation in future monthly and regularly, of which let us write you more in detail or let me tell you when I will be in Aarhus, probably in the early part of November.

Meeting with Paik (Chair of Korea Social Service) (1972.5.14.)

REFERAT AF MØDE MED MR. PAIK, den 14.5.1972

Tove Prager gav Mr. Paik en redegørelse for situationen i øjeblikket, se vedlagte statistik. Mr. Paik ville gerne have at vide, om det var sandsynligt, at AC i fremtiden ville kunne placere mere end 15 børn om måneden og i så fald, hvor mange man ville kunne placere. AC foreslog forsøgsvis ca. 18 børn pr. måned, d.v.s. en stigning på 20%. Efter nærmere overvejelse satte AC sig fast på 20 børn pr. måned.

Mr. Paik blev klar over, at det ville være nødvendigt med et "reservelager" på ca. 30 børn. Han lovede, at han ville gøre sit bedste for at forsøge det antal børn, der stilles i forslag hver måned, med ca. 20%.

Adoption Center (Chair: F. Lund Nielsen) & Korea Social Service (Chair: Paik) Meeting (1972.10.8.)

8. Future Plans

FLN: I do not have much to add to the proposed plan for 1973, but would you be able to place a larger number of children to AC? With our present development we should easily be able to place 20 children a month.

P: KSS can guarantee no less placements this year than last and we could refer 25 or more children a month if AC can raise the age limit, even if only up to 3 years of age.

FLN: If we limit the age to under 2 years, how many could you refer then?

P: AC is the only agency with which KSS co-operates, wanting only children under 2 years of age, and you must therefore make efforts to extend the age limit.

Mass Transportation of Children Like Cargo

1984 Annual Report of the Danish Adoption Center featured an image captioned "On the way home from Korea"



På vej hjem
fra Korea

[자료 해설]

- Large numbers of children endured long flights strapped to airplane seats without proper care

- A 1974 case documented a lactose-intolerant child dying upon arrival in Denmark after being fed milk during transit. (*'Adoptionsformidlingen fra Sydkorea til Danmark I 1970'erne og 1980'erne', Ankestyrelsen, 2023*)

Comparison of Intercountry Adoption Procedures for Children Sent to the Netherlands in 1980

Country	Adoption Processing Time	Parental Visit Requirement	Other Details	Adoption Cases(person)
India	Several months to 1 year (frequent cases of withdrawal of parental relinquishment decisions)	Not required	Sibling adoptions not allowed	133
Indonesia	3-7 months (from submission of the adoption application to child assignment; additional time required for the actual transfer of the child)	Mandatory Parental visit 3 week stay required	-	-
Columbia	2-18 months for child assignment; 2 months to 1.5 years for the child's arrival in the Netherlands	At least one parent required	-	120
Ecuador	Generally long (some under 5 months)	Not required	-	6
South Korea	6 weeks to 2.5 months from parental consent to child transfer	Not required	Sibling adoption allowed	180

※ Source: Dutch adoption agency 'Wereldkinderen'

8. Forced Donations for Adoption Processing

Hidden Adoption Fees and Forced Donations

- In 1977, the enactment of the *Enforcement Decree of the Special Adoption Act* formally specified provisions related to adoption fees. However, the Ministry of Health and Social Affairs failed to establish enforcement regulations to define the scope of these fees.
- **Article 8 of the Enforcement Decree of the Special Adoption Act:**
"Adoption Agencies may receive reimbursement from the prospective adoptive parents, within the range determined by the Minister of Health and Social Affairs, for all or part of the costs incurred in the adoption process".

- Due to the lack of a properly established legal framework, the ceiling on adoption fees was determined through negotiations between adoption agencies, with subsequent approval from the Ministry of Health and Social Affairs.

* As of 1982, the fee per child was \$1,450 USD (approx. 1.06 million KRW at the time)

- Amid the government's lack of oversight, adoption agencies not only collected the officially reported adoption fees but also imposed mandatory "donations" on adoptive parents and foreign adoption agencies. These donations significantly exceeded the actual adoption costs, generating substantial profits.

Case of Forced Donation

Korean Social Welfares, "Correspondence with adoption agency regarding adoption fee" 1982.10.20.

Adoption fee is US\$ 1,450 as of 1982 and there are additional US\$200 of contribution for domestic programs. The above two items are on the budget which SWS submitted to our Government at the beginning of 1982. On the other hand, the amount of money is almost identical with those of other adoption agencies in Korea. If the contribution of \$200 is not permitted by the country's law, we receive \$1,650 as adoption fee.

Korea Social Service to Adoption Center (Denmark) 1988.7.27.

Item I. List of KSS Fee on July 18, 1988:
We need new list of the KSS fees for the month of July 1988 just the same as before of US\$1,500. for each child. We are not supposed to receive \$1,900. as a fee for each case. We can accept \$400. as a donation for each without child's name. I am returning the list of the KSS processing fees on July 18, 1988 for new one.

Donations: Payments for Child Export and Investment in securing a stable supply of adoptable children

- The mandatory donations were not merely used to cover processing costs; they were reinvested into facilities responsible for securing adoptable children (such as orphanages, maternity homes, birthing centers, and hospitals), thereby perpetuating the cycle of child supply for intercountry adoption.
- As international criticism over "orphan exports" intensified around the 1998 Seoul Olympics, the South Korean government attempted to significantly reduce the scale of intercountry adoptions. In response, the Adoption Center (AC) indicated to the Korean Social Welfare Society that the substantial amount

of donations they had provided could be discontinued. This strongly suggests that these so-called donations were not humanitarian in nature but rather constituted a commercial transaction of children.

Recorded phone conversation between AC Representative FLN and the President of the KSS, K

1989.5.9. ~ 7. 27:

FLN siger, at han så muligvis vil rejse tilbage lidt tidligere, men han vil gerne tale med Mr. Kim før han taler med Mrs. Paik. FLN spørger om unge Mr. Paik også er i Korea? Mr. Kim svarer vistnok bekræftende. Det er godt, siger FLN, for som Kim ved, finder han det nødvendigt at tale med både Mr. Kim og Mrs. Paik angående KSS' fremtidige policy. Vi ved ikke ret meget om deres hensigter: vil de fortsætte som adoptionsformidlende organisation eller vil de koncentrere sig om Greenhill? Dette

FLN siger, at det vil være nødvendigt, at han kan møde både Mrs. Paik og unge Mr. Paik (Mr. Shook?), når han kommer til Korea. Mr. Kim spørger, hvad han vil foreslå dem? FLN siger, at vi har behov for at vide, hvad KSS' hensigter og fremtidsplane er nu, da antallet af børn falder drastisk. Mr. Kim bliver meget ophidset og råber, hvorfor FLN absolut skal tale med Mrs. Paik og unge Mr. Paik om det? På grund af lånet, siger FLN. Vi skal vide, hvad der vil ske med lånet, vi har givet KSS og fremtidige donationer. OK, OK, siger Kim fornærmet. FLN siger, at han mener, vi skal tale med Mrs. Paik herom. OK, siger Kim.

UN's Stance on "Donations" in the Adoption Process:

The UN has expressed concerns that if child welfare institutions rely financially on adoption agencies, they may be compelled to maintain a steady supply of adoptable children for their own survival. This, in turn, increases the likelihood of illegal adoptions.

9. Commodification of Adopted Children

"Discounted Fees for Disabled Children"

1975.11.26: Danish newspaper EKSTRA BLADET reported: "Disabled child for 3,600 – Healthy child for 10,000"

INVALIDE BØRN 'SÆLGES' FOR 3.600 - SUNDE KOSTER 10.000

Nu kan danskere igen 'købe' børn fra Sydkorea - der leveres også børn fra Mellemamerika, Indien og Bangla Desh

dicppet barn, men årsagen er, at en familie, som ta'r et dant barn til sig, næsten altid må regne med store udgifter, selv om hospitals-indlæggelser og den slags er gratis i Danmark.

Omkring 50 danske familier er skrevet op til et adoptivbarn fra Sydkorea hos Terre des Hommes: - Alle sydkoreanske børn under 5 år, som vi skaffer danske hjem, er handicappede. Derimod er der både raske og handicappede børn over 5 år fra Sydkorea, siger Tytte Botfeldt.

Organisationen startede i august med adoption af børn fra Bangla Desh: - Foreløbig har 19 børn fra det krigshærgede Bangla Desh fået danske forældre. Vi har endnu 60 børn parate derude og regner med, at omkring 120 børn fra Bangla Desh i det kommende år får danske adoptivforældre.

Alle Bangla Desh-børnene er raske. De handicappede børn har ikke haft overlevelsesmuligheder og derfor er der så få af dem. Fly-billetten til Danmark fra Bangla Desh koster omkring 3.500 kr.. Når adoptivforældrene skal betale 8.500 kr. hos Terre des Hommes for et barn, er det fordi forældrene skal være med til at betale organisationens udgifter, bl.a. til et baby-hjem i Bangla Desh, hvor de små adoptivbørn gennemgår en helheds-kur inden afreisen.

KUN 20 BØRN OM MÅNEDEN

Efter et års stop for adop-

tioner har de sydkoreanske myndigheder nu igen givet de tre danske adoptionsorganisationer, Terre des Hommes, Glente Børn og Adoption Center i Århus tilladelse til at adoptere børn fra Sydkorea. Der vil dog ikke fremover blive ubegrænset trafik af børn, for de sydkoreanske myndigheder har bestemt, at Danmark kun kan bevilges 20 børn om måneden, ifølge presseattachéen ved den sydkoreanske ambassade, Hansuk Yang. I øvrigt har Sydkorea krævet, at adoptivforældrene højst må have fire børn i forvejen og at børn over 10 år ikke kan bortadopteres. Når Sydkorea i december sidste år lukkede af for adoptionsbørn til Danmark, var det fordi, man erfarede, at flere af adoptivforældrene højst blevet skilt og de koreanske børn var havnet på børnehjem.

Foreningen Glente Børn, hvis formand er Steen Grand, har omkring 500 familier på venteliste til adoption af et Koreabarn. Et tilsvarende antal forældre venter hos Adoption Center. Disse to foreninger formidler kun adoption af raske børn, og prisen er ca. 10.000 kr.:

- Vi håber at kunne hente de første børn i Sydkorea om en måned eller to efter vi nu igen har fået positiv forbindelse med de sydkoreanske myndigheder, siger Steen Grand.

- Hvordan fordeler de tre foreninger 20 børn om måneden?

- Det er ikke afklaret endnu. Vi regner med, at

AF JONNA GADE

*Køber - Syg
41500 - 50?*

myndighederne mener, at hver adoptionsorganisation kan få udleveret højst 20 børn om måneden, men det skal vi have afklaret i nærmeste fremtid.

De tre organisationer er tilsynsladende ikke på talefod, for man har ikke indbyrdes drøftet en fordeling af adoptivbørnene, som ifølge den sydkoreanske presseattaché er 20 børn om måneden til alle tre organisationer.

BORTADOPTION ØNSKET

Glente Børn formidler også adoption af børn fra Mellemamerika og Indien. - Men det er under 20 børn om året fra de to områder tilsammen, siger Steen Grand. - Det er blevet overordentlig vanskeligt at adoptere børn fra de såkaldte U-lande. Disse lande arbejder på at højne levestandarden og foretrækker økonomisk hjælp til børnehjem og lignende fremfor bortadoption til fremmede lande. Det er forståeligt, og derfor yder Glente Børn f.eks. også økonomisk støtte til børnehjem i Sydkorea.

Sidste år blev omkring 400 danske par forældre til koreanske adoptivbørn.

gustenberg, siger: - Det kan måske lyde lidt underligt, at det er billigere at få et han-

"Once again, Danes can 'purchase' children from South Korea. They can also obtain children from Central America, India, and Bangladesh. The price of a healthy child from South Korea is approximately 10,000DKK, while a disabled child can be acquired for the price of a planeticket- 3,600DKK. The cost is the same for children adopted from Bangladesh, Central American and India."

Approximately 50 Danish families have registered with TDH to adopt children from South Korea. Tytte Botfeldt, a representative of TDH, stated that all South Korean children under the age of five being provided do Danish families have disabilities, while those over the age of five include both healthy and disabled children.

10. Failure of Guardianship and Abandoned Adoptees

Cases of Children Returned by Adoptive Parents

Adoption Center to KSS (1983.11.22.)

Item V: [REDACTED]

The above-mentioned child arrived to Denmark on [REDACTED], and was placed with [REDACTED].

In the end of September, 1983, the girl was hospitalised for a specialist's examination as she was not developing normally. It was decided that she is deeply mentally retarded, and it has been decided by the prospective adoptive parents to let her stay in an institution which is able to care for her adequately, as they feel unable to do so.

Enclosed we send you the discharge letter from the hospital with the complete diagnosis of the child, and a translation of it we have done.

The family [REDACTED] decided that they would like to receive another child some time early next year. Do you still have their homestudy, or shall we send you a new homestudy with photos of the family?

Pre-citizenship Guardianship Abandonment by Adoptive Agencies

후견권 이양각서

본인은 [REDACTED]의 후견인으로써 이 아동이 적합한 정 말 국 인 가정에 입양이민하는 것을 동의함과 동시에 정 말 국 내에서의 입양이민 수속상 필요한 일체의 법적 절차를 취하는 모든 권리와 아동의 의료 조치에 관한 동의권 그리고 입양승낙의 동의 및 공인양년기관에의 그 이양에 관한 권리와 아동보호에 관한 포기권등을

어 답 손 센 타 [REDACTED]에 위임함

위와 같이 아동에 관한 권리를 이양함은 아동에 대한 본인의 보호권을 완전히 포기하는 것이며 법적 입양 완료 후에는 양친이 친권을 취득하여 모든 법적 책임을 지는 것으로 이해하고 본인의 후견인으로써의 모든 권리를 이에 포기함

한국사회봉사회장 김 영 회

증 인 정 창 순

- Special Adoption Act (1977.1.31.) Article 12

"The head of an adoption agency, upon receiving a child for adoption from the head of a care facility, shall perform the duties of a guardian from the date of receipt until the adoption is finalized."

- "According to the above provision, the adoption agency must fulfill its duties as a guardian until the adoption process is completed, even in cases of

international adoption. The obligation is now waived merely by drafting a 'Guardian Transfer Agreement' at will. (Seoul Central District Court, May 16, 2023, Case No. 2019GaHap5502520)."