



# Redefining Family : Moving from Adoption to Family Preservation

Date

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Wednesday

May\_11\_2011,

08:30~17:00

Place

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Community Chest of Korea  
Conference Room

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## **Congratulatory Speech**

**Rev. Kim Do-hyun**

*Director of KoRoot*



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## Congratulatory Speech

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**Rev. Kim Do-hyun**  
Director of KoRoot

Thank you from the bottom of my heart for coming to the first Single Moms' Day Conference.

Today is also the 6<sup>th</sup> annual Adoption Day designated by the government. From the adoptive parents' view, adoption day could be a day of celebration, but from the view of single mothers, adoption day is a day of separation from their beloved. Our society should pay more attention to the single mothers who are on the edge of separation from their beloved children. Around 90% of Korean adoptees are children of single mothers. But even a single mother with a baby is a family. We hosted this conference today to support the single mothers and to keep their families together. So we set the main theme of this conference as 'Protect Single Mothers' Families'.

I am not an adoptee, but I was inspired by an adoptee, the late Ji-yun. In June 1993, Ji-yun killed herself in the Rhine River at the age of 23. Her last words were only a single line, "I am leaving to meet my biological mom." Ji-yun's death changed my life. When she was alive, she edited and published a book on adoption that contained many moving stories. Although I never knew Ji-yun while she was alive, I met her through that book. The cover shows a rootless tree. Adoption, like amputation, is separation.

The following story is about a young man who overcame a separation crisis. His mother had a lover when she was single. They were engaged, and both families knew about their coming marriage. It was a kind of arranged marriage so everyone in the family knew. At that time, engagement was nearly the same as marriage.

Then one day, this young man's mother suddenly became pregnant. It should not have happened like that. Without being married and sharing the same bed with her fiancé, how could she get pregnant? Therefore, it must have been another man. She was in indescribable agony and chaos. The fetus began to grow. There were no abortion savailable at that time. The only way to stop the arrival of the other man's baby was to kill the mother.

Her fiancé, enraged upon hearing of this news, ground his teeth because of her betrayal. As a man of the village, he had a considerable amount of status and power. He could announce her shameful pregnancy to the villagers, and as was the custom back then, they had a right and duty to publicly execute her by stoning her to her last



breath and drop of blood. In order to keep his family name and honor, he was given such a right and duty as a man.

After a long and agonizing consideration, the man decided to marry his beloved. Then he decided to love the baby just as if it were his son. He decided not to reveal her misdeed. Regardless of the father's identity, the baby was precious, and so they were married. Afterwards, they went for a long journey, and she eventually gave birth.

This way, the young man was born into this world without the knowledge of his biological father. This young man's mother gave birth to two younger brothers, and when he was still young, his father passed away. He became a great teacher for humanity, and his name was Jesus, the son of Maria. Maria was also an unwed mother since she became pregnant before her marriage. She betrayed her lover and broke the social conventions of the time in a way that was worthy of accusations. Yet her lover, Joseph, protected her and saved her from the social and biological death penalty. Maria and Joseph secretly bore the child and they could have sent him away for adoption, but they did not. They did not separate. Joseph did all he could protect his lover, this unwed mother, from suffering from any social stigma. Eventually, because Joseph died before Maria, she became a single mother.

She had a hard life, raising children by herself. The story of Maria shows that there is no need for separation because she had Joseph. At that time, the social prejudices were much worse than today; thus, the life of Jesus' family inspired us about the welcoming of a new life. I hope that all of you can find some inspiration from this story of Maria and Joseph at today's single mothers' conference. Let act as Joseph did for today's single and unwed mothers.

## Opening Speech

**Jane Jeong Trenka**

*President of TRACK*



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## Opening Speech

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**Jane Jeong Trenka**  
President of TRACK

Hello. My name is Jane Jeong Trenka, and I am a Korean adoptee who was sent to the United States. As the president of TRACK, it is my great pleasure to welcome you to the International Conference for the 1<sup>st</sup> Single Moms' Day in Korea.

With this conference on May 11, which is the day of the government's annual Adoption Day, we hope to accomplish two things. First, we want to raise awareness about single moms' families and the connection between adoption and single moms. Up to 90% of children sent for adoption these days are the children of unwed mothers. By raising public awareness about this issue, we can challenge the Korean government to meaningfully and sufficiently support children in the families in which they are born instead of sending them for adoption either domestically or internationally.

Discrimination against unwed mothers is one way in which the patriarchy in Korea is reflected. South Korea ranked 104 out of 134 countries, between the United Arab Emirates(103) and Kuwait(105), in the World Economic Forum's 2010 report on "Measuring the Global Gender Gap." Gender discrimination and individual and institutionalized discrimination against unwed mothers' families are serious problems that have the ability to tear Korean families apart, as already demonstrated thousands upon thousands of times. We need to address these issues seriously as a society.

Second, in our discussions today, we are centering the people who have been affected by adoption and policies about single parents. The adoptees, single moms who are raising their children, and parents who lost children to adoption are experts of their own experience and should be regarded as such. Although we have worked very hard to invite a diverse group of affected parties, noticeably absent from this conference are unwed fathers and domestic Korean adoptees. Let's consider why few unwed Korean fathers are raising their children, and why there is virtually no domestic adult adoptee community, even though we know that domestic adult adoptees exist in Korea.

There is a stigma against adoption in Korea, and for that reason, "Adoption Day" was designated by the government six years ago in order to promote domestic adoption. However, Adoption Day is not working in terms of sheer numbers. In 2010, there was only 1 more domestic adoption than there was in 2005 (1461 vs. 1462 children).

Regarding Adoption Day and other efforts to promote domestic adoption, the South Korean government reported to the UN CRC in 2010 that it is telling the public that "Adoption is a

different kind of birth." But adoption is not birth. Adoption is adoption. It should be respected on its own terms with regard to its unique benefits and drawbacks. Our hope is that this conference will reveal, from the perspective of the affected parties, some of the realities of adoption(as opposed to fantasies about adoption) that need to be concretely understood in order to protect the rights of children and their families. In addition, we hope to show that the answer to the low adoption rate is simply to support the mothers who the babies already have, encouraging both individual and societal responsibility.

In addition to the affected parties, we have invited many experts, scholars, and decision-makers. It is our hope that you will listen to the sincere testimonies of the people whose lives have been affected by policies on adoption and single moms, and urge the society to respond to the needs of families who are vulnerable to separation. There are many such families because South Korea's welfare system is so inadequate. According to a year 2010 Alternative Report by Korean NGOs to the UN Convention on the Rights of the Child committee, the government allocated about 8,800 won per child on social welfare in 2008, and child and family expenditures accounted for 1.7% of the national budget, the lowest level among OECD countries. That is simply not good enough. We can and should do a lot better.

On behalf of the TRACK team, we extend our sincere thanks and gratitude to all of the participants in today's conference, as well as the many volunteers and donors who have made today's events possible. The conference, as well as the gift drive, press conference, and birthday cake giveaway, have all been made possible through the generosity of countless people living in many countries.

To the single moms of Korea, Japan, and the world, you are amazing women!! It is an honor and a privilege to share this day with you. Let's continue to work together and make the kind of world that we all deserve to live in. Thank you.

## **Encouraging Speech**

**Choi Young-hee**

*Chairperson of the National  
Assembly Committee on Gender  
Equality and Family*

**Cho Hyeong**

*President of the Korea  
Foundation for Women*



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## Encouraging Speech 1

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**Choi Young-hee**

Chairperson of the National Assembly Committee on Gender Equality and Family

It is a pleasure to meet you. I am Choi Young-hee, Chairperson of the National Assembly Committee on Gender Equality and Family.

It has been a year since we came together to host the Special Law on Adoption Revision Bill event that included a screening of the documentary film "Resilience," and enjoyed the spring breeze in the charming art gallery courtyard.

Together with you all, Korean adoptees and members of KUMFA, in addition to the exhibition event, we have also worked on and submitted the adoption law revision bill to the National Assembly, and submitted a resolution demanding the ratification of the Hague Convention on inter-country adoption that was recently passed. All of this was made possible based on your passion and your commitment to work together. I would like to take this opportunity to thank all of you.

Hosting the first international conference to celebrate and inaugurate the first 'Single Moms' Day' today, on what is the sixth "Adoption day," I believe is a continuation of our collective efforts.

All of us are well aware that South Korea served as the host to the G20 Summit talks and takes pride as being amongst the world's 10 largest economies, but it still sends out more than 1,300 of our children annually, and thus continues to be stigmatized as a child exporting giant.

Ninety percent of South Korean inter-country adoptees are the children of unwed moms. And it is my hope that this convening will help publicize this together with the fact that South Korea continues to rank as the fifth-largest sending country for adoptions following Ethiopia to the US, and will provide the government with incentive to implement countermeasures to stop this from being our shameful reality.

In fact, it is my belief that the necessity of having a 'Single Moms' Day' reflects on the unhealthy state of our society. If children are born to men and women, why is it that women in our society are [disproportionately] the ones bearing the social stigmas that come with making sacrifices rearing children as a single parent or choosing adoption, and why are men not facing their responsibility of being fathers and taking care of their dependents.



The United Nation's Convention on the Rights of the Child [Article 7] stipulates: "The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents." Moreover, State parties to the CRC [Article 21] agree to: "Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin." Namely, this convention stipulates that inter-country adoption is a measure of last resort, turned to only after the impossibility of the child being raised by their birth parents or within their country of origin has been confirmed.

Towards this, the Special Law on Adoption Revision Bill that we have drafted together implements a ban on inter-country adoption as of 2016, and until then because 90% of inter-country adoptees are the children of single mothers, requires the State to implement an expanded support system for single moms in order to protect children domestically.

Foreigners puzzle over how South Korea continues to send children abroad to be adopted when it is not a poor country. Our government is being stingy in regards to providing support for unwed moms who both choose childbirth and to rear their children. Meanwhile, it provides support for surgical assistance sought by infertile couples, and sends children abroad while banning abortion. All of us bear the responsibility of building together a healthy environment where a child who is born in South Korea can be raised by their birth families. This is the reason why a state exists.

Here with us today, persons who have been directly impacted, adoptees, birth mothers who relinquished their child for adoption, unwed moms who decided to rear their children, will share their stories. These stories provide us also with the story of South Korea in 2011.

I will be listening carefully. Telling your story will not be in vain, but will be echoed through everyone's minds who have a tremendous role to take on in making a better future. As Chair of the Committee on Gender Equality and Family, and as a member of the Committee on Health and Welfare, I pledge to work hard. Thank you.

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## Encouraging Speech 2

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**Cho Hyeong**

President of the Korea Foundation for Women

I was not so cheerful this morning. I was just seven years old when the Korean War broke out in 1950. Afterwards, I witnessed some of my contemporaries being adopted abroad. Even though I am an adult now and working for my country's betterment, overseas adoption continues, and I feel very guilty about that.

The Korean government has promoted overseas adoption for the last 60 years. Just recently it designated May 11 as Adoption Day in order to promote domestic adoption. Therefore, I was amazed with your creative idea to declare the same day as Single Mothers' Day.

When I was younger and my contemporaries were adopted abroad, I had contradictory emotions: A feeling of sadness as well as relief because those adoptees were being sent to countries richer than Korea. However, from the 1990's, when the adoptees began returning, I thought that we had forgotten about them for too long. I also felt that Koreans did not care about the adoptees' wellbeing and took a very indifferent attitude towards adoption issues. What was worse was the discrimination and stigmatization against adoptees, which made me very sad and angry. In my view, the root of this attitude stemmed from patriarchy and authoritarianism. I am very sorry to the adoptees that I was not very active to improve this miserable situation.

Now, the overseas adoptees are making an effort to bring change and transform our society by saying, "We wish that biological single mothers didn't have to give up their children, and that all of them could create a happy family without feeling ashamed." I respect these adoptees for their courageous voices and action. I hope this conference will serve as strong momentum, act as a turning point to induce Koreans to think once more about adoption issues and single mothers, and help society take concrete and specific action to improve the situation.

I hope this conference works as a great stepping stone to help improve single mothers' rights and prevent any unwanted adoptions. Even after today, let us make every effort to create a better society for all single mothers.

Although the Korea Foundation for Women(KFW) has a ten year history, it was only last year when we started a project for single mothers. Thanks to the help of an American scholar, Dr. Richard Boas, who adopted a Korean child, we were able to

launch this project. After Dr. Boas adopted his child, he realized the unfortunate conditions that caused single mothers to relinquish their children for overseas adoption.

I hope this conference serves as a turning point to deter the overseas adoption of Korean children, and we, the Korea Foundation for Women, will continue to actively support single mothers. Thank you everyone.

## **Session 1**

**Official positions on  
domestic and international  
adoption : Yesterday and  
today**

**Nancy S. Tokola**

*Doctor /*

*M.A. International humanitarian  
action*

**Tahk Yeon-taek**

*Former Chairman of SWS*



**Nancy S. Tokola**

Doctor / M.A. International humanitarian action

Dr. Nancy Smith Tokola is a U.S. domestic adoptee, has been married for 35 years to date to a Finnish-American, has raised four biological children (currently ages 16 to 24), and has maintained her professional trajectory over three decades of global travels. During these global travels, she has sought opportunities to participate in groups which offer support to infertile couples, adoptive parents, and adoptive children – such as the "Adoption Group" in London and TRACK here in Seoul.

Dr. Tokola worked her way through college as a radiologic technologist and graduated with a major in biology from Pomona College (Claremont, California, USA). Thereafter, she volunteered for two years in several public health institutions in Turkey and subsequently worked for two years as a student scientist at National Institutes of Health (Bethesda, Maryland, USA). Thereafter, in succession, Dr. Tokola earned: 1) the M.D. from Case Western Reserve University School of Medicine (Cleveland, Ohio, USA) 2) the M.Sc. in medical & pharmaceutical research from Vrije Universiteit Brussel ("Dutch-speaking Free/Protestant University of Brussels", Belgium), with sub-specialization in reproductive medicine 3) an anatomic pathology internship certification at University Hospitals of Cleveland, with focus on obstetric/gynecologic and pediatric pathologies and 4) the M.A. in international humanitarian action from the European Union Network on International Humanitarian Action (EU-NOHA, Rijksuniversiteit Groningen, The Netherlands), with research focus on development, migration, and health.

During the past decade, Dr. Tokola has worked for several governmental and non-governmental organizations: 1) as a lecturer for University of Maryland European Division, teaching courses in mathematics, statistics, natural sciences, and computer sciences; 2) as the Family Liaison Officer for the Lockerbie/Pan Am 103 bombing trial & appeal in The Netherlands, through a contract with the U.S. Department of Justice Office for Victims of Crime 3) as a public health consultant and then as the National HIV/AIDS Coordinator for World Vision Mongolia; 4) as an international consultant for World Vision International; 5) as the team coordinator for a women/children situation analysis sponsored by UNICEF-Mongolia, with focus on progress towards the Millennium Development Goals 6) as the Visiting Professor for Biomedical Ethics at the Health Sciences University of Mongolia 7) as a lecturer in human rights at the Mongolian Police Academy, focusing on administrators and prison guards; 8) as the international

consultant for the "Population Development, Human Rights, and Reproductive Health NGO Network of Mongolia (consisting of thirty-two local NGOs focused on health sector development); 9) as a member of "Millennium Three Group" in London, with focus on empowerment of girls and women; and most recently 10) as a European Commission Marie Curie Fellow, researching and motivating accountability for the Millennium Development Goals in programs and projects. Over the past decade, Dr. Tokola has participated as delegate and speaker at regional and international workshops, seminars, and conferences – focusing on human rights, development, reproductive health, and poverty-related diseases (particularly HIV/AIDS). Further, she has volunteered on construction crews in projects sponsored by Habitat for Humanity and Youth Compassion. These endeavors have been hosted in twenty-one countries across three continents (**Africa:** South Africa; **Asia:** Cambodia, Japan, Korea, Mongolia, Sri Lanka, Thailand; **Europe:** Belgium, Croatia, Germany, Hungary, Iceland, The Netherlands, Portugal, Republic of Georgia, Republic of Ireland, Romania, Russian Federation, Spain, Turkey, United Kingdom).

## **Introduction**

The purpose of this paper is to pose questions and to fit possible answers into a logical framework in the context of international law instruments and development issues, particular regarding women and children. This paper has five parts: 1) Questions and Answers on International Adoption, 2) Interaction of Development and Families: Complexity and Stressors, 3) Primer on International Law, 4) Primer on Development, Gender Inequality, and Empowerment, and 5) Conclusion: Participation, Responsibility, and Account-ability.

## **Part 1: Questions and Answers on International Adoption**

For our "International Conference for the 1st Single Moms' Day," the "Conference Planning and Action Committee" considered six core questions regarding international adoption policies and procedures and then considered a seventh question based upon a birth mother/birth child scenario.

There are several groups of people who would be responsible for addressing the answers to these questions. These responsible officials include: 1) both domestic and international formulators and implementers of policies, procedures, and practices; 2)

national and local governmental social welfare services; 3) domestic and international adoption agencies; 4) consular officers assigned to sending countries; and 5) immigration officers based in receiving countries.

However, on the day of the conference, the "Conference Planning and Action Committee" must ask our keynote speakers, panelists and audience members to consider both the questions and the answers.

**Q 1** Considering policies and procedures at embassies and consular offices, what is the difference between Hague Convention adoptions and non-Hague Convention adoptions?

**A 1**

**Q 2** Considering the obligations for official reporting, as defined by the Hague Convention, what is the level of accountability of the child-receiving country for assessing the accuracy of this reporting by the child-sending country?

**A 2**

**Q 3** If the Republic of Korea eventually becomes a Party to the Hague Convention, how might the foreign policy of a receiving country change toward adoption documentation by official institutions in the Republic of Korea?

**A 3**

**Q 4** Further, if the Republic of Korea eventually becomes a Party to the Hague Convention, how might the policy of a receiving country change toward adoption documentation by private adoption agencies operating in the Republic of Korea?

**A 4**

**Q 5**

**Statement** After their international adoption, children ultimately become citizens of the receiving country.

**Question** How do a receiving-country Ministry of Foreign Affairs and its overseas consular offices investigate subsequent complaints by birth parents on policies and practices in the sending country?

**A 5**



**Q 6**

**Statement** The U.S. Department of State website notes that "the United States is not currently processing adoptions from Cambodia and Guatemala."<sup>1)</sup>

**Question** Why did the U.S. Department of State make the decision to halt adoptions from these two countries? What was the role of the birth parents in these child-sending countries(Cambodia and Guatemala) in motivating this change of policy by the USA, as the former child-receiving country? What was the role of the adoptive parents in the USA, as the child-receiving country, in motivating this change of policy by the U.S. Government?

**A 6**

**Q 7**

**Scenario** As a citizen of a receiving country, "Mr. Y" is a grown male international adoptee who has searched for and found his elderly birth mother, "Miss X" This elderly woman can no longer care for herself in her country of citizenship, namely the child-sending country. The immigration system of the child-receiving country, with its counterpart consular office in the child-sending country, will not grant permission for "Miss X" to immigrate to the child-receiving country in order to live with her biological son. "Mr. Y" is married and, with his wife, is raising their biological children in the child-receiving country, of which each member of this nuclear family is a citizen. So, "Mr. Y" cannot return to the child-sending country for the sake of even temporarily living there and working to care for his elderly biological mother, "Miss X" This dutiful son can send money to his elderly birth mother, but he wants to help her more personally throughout her elder years as they build upon their familial relationship. Further, "Miss X" would like to interact in person with her biological grandchildren as they grow up.

**Question** For such a hardship case, how does a foreign consular section in the sending country interact with its counterpart immigration service in the receiving country in order to resolve this familial separation -- decades after the international adoption?

**A 7**

**Q 8** What questions would panelists from the five sessions of this conference choose to address?

**A 8** What would these panelists answer?

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1) Source > website > [http://adoption.state.gov/about\\_us/statistics.php](http://adoption.state.gov/about_us/statistics.php) (accessed 26 April, 2001)

**Q 9** What questions would the audience members of this conference choose to address?

**A 9** What would the audience members answer?

## **Part 2: Interaction of Development and Families: Complexity and Stressors**

Newborn babies have involuntary options, as follows: 1) being raised by two birth parents, 2) being raised by a single birth parent, 3) being raised by an extended family member of either birth parent, or 4) being placed into a public or private institution while awaiting onward placement -- either a domestic foster home, a domestic adoptive family, or an international adoptive family. Stigmatization is detrimental to the well-being of adults and children in any society—whether this stigma is directed against unwed pregnant women, unwed single parents, children raised in single-parent homes, or adoptees.

The Republic of Korea hosted the "Third OECD World Forum" in Busan in October 2009 (OECD = Organization for Economic Cooperation and Development), then hosted the "Seoul G20 Summit" in November 2010, and next will host the "Fourth High Level Forum on Aid Effectiveness" in Busan during November - December 2011 as led by the OECD Development Assistance Committee (DAC) in order to assess the extent to which Official Development Assistance (ODA) is supporting good policies and practices in developing nation-states. The Republic of Korea is officially recognized not only as a developed nation-state but as a donor country. In conjunction, as a progressive trend over the past two decades, the Korean Government is promoting domestic adoptions and gradually is decreasing the number of international adoptions. Domestic and international adoption agencies either support or object to this trend in Korean Government adoption policy. In the Republic of Korea and in potential receiving countries, infertile couples either support or object to this trend.

The dynamics of adoption laws, policies, and practices generate complex interactions amongst the stakeholders (actors, agents, participants), which range from individuals to families to institutions (set of rules in a system) to organizations (people associated with institutions). These interactions are comprehensive across the economic, environmental, political, social, education, and health sectors. Further, these interactions are infused with physical, psychological, emotional, spiritual, and social stressors. This complexity and these stressors either inhibit or motivate communication, cooperation, and coordination amongst the stakeholders in both public spheres and private spheres.

### **Part 3: Primer on International Law**

The "First International Conference for the 1<sup>st</sup> Single Moms' Day" is an "international" event taking place in the Republic of Korea, which is a respected nation-state in the international community. Considering the history of the Korean War and its aftermath and considering human rights, the participants in this conference should have a foundational understanding of international law.

**International law** is built upon agreements which are synonymously known as "treaties," "conventions," "covenants," or "protocols." Each treaty may begin with a "preamble" and then can be structured as a series of "parts," "chapters," and "sections"--under which are groups of related "articles" or "principles," which may be few or many in number. Nation-states become a "Party" to an agreement by signing (first signature by representative of a national government) and then ratifying (second signature by the Head of State) the formal document. However, in order for the agreement to "enter into force," a certain number of nation-states must go through this two-stage signing/ratifying process. "Entry into force" means that the treaty is legally binding and enforceable, albeit either weakly or strongly, depending on the political will of the national government. After the treaty has entered into force, other nation-states still may become Parties to this treaty through a subsequent signature process called "accession." As "Parties" to the treaty, nation-states which do not abide by the articles of an agreement are "breaching" the agreement and thus are at risk of sanctions being imposed by the international community. Significantly, a "declaration" is not a treaty. A "declaration" is a series of non-enforceable statements, and a "treaty" is a series of enforceable statements.

**International Law** is divided between public international law and private international law.

**Public international law** includes international humanitarian law and international human rights law. Emanating from the technological advances which have bloodily deepened the "scourge of war," **international humanitarian law** addresses armed conflict, both international and non-international. In its Preamble, the "Universal Declaration of Human Rights" (UDHR, 1948) gives "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family." Emanating from the UDHR, **international human rights law** addresses the safeguarding of human rights, with which every human being is born and from which no human being can be separated. For every "right," there is a corresponding "duty" or "obligation" to respect and to protect the "right." Each individual can "claim" his or her rights. The governments have the duty/the obligation to respect and to protect these rights.<sup>2)</sup>

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2) Source > Website > <http://www.un.org/en/documents/udhr/index.shtml>

**Within public international law, international humanitarian law** includes the Hague Conventions and the Geneva Conventions. The Hague Convention of 1899 and the Hague Convention of 1907 were drafted in conjunction with international peace conferences and addressed the inhumanity of weapons of war, resulting in the setting of restrictions. In contrast, the Geneva Conventions and three Additional Protocols were drafted over almost a 150-year period and addressed the safeguarding of humanity in regard to the people involved in armed conflict. The First Geneva Convention (1864) addressed the wounded and sick people in land warfare. The Second Geneva Convention (1906 and 1929) addressed the wounded, sick, and shipwrecked people in sea warfare. The Third Geneva Convention (1929) addressed prisoners of war. The Fourth Geneva Convention (1949) addressed civilians. In 1949, the principles of the four Geneva Conventions were reinforced and linked through "Common Article 2" addressing international armed conflict and through "Common Article 3" addressing non-international armed conflict (domestic conflicts for self-determination and possible secession). For the protection of the victims of armed conflict, United Nations General Assembly adopted three Additional Protocols. The long Additional Protocol I (1977) addressed international armed conflict. The shorter Additional Protocol II (1977) addressed non-international armed conflict. The brief Additional Protocol III (2005) clarified the "distinctive emblems" of humanitarian relief organizations such as the red cross, the red crescent, and the red diamond. Additional Protocol I more specifically concerns: 1) civil defense measures (such as fire-fighting and repair of utilities); 2) the protection of medical personnel, religious personnel, relief workers, and journalists, both civilian and military; 3) the restriction on inhumane activities such as medical experimentation; 4) the protection of women, especially pregnant women, and children; 5) the reuniting of dispersed families; and 6) the establishment of a "Fact Finding Commission."<sup>3)</sup>

**Within public international law, international human rights law** can be informally structured according to "generations," a concept which was proposed in 1977. These generations include: 1) first-generation human rights (civil, political), 2) second-generation human rights (economic, social, cultural), 3) third-generation human rights (communication, cross-cultural heritage, development, environmental resources, sustainability, collectives and groups of people), and 4) fourth-generation human rights (intellectual property and knowledge gaps). In international human rights law, the two main treaties are called the "Twin Covenants." The "International Covenant on Civil and Political Rights" (ICCPR, adopted in December 1966, entered into force in March 1976) details the first generation human rights, which are termed "negative rights." Civil and political rights protect people from government oppression -- the "negative" actions which the government must not impose against its people. Civil and political rights honor the

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3) Source > Website > <http://www.icrc.org> \*CRC = International Committee of the Red Cross

"right to freedom of thought, conscience and religion" (Article 18), the "right to freedom of expression" (Article 19), the "right of peaceful assembly" (Article 21), and "the right to freedom of association with others" (Article 22). Article 24 of the ICCPR asserts: "Every child shall be registered immediately after birth and shall have a name" – "every child has the right to acquire a nationality."

The "International Covenant on Economic, Social and Cultural Rights" (ICESCR, adopted in December 1966, entered into force in January 1976) details the second generation human rights, which are termed "positive rights." Economic, social, and cultural rights improve the quality of life -- the "positive" opportunities for achieving well-being which a government should make for its people. Economic, social, and cultural rights honor "freedom from want" and "freedom from fear." Examples are: "the equal right of men and women to the enjoyment of all economic, social and cultural rights" (Article 3), "the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts" (Article 6), "the right of everyone to the enjoyment of just and favorable conditions of work" (Article 7), "the right of everyone to an adequate standard of living for himself and his family" (Article 11), "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health" (Article 12), and "the right to take part in cultural life" (Article 15). Article 10 of the ICESCR asserts: "The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children."

Both before and after the ICCPR and the ICESCR entered into force, dozens of more tightly focused and more detailed "conventions" have been adopted by the United Nations General Assembly and signed/ratified by nation-states or acceded to by nation-states.<sup>4)</sup>

**Private international law** includes the series of Hague Conferences and their corresponding Conventions. In 1893, the "Hague Conference on Private International Law"(HCCH) was launched in order to deal with "a melting pot of different legal traditions" amongst the nation-states of the world. The HCCH is a "world organization for cross-border cooperation in civil and commercial matters." Globally HCCH Member States have strived to "build bridges" across diverse legal systems.

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4) Source > Website > <http://www2.ohchr.org/english/law/iccpr.htm>;  
<http://www2.ohchr.org/english/law/icescr.htm>

\*OHCHR = Office of the High Commissioner for Human Rights

There are three main areas of private international law, and each area has its own set of ratified "Hague Conventions," as indicated by date in the following lists:<sup>5)</sup>

1) International Protection of Children, Family and Property Relations

**Conventions** : International Protection of Children  
Maintenance Obligations Children (Applicable Law) (1956)  
Maintenance Obligations Children (Enforcement) (1958)  
Protection of Minors (1961)  
Adoption (1965)  
Child Abduction (1980)  
Adoption- Co-operation (1993)  
Protection of Children (1996)

**Conventions** : International Protection of Adults  
Protection of Adults (2000)

**Conventions** : Relations between Former Spouses  
Divorce (1970)  
Maintenance Obligations (Applicable Law)  
Maintenance Obligations (Enforcement) (1973)  
Marriage (1978)  
Matrimonial Property Regimes (1978)  
Protocol on Maintenance (2007)  
Recovery of Maintenance (2007)

2) International Legal Co-operation and Litigation

- A) International Judicial and Administrative Co-operation  
(legislation, legal services, taking of evidence, access to justice, civil procedure)
- B) Jurisdiction and Enforcement of Judgments  
(choice of court, enforcement of judgments, choice of court agreements)

3) International Commercial and Financial Law

(contracts, torts, securities, trusts, recognition of companies)

The three HCCH conventions which most concern our "International Conference for the 1st Single Moms' Day" are as follows:

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5) Source > Website > <http://www.hcch.net>

**1965** : "The Hague Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, 15 November 1965"

**1980** : "The Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction"

**1993** : "The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Inter-country Adoption" (ratified by the USA on 12 December 2007)

#### **Part 4: Primer on Development, Gender Inequality, and Empowerment**

Society is structured across multiple levels: individual, family, local community, national, regional, and international. Further, society is divided between public sector and private sector. Within the public sector, regulation of society is guided at the following levels: inter-governmental level (United Nations), regional governmental level (African Union, European Union, Association of South East Asian Nations), national governmental level, provincial or state governmental level, and local governmental level.

Within the private sector, civil society is defined as an entity existing between family level and governmental level. Authoritarian governmental regimes either do not allow or tightly control civil society organizations (CSO) within the nation-state. CSOs include special interest groups, clubs, associations, foundations, faith-based organizations (FBO), and registered non-governmental organizations (NGO). The private sector is further divided between for-profit organizations (which have a business/commercial character) and non-profit organizations (which have a charitable character).

Considering evolution of the inter-governmental level, the "League of Nations" was established after World War I and operated between January 1920 and April 1947. Creating the United Nations (UN), the "United Nations Charter" was signed on 26 June 1945 at the "United Nations Conference on International Organizations" (UNCIO), held in San Francisco, USA, at the end of World War II in Europe. Then, after the end of World War II in the Pacific, the "United Nations Charter" was ratified on 24 October 1945 ("United Nations Day") by the five permanent members of the UN Security Council (China, France, Russia, United Kingdom, USA). The United Nations Charter created six "principal organs" for the governance of the United Nations: 1) General Assembly, 2) Security Council, 3) Secretariat, 4) Economic and Social Council (ECOSOC), 5) International Court of Justice, and 6) Nations Trusteeship Council (inactive since 1994, established to protect post-World War I mandated countries and post-World War II vulnerable countries).

The "Universal Declaration of Human Rights" was adopted by the United Nations General Assembly on 10 December 1948 ("Human Rights Day"). The United Nations is composed of several agencies, organizations, programs, and funds, including: 1) UN International Children's Emergency Fund (UNICEF, founded in December 1946), 2) World Health Organization (WHO, founded on 07 April 1948, "World Health Day"), 3) World Food Program (founded in 1961), 4) UN Development Program (UNDP, found in November 1965), and 5) UN Fund for Population Activities (UNFPA, founded in July 1967, focusing on reproductive health, maternal mortality, and infant mortality), and The UN "Economic and Social Council" (ECOSOC) accepts both governmental representatives and non-governmental representatives. In 1946, ECOSOC established the UN "Commission on the Status of Women"(CSW). Thirty years later, the United Nations declared 1975 to be "International Women's Year," during which the "World Congress for International Women's Year" was held in Berlin, Germany and the "First World Conference of Women" was held in Mexico City, Mexico. In December 1976, the thirty years of work by the CSW led to the founding of a new UN agency -- the UN "Development Fund for Women" (UNIEFEM). The United Nations declared 1976 – 1985 to be the "UN Decade for Women." In 1977, March 08 was the first "UN Day for Women's Rights and International Peace," later shortened to "International Women's Day." In 1980, the "Second World Conference of Women" was held in Copenhagen, Denmark. In 1985, the "Third World Conference of Women" was held in Nairobi, Kenya. Significantly, in 1995, the "Fourth World Conference of Women" was held in Beijing, People's Republic of China, and resulted in a "Platform for Action" delineating twelve key objectives with corresponding areas of activity for implementation of programs and projects: 1) women and poverty, 2) education and training of women, 3) women and health, 4) violence against women, 5) women and armed conflict, 6) women and the economy, 7) women in power and decision making, 8) institutional mechanisms for the advancement of women, 9) human rights of women, 10) women and the media, 11) women and the environment, and 12) the girl-child. The United Nations reviews the progress of this "Platform for Action" through a "Review and Appraisal" every five years: Beijing +5, Beijing +10, Beijing +15 (held in March 2010).

As a major advance for "international human rights law" in general and for women's rights in particular, in 1979, the United Nations General Assembly adopted the "UN Convention on Elimination of All Forms of Discrimination against Women" (CEDAW). CEDAW "affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations." Conventions are treaties, and treaties are agreements. Conventions are monitored by committees. Thus, the CEDAW convention (adopted in 1979) is monitored by the CEDAW committee (established in 1982). For almost thirty years, 1979 to 2007, responsibility for the activities of the CEDAW committee was contained within the United Nations Secretariat "Department of Economic and Social Affairs"(DESA, responsible for follow up after major UN conferences and summits), under the "Division for the Advancement of Women" (DAW). Since January 2007, the "Office of the High Commissioner for



Human Rights" (OHCHR, located in Geneva, Switzerland) has held the responsibility for the activities of the CEDAW committee.<sup>6)</sup>

In July 2010, the United Nations General Assembly created the "United Nations Entity for Gender Equality and the Empowerment of Women," known as "UN Women," which became operational in January 2011. This entity includes: 1) UNIFEM (founded in December 1976), 2) the "International Research and Training Institute for the Advancement of Women" (INSTRAW, founded in 1979), 3) the "Office of the Special Advisor on Gender Issues" (OSAGI), and 4) the "Division for the Advancement of Women" (DAW). Both OSAGI and DAW are within the UN Department of Economic and Social Affairs (DESA).<sup>7)</sup>

The UN "Convention on the Rights of the Child"(CRC) was ratified in November 1989 and entered into force in September 1990. Out of the 54 articles in the CRC, Article 7, Article 8, Article 20 and Article 21 are foundational. **Article 7 Paragraph 1 states** : "The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents." **Article 8 Paragraph 1 states** : "States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference. **Article 8 Paragraph 2 states** : "Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity." Article 20 addresses fostering and adoption. Article 21 addresses international adoption.<sup>8)</sup>

The eight Millennium Development Goals (MDG) were established by the United Nations Summit in Year 2000. Initially, the MDGs were administered by the "Millennium Project" (commissioned by the UN Secretary-General in 2002, directed by Jeffrey Sachs, who is the Nobel Prize-winning past economics professor at Harvard University and current professor at Columbia University). However, in 2007, the United Nations Development Program (UNDP) took over the administration of the MDGs.<sup>9)</sup>

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6) Source <http://www.un.org/womenwatch/daw/cedaw>

7) Source <http://www.unwomen.org>

8) Source <http://www2.ohchr.org/english/law/crc.htm>

9) Sources <http://www.unmillenniumgoals/bkgd.shtml>;

<http://www.unmillenniumproject.org>;

<http://www.undp.org/mdg>

Sachs, Jeffery D. (2005) *Investing in Development: Practical Plan to Achieve the Millennium Development Goals*, UN Millennium Project Report to the UN Secretary-General, Earthscan, London]

The eight Millennium Development Goals are:

- Goal 1: Eradicate extreme poverty and hunger
- Goal 2: Achieve universal primary education
- Goal 3: Promote gender equality and empower women
- Goal 4: Reduce child mortality
- Goal 5: Improve maternal health
- Goal 6: Combat HIV/AIDS, malaria, and other diseases
- Goal 7: Ensure environmental stability
- Goal 8: Develop a global partnership for development

The eight MDGs intersect each other. One MDG cannot be sustainably achieved without all of the MDGs being sustainably achieved. Progress toward achieving each MDG is tracked by measurable indicators. The baselines for comparison are the indicators of the "Human Development Index"(HDI), which was introduced in 1990 and which is calculated annually. The HDI is published in the annual **Human Development Report** of the United Nations Development Program. With baseline data in 1990 and with launch of the MDGs in 2000, the deadline for achieving the MDG targets is 2015. For the MDGs, many of the targets are expressed as "halving" a problem (such as "halve, between 1990 and 2015, the proportion of people who suffer from hunger" in MDG 1 or "halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation" in MDG 7) or "reducing" a problem (such as "reducing by three-quarters, between 1990 and 2015, the maternal mortality rate" in MDG 5). Therefore, the 2015 deadline more realistically can be viewed as a half-way point or a three-quarter-way point toward achieving these MDGs.<sup>10)</sup>

The **2010 Human Development Report** introduced the "Inequality-adjusted HDI," which adjusts the HDI according to three dimensions: 1) education, 2) income, and 3) life-expectancy.

The "Gender-related Development Index" (GDI) reflects the disparity in standard of living between men and women. The GDI is calculated by disaggregating data according to gender for the three dimensions of the HDI (education, income, and life-expectancy).

The "Gender Empowerment Measure" (GEM) reflects the disparity in opportunity between men and women in a nation-state. The GEM has three dimensions which focus on participation, decision making, and power: 1) political participation and decision making, 2) economic participation and decision making, and 3) power over economic resources.

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10) Source <http://hdr.undp.org/en/statistics>

Additionally, the **2010 Human Development Report** introduced the "Gender Inequality Index" (GII), which calculates the inequality between men and women according to a different three dimensions: 1) reproductive health, 2) empowerment, and 3) labor market. In the GII, reproductive health is the greatest contributing factor to gender inequality. The three GII dimensions are assessed by five GII indicators: 1) adolescent fertility, 2) maternal mortality, 3) educational attainment (secondary level and above), 4) parliamentary representation, and 5) labor force participation. The values of the GII range from 0.00 to 1.00. If girls/women and boys/men are equal for each indicator, then the GII value is 0.00 (0% inequality, 100% equality). If the genders are unequal for all indicators, then the GII value is 1.00 (0% equality, 100% inequality).

In October 2010, separate from these UN gender disparity assessment initiatives, the World Economic Forum introduced the "Global Gender Gap Index" (GGI). Whereas the GII of the United Nations Development Program takes into account the level of development of a nation-state when assessing gender disparities, the GGI of the World Economic Forum does not.<sup>11)</sup>

## **Part 5: Conclusion: Participation, Responsibility, and Accountability**

In conclusion, the Internet provides access – free within the public domain – to hundreds of United Nations publications -- including the UN treaties in full text, the reports of the UN committees, and the annual reports of the UN funds, organizations, and programs. These publications provide a free education in the family home. These documents are interesting to read and can expand the individual reader's perspective from local to regional to international levels.

For the individual reader, the information in these documents builds knowledge and understanding, which are empowering. Each individual has the capacity for empowerment. Each individual has agency—the power of making the choice to act. Empowerment and agency transform the individual from passive observer to active participant. Active participation entails analyzing a problem, networking with other individuals who are concerned about this same problem, designing and implementing adaptable action plans, and monitoring progress towards achieving solutions to the original problem. Often, a problem is cross-cutting for civil, political, economic, social, cultural, environmental, and more specific development issues. Thus, the devising of effective solutions for this problem requires a comprehensive approach. Each individual has responsibility and accountability for contributing to the interactive participatory processes which can enable positive change. Otherwise, the *status quo* remains.

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11) Source <http://hdr.undp.org/en/statistics>

Domestic and international adoption issues deserve our attention because women, especially pregnant women, and their children are among the most vulnerable members of any society, as recognized in these United Nations documents. If people who have the capacity to speak informatively on these issues choose instead to remain silent, then other informed people must step forward to fill the void.

**Tahk Yeon-taek**  
Former Chairman of SWS

### **1. Speaker's position**

I reference adoption-related matters from before 1986. After that I don't know. Because until 1971, the leadership positions of Child Placement Service and SWS were appointed by the Minister of Health and Society, there can be only that much of an official position. My view on adoption is through practical, not academic, understanding.

During the last 25 years, there was a gap regarding the social welfare situation and that's why some awkwardness may occurred. When I was appointed head of SWS, I was very surprised that it dealt with overseas adoption. From the time I was first appointed head in 1965, SWS earnestly extended the domain of programs from child welfare to family welfare, farming region development businesses, settlement business for mixed-race children, etc.

### **2. Overseas adoptions officially started under the order of President Syngman Rhee (Jan. 20, 1954)**

Under the umbrella of the Ministry of Health and Society, the Korean Children Protection Agency was established (Hong Ok-soon, civilian) inside the building of the Ministry of Health and Society mainly to send Korean War orphans, minority mixed blood children, and children from facilities to overseas families.

- ◆ Number of child protection facilities in 1949 : 153 facilities

President Syngman Rhee believed in the idea of one race, so he promoted overseas adoption for mixed-blood children.

### **3. President Park Chung-hee's child welfare policy**

Park's principle was that children have to receive the love of parents in a family in order to grow.

- ◆ Number of child protection facilities in 1961 : 55 infant facilities, 503 orphanages,  
36 facilities for street children.

On August 29, 1961, the Child Protection Agency was reorganized as a nationwide agency, and the director of the headquarters in Seoul (civilian Bae Geun-chil) was appointed by the Health Minister.

The main office(Seoul) appoints the civilian Bae Geun-chil as head of the Main office(Seoul). The director-generals of the Ministry of Health and Society in each city, and country province, and served over their respective areas. There was the installation of child

counseling offices and public invitation to be a counselor. At that time the Central Theology School had a social work department.

**Content of business adoption** (mostly domestic adoption, overseas adoption), subscription to foster family protection, and employment as a foster family.

- Problem points**
- ① Enforcement of a performance-oriented adoption business focused on meeting numbers of adopted children by sending children in facility protection to families.
  - ② The government budget did not increase the yearly financial report for foster families' child-rearing costs; there was an error in drawing it up (System ended in 1964.)
  - ③ Since financial support from the government ended, the foster parents in the provinces refused to take the orphans.
  - ④ The adopted children ran away from their foster parents.
  - ⑤ Protests from the presidents of the orphanages increased.
  - ⑥ The Director of the Child Protection Agency frequently changed.

Bae Geun-chil-1961, Han Lee-yoon (Concurrent child welfare chief)---1963 died, Shin Gye-young-1964 dismissed, insubordination, Bae Jae-cho (Health Ministry deputy director)-acting Abolition of city, province chapters of child counseling offices :  
At the end of 1964, by the mutual agreement of the Home Minister and Health Minister, child counseling agencies nationwide, excluding those in Seoul, were closed down.

On February 15, 1965, Tahk Yeon-taek was inaugurated as chairman of Child Placement Service as the successor to Shin Gye-young, although Shin refused to leave the position.

#### **4. Adoption (the example of overseas adoption) basic procedure**

Agencies that got approval from our government to be overseas adoption agencies got family information about the adoptive parents' families from the other countries' agencies that had gotten approval from their governments. Then a photo and specific information about the child the parents wanted to adopt, etc. was sent, and the prospective adoptive parents agreed to the adopt the recommended child. The domestic adoption agencies would request approval and submit the relevant documents, get approval and the court's ruling.



The ministry proposed that adoptive parents who were not legally married but co-habiting (for example, countries like Sweden), if they were over the age of 50 should not get permission to adopt.



The adopted countries' relevant agencies conducted post-adoption inspections and sent their results to the relevant organizations in Korea.



The prospective adoptee was cared for in a foster family and received medical treatment

at a medical facility. Medical treatment was also contracted at a comprehensive hospital.

### **5. The quota system set the number of permissions given for overseas adoptions according to the domestic adoption performance**

There are many children in need of protection who have to find adoptive parents, but domestic adoptive parents want only intelligent-looking, healthy baby girls.

There were many families who were waiting to adopt internationally, but because of the fixed quota system there were many children who needed to be protected and the costs were rising. More so than in an adoptive family, the children's health and emotions broke down in inadequate foster families.

### **6. Recommendations to TRACK**

Whether domestic or overseas, there are many families who can't bear their own children but who earnestly want to raise a child.

One northern European adoptive mother said that on this earth there are as many underprivileged children as grains of sand but if you adopt just one child you can make that child happy.

The farming couple adopted two growing daughters at the same time, and of those two even though one had a speech impediment, through adoption she was raised well and the happy scene was broadcast on television.

Children who lost their parents because of war, people who can't support their children because of their difficult livelihood, people who relinquish supporting their children, mothers who leave their children in front of other people's gates -- the statistics say that recently 82% of adopted children are born from unwed mothers.

From this situation there is a connection that is tied from between new adoptive parents and children. Babies are adopted both to domestic families and like you, they are adopted to overseas families. The adoption agency's caring is essential in order to monitor and supervise the wellbeing of adoptees with their adoptive parents. Like this situation is the central truth of adoption, the first word in your organization's name is "truth."

Now you have become adults and come back to your homeland, and you have been made to see the appearance of your mother country's dizzyingly big economic growth. But, you don't have a memory of your mother country 20-30 years ago. You can't know the tragic circumstances and the poverty of your mother whose bosom you were put out from.

Growing up in a foreign country where the race, language, and culture is different, no matter how much love your adoptive mother poured out for you, it's impossible not to have pressure and prejudice from the outside society. I know that because of this, you blame your home country of South Korea and harshly criticize the adoption agencies.

However, our children who were adopted overseas grew up well and are acting as wonderful citizens, and to the adoptive parents who raised children I give my respect and deep thanks. As a social worker I feel it's a very big fruit of labor. If overseas adoptees understand such circumstances like this, I believe that we will reconciliation.

To Jane Jeong Trenka who is the representative leading this organization, I give my respect and deep thanks. And to KoRoot's director Pastor Do Hyun Kim, who is positively supporting TRACK, I send my deep thanks.





## Session 2

**Voices of those affected I:  
Mothers whose children were  
sent for adoption**

**Noh Geum-Joo**

*Member of 'Dandelions' group*

**Kim Hyeon-ok**

*Member of 'Dandelions' group*



**Noh Geum-joo**  
Member of 'Dandelions' group

I hope that we can have more gatherings like this. My son is 36 years old, and he became an adoptee in 1976 without my consent. I am quite an old single mom. Although it is not easy to share my painful experience in front of many people, I came forward to speak out today to give courage to other single moms. In order to help overseas adoptees, not only single moms, I established the Dandelion Society, which serves as a bridge between single moms and adoptees.

I appeared on a KBS TV show in which I appealed to the public to find my lost son. Eventually, he came to Korea to find me. Prior to this, I did not know where he was sent or even about the existence of adoption agencies. The first time I heard about overseas adoption and adoption agencies was in November 2004, when an agency contacted me to tell me that my adopted son had come to Korea to find me.

The single moms may feel like sinners living with a sense of shame, but I feel that we must overcome this and raise our voices about this adoption issue. Some people easily blame the single moms and ask, "You abandoned your children, so why do you look for them now?"

These people may have a point, and I may be sinner as they claim. But then, what about the government? What has the government done to protect single moms? While we were starving with poor babies, the government simply abandoned us. And what about those fathers? My husband demanded that I sell my blood, even though while suffering from malnutrition, I was unable to produce a single drop of milk for my beloved baby. I am asking again, "What has the government done to protect single moms?"

I feel that the government excessively promotes adoption, while the single moms try to stop it. Unless you are a single mom, you may never feel how we feel. I thank you for inviting me and letting me speak. Let us keep our courage! Then our children will be happy.

In the past, the Dandelion Society launched the One Million Petitions Campaign. But the numbers of petitioners is still very small. There are 200,000 overseas Korean adoptees, and I estimate that there are 400,000 families of those adoptees. If we work hard, I am sure we can get one million petitions.

I wish that the government could feel the pain of the single moms. It's a never ending pain. When I met my son, I thought that was the end of the suffering. But that was only the beginning. A new type of pain began when I saw something in his face,

and I could feel that he was suffering even though he hid it, thinking that I may worry.

The public tends to think that overseas adoption is good because a handful of successful adoptees appear in the media, but this is a distortion of what is really happening. In reality, overseas adoptees are suffering from discrimination and racism. If people in the street stare at you, do you know how painful it feels? This is the type of pain that the single moms and adoptees suffer.

I appeal to the government to please change Adoption Day to Adoptees' Day. While we try to reduce the number of adoptions at home and abroad, the government promotes it. We will do our best to achieve our goals; I hope that the government remembers this. I also hope that the government creates a policy to support single moms in raising their children. I am sure that it can do it if it tries.

For the past 30 years, I've been living with the trauma of losing my son. My family sent my baby for adoption without my knowledge. They regret it now. If they did not do such a thing, my life would be much happier than it is now. I want to tell other single moms out there, "Please do not lose your courage, and never give up your babies. I hope my pain will not be repeated by other mothers." I would also like to appeal to all of you; please do not judge us, but give us courage through encouragement.

**Kim Hyeon-ok** (Psuedonym)  
Member of 'Dandelions' group

I am 37 years old now. I gave birth in 1999, and my baby became an overseas adoptee in 2000. I felt a heavy burden about speaking at this conference until yesterday when I watched a film on single moms. At that time, I decided that I would share my experiences, which might be helpful to other single mothers.

Prior to giving birth, I did not feel a sense of motherhood even though I was pregnant. I think I was too young to fully understand the magnitude of the situation. Those who were around me said "Give up and just send the baby to an adoption agency." After I gave birth, a social worker came to me and said, "Sign this paper and you will surrender your parental rights for this baby." So I did as she said and my baby was moved to an adoption agency. After that, I began to feel a strong sense of motherhood. So I went to the adoption agency, and as I saw my baby's face, I immediately regretted giving her up.

I changed my mind and wanted to raise her, but the adoption agency refused and said, "You signed this paper that states that you give up your parental rights." So I retorted, "I will raise this baby!" But it was too late according to them. At that time, which was 10 to 13 years ago, I did not have a house, but I did have a decent job with an annual income of over 20 million won. I was full of hope to live with my child. When I begged the adoption agency to let me have my baby, they said, "You must pay us back all of money we spent on this baby." I could not afford what they were asking. I pleaded with the adoption agency for the next six months, but they said, "If you keep going on like this, we won't even let you see the baby!" I was so sad that I eventually fell apart and drank to forget my pain. Then in 2000, my baby was adopted abroad.

Now my child has a happy life. I met her adoptive parents and exchanged letters with her, but I still wish to be with her. I also wish that the government policy would give greater preference to the mothers who are raising their children alone than to the adoption agencies.

Some people may think that adoption is better for the babies, but I disagree. It is much better if mothers, even those who are poor and single, raise their children alone than relinquish them to wealthy adoptive parents or adoption agencies. My life without my baby has been a living hell.

I hope my society treats the children of single mothers warmly without any prejudice, and the government supports single-mother families as a social minority. Now

I'm married with two children, and I am aware of how hard it is to raise children in Korea. However, I have confidence that if the government continually concentrates on supporting single moms, then gradually the social prejudice will disappear.

After my child was adopted abroad, I met many single moms and visited different social organizations. In 2000, I opened a single moms' online community where mothers help each other by exchanging information or giving practical advice.

As I know, the overseas adoptees are struggling to understand their identities. I wish that when my daughter comes to Korea someday, we – the Korean people – will not treat her with prejudice. My husband knows my painful past, and he is very supportive. I was a lucky woman to meet such a nice man. But I still don't know how I can talk to my children about their adopted elder sister in the USA. I really hope that the prejudice and discrimination against adoptees and single moms will disappear from our society.

### **Session 3**

#### **Voices of those affected II: Stories of international and domestic adoptees**

**Jes Eriksen**

*Danish adoptee*

**Alice Mi Ae Kim**

*Dutch adoptee*

**Tams Mirjam Kye-yeon**

*Dutch adoptee*

**Nancy S. Tokola**

*Doctor, American domestic adoptee*

**Adoptees' Q & A**





**Jes Eriksen**  
Danish adoptee

I was born in Suwon on December 18, 1979. I was placed at KSS in May 1980 and was adopted to Denmark, where I arrived on July 4, 1980.

My adoptive parents in Denmark raised me as any other Danish kid, so going to Korea was never an option I considered until I was almost done with my master's degree.

I first visited Korea again in the winter of 2005 after having spent half a year as an exchange student at the National University of Singapore. That was my first exposure to Asian culture.

Over the course of the next five years, I returned to Korea every year and finally decided to try living here for a longer period of time. Since January 2010, I've been living in Seoul.

I've found through experience that I thoroughly enjoy both the community of adoptee expats and life in Korea in general. At the same time, living here is a continuing challenge on both a personal and professional level. Being a functional illiterate but holding a master's degree is a strange contradiction. Presently I'm trying to learn Korean at my own pace and get by as best I can.

I had no knowledge of Korean culture until I arrived here in 2005 and had never seen Hangul(Korean writing) before. I'm still in the process of figuring out exactly what it means to merge contemporary Korean culture and my Danish upbringing, and in this process it's only natural that the advantages and flaws of both societies are becoming apparent.

I grew up in a society with a very robust welfare system in which equal opportunity, including gender equality, is a primary asset. So I find it only natural to question which laws and social norms constitute the root causes of inequality. And this is why I find it interesting to question the system of overseas adoption as a symptom of an underlying social infrastructure that can and should be changed over time.

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## International adoption: A Blessing or a Grief?

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Alice Mi Ae Kim

Dutch adoptee

Hello, my name is Alice. My Korean names are Kim Mi Ae, which was given by my parents, and Kim Yung Hee, given by the orphanage after I was found as an abandoned child. I lived my life in the Netherlands, where I grew up and attended schools. I'm married to another Dutch Korean adoptee and have three children. We moved to Korea in 2009 because we wanted our children to learn about their parents' country and get along with Korean families.

As an adoptee, I have mixed feelings regarding international adoption. I often felt like an alien when I grew up in a 'white people's world'. But now as an adult, I realize I had a lot of benefits I wouldn't have had if I had grown up in Korea.

I know that at that time in the 1970s, Korea was still struggling due to post-civil war trauma. They had to build up the whole country again from nothing. So I don't think I can imagine the trouble and despair Korean people went through in those decades, and I admire the huge progress they have achieved in a relatively short time.

These days, Korea is not a poor country anymore. Economically and mentally, it's a strong nation. That's why I cannot understand why international adoption is still in practice. Korea can support its own children and families in need. Besides that, Korea has the lowest birthrate in the world and is encouraging families to have more children. And in this context, they're still sending their own babies overseas. Does that make any sense?

There might be desperate circumstances in which people do not feel confident enough to raise their own children. However, in such cases, these people should feel encouraged by the society they're living in to choose the best option. Then there must be different, fair options to choose from. In my opinion, it cannot be the reality that international adoption is the only 'best' solution for those parents in need. Their child only needs the love and care of his or her own parents. A child won't ask to be sent away from his or her own family in the first place.

So, family preservation should be encouraged and supported first, followed by adoptions within their own country. These days, however, it still occurs that young unwed pregnant women are pushed in a certain direction to give up their children for international adoption. People who tell these vulnerable women that this might be the best solution don't understand the hardship and pain that will follow this decision, which only leaves a big empty hole in the birthparent's heart. Although choosing to raise their child in such difficult circumstances might also result in hard times and painful moments, in this case, the mother is not left with an empty heart, but with her own precious child.

I hope and wish for Korea there will come times in the near future that parents don't have to make the decision to give up their child as the best solution because they'll be supported by their families, the neighborhood, the whole society who feel proud of them choosing to raise their own child. Every baby is a precious newborn life, so let's celebrate!

**Tams Mirjam Kye-yeon**  
Dutch adoptee

At the age of five(Korean age), my younger brother and I got adopted to the Netherlands. Although we ended up in a family that genuinely loved us, the relationship between the parents and children was not great. Due to cultural and personal differences, I had hard times growing up. Without realizing it clearly, a (perhaps life) long quest started: finding my identity in every aspect. My path went along with a lot of adventures, some in good ways, and some in bad ways. I learned a lot from life itself.

Today, I would like to talk about a recent adventure that happened to me. As a child I already knew I wanted to visit Korea one day. Two years ago, I felt it was my time, and so I went. I met my birth-family and got a welcome as I would never have dreamed of -- loving, heart-warming, and genuine. I also got confirmation of news that I already knew. Both my birth-parents had passed away long ago. I was sad to hear the confirmation, though happy to have met the other family members from my father's side as well as my mother's side. However, when I found out that my mother did not have a proper burial site and was buried somewhere in the ground, my heart broke. I made a promise: one day my mother will have a proper burial site.

By now, two years later, I have gotten to know my family a lot better. I do understand partly the cultural and personal differences we have, and there are parts I do not understand and never will. However, I do respect all my family members for the people they are, since I can sense their hearts are genuine and real. And they respect me for the person who I am.

A few weeks ago I had a special day. That day, my family and I gave my mother a proper tomb at the family's cemetery. My promise is finally realised. I hope my mother will have the peace that she earned. She is, and will be, the only woman who gave birth to my brother and me. And whatever might have happened in the past, I sense that she loved my brother and me genuinely. Therefore I will always honour and love her as my mother.

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## **Adoption, Reproductive Health, and Empowerment: A Personal and Professional Journey**

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**Nancy S. Tokola**  
Doctor, American domestic adoptee

### **Introduction**

Dr. Nancy Smith Tokola is a U.S. domestic adoptee, identified as "Child C" in the following testimony. This testimony has five parts: 1) Adoption Story, 2) Adoptive Home, 3) Empowerment through Education, 4) Empowerment through Service in Reproductive Health, and 5) Conclusion: Insights on Empowerment.

### **Part I : Adoption Story**

As the story goes, her biological parents were accountants in Arizona, unhappy in their marriage, and surprised by their pregnancy while in the process of divorcing. The biological mother moved to California and came under the care of a general practitioner.

A native Californian couple had married in 1940, when the man was 35 (born in 1905) and the woman was 34 (born in 1906). In the early years of their marriage, Mrs. Smith could not conceive, underwent gynecological evaluation, and needed a hysterectomy. To build a family, the Smith couple went through the California Department of Social Services in order to adopt a newborn baby girl in 1946 (Child A) and another newborn baby girl in 1952 (Child B). The Smith couple described the waiting period to acquire the second baby as very long.

Subsequently, the Smith couple wanted to adopt a son, but they were over age 45 years and thus no longer eligible for consideration by the Department of Social Services. The Smith couple began writing letters to their relatives and friends in order to inquire about the availability of boys for adoption. One friend wrote that two young brothers under age 5 years were being raised by their grandmother. Instead of pursuing this lead, the Smith couple learned about a general practitioner who was helping pregnant women to find families for their babies. This general practitioner accepted the Smith couple as clients. In 1954, when the Arizonan woman gave birth, the baby girl went home from the hospital with the Smith couple, who named their third daughter Nancy (Child C). The third child was not a boy. So, the Smith couple once again

became the clients of the general practitioner. In 1956, the general practitioner arranged for a newborn baby boy to go home from the hospital with the Smith couple, who finally had a long awaited son (Child D). So, this family was finally complete – father, mother, and four adopted children – three daughters and one son –a family of six.

## **Part 2 : Adoptive Home**

The California State birth certificates of all four adoptive children list the name of Mr. Smith as "Father" and the name of Mrs. Smith as "Mother," with no mention of the adoption and with no mention of the actual birth parents. At age 5 years, Child A learned from an interfering neighbor that she was an adopted child instead of a natural-born child. Therefore, after adopting Child B, Child C, and Child D, the Smith couple began using the word "adopted" regularly in the home so that the adoptive children would not be surprised by their status.

In their teenage years, Child A and Child B asked about the circumstances of their adoptions. The California Department of Social Services made all of the arrangements. During the first year of the baby's life in the adoptive home, the adoptive parents needed to keep meticulous records of every pediatric appointment. The purpose of this private record keeping was for inspection by the regularly visiting social worker and ultimately for inspection in family court by the judge who would finalize the adoption.

In their teenage years, Child C and Child D asked about the circumstances of their adoptions. Mrs. Smith explained that routinely the prospective adoptive parents would pay for the general practitioner appointments, the obstetric fees, and the hospital fees of the pregnant woman. Mrs. Smith recalled having once met the birth mother of Child C – the birth mother was blond-haired and blue-eyed – there was nothing more to reveal. A quarter of a century later, a curious Smith in-law asked Mr. Smith how the Smith couple had been able to adopt Child C and Child D as newborns when the adoptive parents were approaching age 50 years for Child C's adoption and then over age 50 years for Child D's adoption. In response, Mr. Smith admitted that "a lot of money had exchanged hands" between the adoptive couple and the general practitioner. In the 1950s, California had abounded with "black market babies." There is an old picture of Mr. Smith holding Child C at age one year on her "Adoption Day" – when the California family court judge signed the final papers to make the adoption official. From that point forward, Mr. and Mrs. Smith owned Child C. This judge had not projected that, by the time Child C would be studying at university, both Mr. and Mrs. Smith would be elderly, undoubtedly retired, and living on limited means of support. This judge had not predicted the risk of an early role reversal, in which the adoptive child in her age 20s would become the care-giver of the elderly adoptive parents in their age 70s.

The Smith couple paid for Child A's new car, college education, dormitory fees, wedding, and well-equipped newlywed home. Subsequently, Child A suffered through two marriages and two divorces. Currently, she lives alone and is self-employed. Child B dropped out of high school, announced her engagement to another high school dropout, and obtained money from the Smith couple both for a wedding and for equipping a newlywed home. A year after marriage, Child B gave birth to her first of three children. In 2010, Child B and her husband celebrated their fortieth wedding anniversary with their two grown sons, their wives, their one grown daughter, her husband, and several grandchildren. In 2012, her husband will retire from forty years of working steadily for the same large-sized company.

Mr. Smith, who had owned his own medium-sized company since 1940, lost his business in the recession which began in the late 1960s. By 1969, Mr. Smith no longer left home for work and stayed in his bedroom all day. Child C was age 15 years, and Child D was age 13 years. Mrs. Smith would wander around the family home saying, "Why did I adopt four children?" Alternatively, Mrs. Smith would utter: "We took on responsibilities!" Both Child C and Child D clearly heard our mother, as was her intention, and consequently we felt like burdens, as was her intention. For the first time in life, Child C understood that there was a vast difference between "having" children versus "taking on" or "adopting" children – the difference between birth and acquisition.

In 1971, Child C graduated at the top of her high school class and gained scholarships and loans for funding her university-level education. One year later, Child C turned age 18 and, therefore, legally was no longer a minor-age child in U.S. society. At that point, Mrs. Smith declared that Child C would be obligated to support her adoptive parents. Child C understood that there was a debt to be paid for having been raised in the Smith home. Mr. and Mrs. Smith took Child C's bank account containing her college savings, took her university loans, and tried to take her university scholarships. Most importantly, Mr. and Mrs. Smith collected and kept the U.S. Government-distributed "Social Security College Benefits," which consisted of a monthly stipend allocated for a child of low-income parents who are over age 65 years. Child C qualified for these government benefits while she was age 18 to age 22 years and while she remained enrolled at least half-time as a student. In the USA, a foster child gains independence at age 18 years. However, as an adoptee, Child C effectively became indentured to her adoptive parents until she turned age 22 years. To support herself, Child C earned a national license in radiologic technology, got a job as an x-ray technologist at a clinic, and maintained a full course load at university. Her health declined, but she persevered.

At one point during his mid-teenage years, Child D shared his feelings with his older sibling Child C, as both of us struggled to survive in our childhood home. Child D poignantly asked, "Didn't you think that Dad would get another job?" Both of us had finally understood that our Dad would be remaining at home, mostly sitting in his bedroom, for the remainder of his life. In 1972, when Child D turned age 16 years, he



found a job at a youth recreation center, and he worked after school and on weekends. His high school performance dropped from straight "A" grades to a mixture of "C" and "D" grades. One day, Child D asked his adoptive parents if he could borrow the family car for driving to his work site in order to prepare for a special event. In response, Mr. Smith shouted, "I will not waste the gasoline on you!" Child D responded that he would walk to work. Then Child D began to cry and ran out of the house for his long journey on foot to his job. In 1974, when Child D graduated from high school and entered a two-year community college program, Child C loaned money to her younger brother so that he could purchase his textbooks.

Thinking of Mr. and Mrs. Smith as "Dad" and "Mom" became harder and harder. At some point during those indentured years, Child C began to wonder what her biological mother might have named her, because she no longer felt like a "Nancy," which was the name that Mr. and Mrs. Smith had assigned to her at the hospital where she had been born. Child C survived those brutal teenage and young adult years by focusing on God as her true Father and by having faith in God's Plan for her life. The name "Nancy" means "My Grace." Child C learned to focus on God's grace while seeking deeper meaning for her life.

During the period when Nancy was age 18 to 20 years, her adoptive father began to behave especially strangely. In the middle of the night, Mr. Smith would prowl outside of Nancy's bedroom door, breath heavily, and jiggle the doorknob. Three times, he entered her bedroom and stood over her bed. Nancy heard the "still small voice" of the Holy Spirit saying "Get up!" She was able to shout at her adoptive father, "Get out of here!" Nancy began to realize that, at least in her adoptive father's mind, the taboo of incest might apply to a birth child but not to an adoptive child. Upon informing her adoptive mother of these incestuously-threatening incidences, Mrs. Smith stated, "It's not that bad." She did nothing to stop her husband. Nancy asked her adoptive mother for a lock on her bedroom door. Mrs. Smith told Mr. Smith. Mr. Smith replied, "There will be no locks on any bedroom door in this house!" So, before going to sleep at night, Nancy would push furniture in front of her bedroom door, would keep a lamp lighted in her bedroom, and would sleep in her daytime clothes. In this adoptive family, choices were limited, especially for self-protection.

### **Part 3 : Empowerment through Education**

In 1974 at age 20, by the grace of God and through the intervention of her former high school counselor, Nancy moved into a college dormitory. Finally, Nancy had a bedroom door which she could lock! As a blessing, Nancy and her college roommate became best friends. This girlfriend had been raised by a single mother, who had given birth in her age mid-40s to her first and only child. Until her adult years, this girlfriend believed her mother's story – that her father had died when she was age 2

years. However, as this girlfriend grew older, she began to wonder why there were no pictures of her father in the family home. Two decades later, she learned the true story from an elderly aunt. Her mother had wanted to advance her career and had not wanted to get married. However, hearing the ticking of her biological clock, she wanted to experience pregnancy, childbirth, and child rearing. As a single woman, this middle-aged woman purposefully became pregnant, did not include the baby's father in her life, and raised the child alone. This girlfriend and her mother were happy in their home. The mother was very supportive throughout her daughter's childhood and college years. This girlfriend enjoyed going home on weekends, when her mother and she would pick oranges from the trees in the backyard of their home in California. To Nancy, this female-headed household seemed peaceful, loving, supportive, and thus perfect. Over the subsequent decades, this girlfriend graduated from college, earned an advanced degree from an Ivy League university, earned a law degree, got married, gave birth to two children, became director of a governmental institute legally fighting against domestic violence, and showed pride in her husband's advance to full professor at a big university. This girlfriend's true story is a testament to the positive power of a committed single mother.

As for Child C, again by God's grace, Nancy met a kind, hardworking male student two days after moving into the dormitory of her college campus. He became her very first date ever. Two years later, after Nancy turned age 22 years, the couple got engaged and then married. Nancy's new husband declared: "You will never need work another day in your life, unless you choose to do so." Having choice is empowering! It was 1976 -- the "Bicentennial" year of the USA, which commemorated the 200<sup>th</sup> anniversary of the "Declaration of Independence," when the American colonists formally separated from British rule. It was 1976 -- the year of emancipation for an indentured adoptee. In stark contrast to Nancy's adoptive status, her husband is a Finnish-American who can trace his family roots in a direct blood line 1,000 years into the past through a geological record maintained in a small village church in northern Finland. Sadly, though, Nancy's in-law family did not accept her because she was an adoptee without knowledge of her blood ancestry and because she wanted her own career, instead of becoming a traditional wife. Birth family, adoptive family, in-law family --all three types of family structure were infused with rejection and abandonment. There is an adage in American culture: "What does not kill you can actually make you stronger." There is a belief in Christianity -- that God can turn the negative into the positive. With a strong marriage and with her husband's success in his profession, Nancy was able fully to focus on her own professional development throughout the remainder of her age twenties. Nancy completed her pre-medical requirements and entered medical school.

#### **Part 4 : Empowerment through Service in Reproductive Health**

Beginning medical school in 1983 in the USA, Nancy's first patient was a pregnant teenager, age 15 years, who was deciding to keep her baby. She lived in a poverty-entrenched female-headed household with her hard-working mother and her chronically ill grandmother. As a "student doctor," Nancy would make home-visits to understand the dynamics of her patient's family. She assessed the availability of basic needs (money to pay for the monthly apartment rental fees, fuel oil for warmth, nutritional foods). She assessed the preparations for welcoming a newborn infant into the home. She encouraged the planning for the teenage mother's return to high school (such as making arrangements for child care for the infant). By the time this teenager gave birth to her baby girl ("Baby Girl"), the biological father had already impregnated two other teenage girls in the community. As a new teenage mother, Nancy's patient still felt tied to her baby's biological father and thus reunited with him on several occasions during the first year of Baby Girl's life. Nancy sensitively discussed with her teenage patient the many options for birth control, especially barrier methods which would prevent transfer of sexually transmitted infections (STI). However, this patient was young and non-compliant with medical advice. She complied with her boyfriend's wish not to use a condom during sexual intercourse. Thereby, she acquired several STIs and developed Sexually Transmitted Diseases (STD) which evolved into pelvic inflammatory disease (PID). Serial episodes of STDs and PID decrease fertility because of the formation of scar tissue in the reproductive tract. After one year of medical services at the Family Clinic within the University Hospitals associated with the medical school, this patient was "lost to follow-up" because of missing her appointments. This single mother is now age 33 years, and her daughter is now age 17 years. Through the past two decades, Nancy has hoped that their lives were able to gain a firmer foundation in their community.

At age 30 years, Nancy was diagnosed with severe endometriosis, which threatened her ability to conceive her own biological children. Living in Belgium, Nancy and her husband entered a hospital-based program in assisted reproductive technology in order to treat the endometriosis and to conceive their children. Simultaneously, Nancy and her husband researched international adoption. During this period, because her adoptive mother was a widow, Nancy made frequent telephone calls between Belgium and California in order to maintain a pleasant communication. Over the telephone, Nancy explained the infertility treatments and the international adoption research. Mrs. Smith replied, "Have your own baby. Do not take the other woman's baby." Even as an adult, those words were painful for Nancy to hear –a rejection of belonging. Over a seven-year period, between 1987 and 1994, Nancy gave birth to four children – the only blood relatives whom she would ever know upon this Earth. So, this family was finally complete – father, mother, and four biological children – three sons and one daughter – a family of six.

Nancy's adoptive mother died one month before her first child was born. There was only one remaining grandmother – her husband's mother. Nancy invited her mother-in-law to the Christian baptisms and confirmations of her four children. Occasionally, Nancy thinks of her birth mother as the grandmother of her four children, even though this Arizonan woman does not know of her grandchildren's existence. If this Arizonan woman had wanted to find her grown daughter, she could rather easily have traced the path of Nancy's adult life. However, their lives have remained separate. That's okay. God cares for both of us.

In 1989, the year that Nancy graduated from medical school, her younger adoptive brother got married. During the previous decade, Child D had worked for many construction companies and then had launched his own carpentry business, which progressed to having a headquarters office, branch offices, and both domestic and foreign customers. At his headquarters office, Child D hired a new secretary. One day, he saw that she was crying at her desk, and so he inquired whether she was ill or unhappy in her work. Employer and employee talked for four hours over cups of coffee. The secretary's husband had left home to pursue a relationship with another woman. Suddenly, the secretary was raising their two young sons alone. Over the subsequent four-year period, Child D found practical ways to help this female-headed household. He would make repairs in their house. He would guide the two young boys in their sports. Gradually, Child D and the secretary fell in love and got married. Child D finally had a peaceful, loving, supportive home. In 2009, the couple celebrated their twentieth wedding anniversary. The two sons grew into healthy, happy young men, graduated from college, went to graduate school, got married, and now have their own children. Child D is a fulfilled businessman, husband, father, and grandfather. Regularly, I praise the Lord for his wife, who is a strong, courageous, generous woman.

In 2003, with her own marital family, Child C/Nancy/Dr. Tokola moved to Ulaanbaatar, Mongolia. With her newly earned master degree in international humanitarian action, Dr. Tokola became employed by World Vision Mongolia as the first-ever National HIV/AIDS Coordinator, a position which included situation analysis, educational awareness-raising campaigns, and health services provision within the broader field of reproductive health. Even more broadly, Dr. Tokola consulted with the World Vision Mongolia "Children in Especially Difficult Circumstances"(CEDC) Program. After the formal dissolution of the Soviet Union in 1991, the neighboring Republic of Mongolia no longer received Soviet support for the infrastructure of its institutions, especially in the health sector, the education sector, and the social sector (i.e., unemployment benefits, housing benefits, food benefits). Without an adequate governmental safety net, many poverty-entrenched Mongolian families could no longer financially support all of their children. Because of neglect, abuse, and/or abandonment, the number of "street children" increased. Many different types of civil society organizations worked separately or in partnership to help the street children. World Vision Mongolia sent its social workers onto the streets in order to invite street children into its new system of "Lighthouses." At this point, Nancy learned how helpful social

workers could be, and retrospectively she wished that a social worker could have been active in her life and in her younger adoptive brother's life during their teenage years back in California.

Each "Lighthouse" was a large apartment within an apartment complex in an urban area. Each "Lighthouse" had three "house parents" who worked in eight-hour shifts in order to provide regular meals, clean clothing, and a safe, nurturing environment. Certified teachers would come to these "Lighthouses" in order to provide "informal education," since many of the children had been out of school and were behind their age cohorts in grade level. As the children sufficiently caught up to their age-appropriate grade level, they mainstreamed into the Mongolian public school system. There was the risk of stigmatization of these former street children by their peers in the public schools. This risk was mitigated by the children's being able to give an apartment address as their home – the "Lighthouse" apartment property anonymously rented by World Vision Mongolia. Dr. Tokola's "HIV/AIDS Response Program" offered general reproductive health education for boys and girls, both in these "Lighthouses" and in the Mongolian public school system. In order to re-integrate the "Lighthouse" children into their original family homes, the CEDC Program offered vocational education to the parents, and many parents received loans to start their own small businesses. Also, many parents received psychosocial support in order to overcome alcoholism and to gain improved knowledge and skills in parenting. For those children who could not reintegrate into their original family homes, the CEDC partnered with government social workers in order to advance a foster care program which placed these former street children into well-screened private family homes. However, many children remained in the "Lighthouses" until their eighteenth birthdays, when World Vision Mongolia would begin to support them financially at university with scholarships for tuition and with grants for dormitory fees.

In Mongolia, through various networks, Dr. Tokola learned of many types of systems for helping neglected, abused, and/or abandoned children. The Government of Mongolia operated approximately ten orphanages. Many of these children were not true orphans because of having at least one living biological parent, yet these biological parents were not able to provide support for their children. As a private humanitarian initiative, a single foreign woman invited approximately twenty-five teenage girls into her home in order to keep them out of prostitution on the streets. As another humanitarianism initiative, a different single foreign woman founded a private orphanage, which steadily expanded to care for approximately 130 children, including thirty infants. In 2005, Dr. Tokola's oldest son collected food, furnishings, supplies, and money for this large orphanage through his Boy Scout Eagle Leadership Project.

"Women Deliver" is a global advocacy organization with the motto "Invest in Women – It Pays." In 2007, along with two Mongolian colleagues, Dr. Tokola was a delegate at the first "Women Deliver Conference," an international event held in London, United Kingdom, during the twentieth anniversary of the "Safe Motherhood

Initiative"(launched by UNFPA, WHO, and World Bank in February 1987 at the "International Safe Motherhood Conference" in Nairobi, Kenya). Significantly, at this first conference, sixty percent of the delegates were women, and forty percent of the delegates were men. The organization focuses on five critical areas: 1) improving the health of women and newborns, 2) promoting girls and women in the world, 3) expanding financial resources for development initiatives, 4) advancing human rights (women's rights, gender equality, poverty reduction, freedom from violence), and 5) building political will.

[Source: <http://www.womendeliver.org>, <http://www.familycareintl.org>]

## **Part 5 : Conclusion: Insights on Empowerment**

In summary of this testimonial, Nancy grew up in a dysfunctional adoptive family, in which her adoptive parents exploited her vulnerabilities. During her long journey out of vulnerability, Nancy learned that there is an inverse relationship between vulnerability and empowerment. As empowerment increases, vulnerability decreases. Further, Nancy learned that empowerment does not grow in a vacuum. Throughout her life, Nancy has sought empowerment through formal education, employment, volunteerism, and sharing in open analytical discussions at meetings, workshops, seminars, and conferences. Positive people empower each other to become less vulnerable. Here in Seoul, Republic of Korea, this "International Conference for the 1<sup>st</sup> Single Moms' Day" provides just such an opportunity for mutual empowerment. Is empowerment an end in itself, or alternatively is empowerment a means towards some other end? After decades of analyzing her own situation as an adoptee, Nancy has realized that what she has basically needed and earnestly wanted is "choice." Also, she has needed and wanted the support system that enables -- as opposed to constrains -- the achievements both of her personal goals and of her professional goals. Maturity is measured by the extent to which these goals are self-serving or other-serving.

Back in 1954, perhaps Nancy's birth mother had a viable choice, either to keep the baby or to give up the baby for adoption, despite the stigma against single motherhood in the 1950s in the USA. If Nancy's birth mother felt empowered by giving up her baby girl, then Nancy truly hopes that her birth mother's onward personal and professional journey was fulfilled and happy. If Nancy has biological half-brothers and half-sisters somewhere in the world, either from her biological father's side or from her biological mother's side, then Nancy truly hopes that they are fulfilled and happy. Being hopeful is a positive attribute.

What more is there to say? Forgiveness is a gift which an adoptee can give to birth parents, to foster parents, and to adoptive parents -- to almost anybody, really. In so doing, an adoptee can forgive himself or herself for having been too young, too uninformed, and thus too vulnerable for understanding the complexly stressful dynamics

of the decisions made by these adults on behalf of the child. The child grows up, gains an education, decides to become informed on important issues, and learns about choices. To build an empowering support system, the adult adoptee can choose to transform friends into family. Nancy has been blessed with many old friendships from high school years and from college years. These old friends are the god-parents of her four children. Nancy even considers as family the old friend from high school who decided to become a family court judge handling adoptions in Arizona. Sometimes, life comes full circle in the most surprising ways.

"Positive Empowerment" is a perfect family motto. The empowering of boys and men must intersect the empowering of girls and women. This positive empowerment should begin at home. As of 2011, Nancy and her husband are celebrating their thirty five years of marriage. The family values community service. In the local Boy Scout troop, Nancy serves as an adult committee member, and both Nancy and her husband are counselors in teaching a variety of merit badges. All three sons are Eagle Scouts. The four children value education. The oldest son is fulfilled in graduate student. The twin daughter and son attend the same university and help each other. The youngest son is happy in high school. The four children value cultural accomplishments. Each child plays a musical instrument –clarinet, piano, guitar, and viola. The oldest boy has competed in many archery competitions. The twin girl writes short stories and sketches pictures. The twin boy writes poetry and composes music. The youngest boy is skilled in computer graphic design.

The four children are international citizens, physically dispersed across the global regions – one living in the European region, two living in the Americas region, and one living in the Asian region. Yet, the family members remain close together in the most important ways –psychological, emotional, spiritual, and social. At the international level, the father works in international economics, the mother has lectured on human rights, and all four children have participated in Model United Nations (MUN) within their school systems. Thus, the four children understand the structures and functions of the international community. At the family level, the four children understand that family members also can be friends. Nancy and her husband hope that their four children always will be best friends for each other –such would be the greatest accomplishment of parenthood.

Finally, as a healing insight gained while writing this paper for this "Single Moms' Day" conference, Nancy has realized that she thinks of herself as "Mom." She is a mother, and motherhood is her most treasured role in this life.

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## Adoptees' Question and Answer

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**Eli (Park Sorensen)** OK, so we're going to have some questions. If you have any questions, comments, or queries you'd like to bring up ...

**Noh (Geum-joo)** I would like to ask a question to Nancy Tokola. Not only Nancy, but also other female adoptees about how Nancy felt. You said you were domestically adopted. How did you feel when your adoptive father came to your room at night? At that time, how did you feel? Were you really afraid?

**Nancy (Tokola)** Thank you for asking, Mrs. Noh. I was confused because I thought he was just coming to tuck me in. But then I realized, "I'm 18 years old. He hasn't tucked me in since I was a pre-teenager." And so I realized that something different was happening in his mind. And because it was the early 1970s, it was a culture of secrecy and I could get up the next morning and sit at the breakfast table with my adoptive parents -- I didn't start thinking of them as adoptive parents until maybe even 15, 20 years ago. Isn't that strange? I had one aunt say, "Don't use that word. They're your real parents. Don't use that word." But because of the bad things that happened, the threats that I felt, I had to separate them from me in my mind, even though I could still love them in my heart, and that word "adoptive" helped me do it. Healing goes on in adulthood, long into adulthood. So did I still love both of my adoptive parents? Of course, and I still do to this day, but I think of them different. I can think of them differently and still continue loving what they wanted to be. I think they were trapped in their own circumstances, and I even realized it then.

**Noh** I heard that this kind of thing happens a lot to female adoptees. Is it true?

**Nancy** I don't have the statistics for you. I would have to research the statistics. I don't want to de-emotionalize or minimize the statistics, how serious it is, when a child's right is abused in what should be an environment of trust, namely the child's home. But you are motivating me to look up the statistics. Thank you, Mrs. Noh.

**Eli** Does anyone have a question for Mirjam or Jes? [silence] In which case, I'd like to ask a question to both of you. Just a very brief one, actually. I was wondering, now that you've both come back to Korea, you've both talked about your experiences in Europe and also some of the difficulties you've encountered here in Korea. I was wondering how you feel as adoptees being represented in the Korean media? Any thoughts about that or perhaps and direct experiences?



**Mirjam** What do you mean, like adoptees in the media, being as a victim? Socially like that?

**Eli** Yeah, I was just wondering your general position. You meet Koreans in your everyday life and I mean, Jes, I think you were talking about how people, they have a mixture of sympathy and pity and perhaps even jealousy when they meet adoptees. But I was wondering if you have any ideas about the general perception in the media -- in TV, newspapers, or ...

**Jes** I can only speak for my own experience, obviously, but it's my impression that there's a tendency towards a very, well, general framing where in order to fit your story into a given preconceived narrative, oftentimes it seems like the person who wants to interview you or put you into a program has a preconceived notion as to how your story should be presented, either with the focus on meeting your family for the first time, searching for your family, or your hardships growing up. Which, of course, I mean, they're valid questions, but I really wish that the whole dialogue would expand beyond that because of course it's an interesting story, especially coming here initially, but after a few months, after a few years, of seeing a repeat of that story, it does kind of grow old. At least for me, personally, to convey it again and again. And to a certain degree, I don't think that when I meet a person for the first time, or again, or even a random person, it's not their family history that I'm mostly interested in. It's what their goals are, what they're doing, and what they want to do. And in that sense, I do believe to a large degree that it's very easy to box in adoptees as either people struggling with the language or people overcoming hardships in their own countries, and that might be true, but a lot of times, but it's also a story about people trying to make a big change in their lives. And of course, for the most part, actually, learning a new language and a new culture. And it's my hope that in the next few years, like 5-10 years, when we have a growing population of adoptees who will be able to communicate sufficiently in Korean, that we'll be able to change that narrative so it doesn't have to be only about being seen as a "child who's returning" because we're not children returning anymore. We're adults making a qualified and informed choice for the most part.

**Eli** Yeah, thank you, and I want to talk more about these circulating narratives, stereotypes perhaps even. The current debate on adoption in which increasingly and rightly so I think is beginning to focus on our situation with the single moms. I guess one of the sort of controversial issues is totality, thinking in terms of totality, thinking about the underlying reasons leading to adoption. And I was sort of wondering if you think including narratives of, for example, "Redefining Family: Moving from Adoption to Family Preservation" -- whether that might change the role of, or media perception of, adoptees coming back to Korea.

**Jes** In a sense I hope that's what's going to happen. One of the things that's apparent too is that whatever happens today, if a single mom today goes and gets counseling and chooses to give away her children, that's a choice that's going to affect her and Korea for the next 30 --- well, the next lifetime. So my hope is that the way we put up our voices and make us available with our experiences that that is taking into account so that people making the choice today won't have to face the same situation 30 years from now when their kids go back. Because even though we live in a globalized world, the chance of their kids learning Korean culture, learning how to speak Korean and coming back and building a relationship with their natural parents is very tiny to say the least. I mean, the majority of Korean adoptees you meet in Denmark have not been to Korea, do not know anything about Korean culture, and can't even recognize Korean letters. So in that sense, yes, I really do hope that we realize how much of a consequence the choices we make today are going to have in the future. So like, I'd say that if we have this conference again in 20 years, we've failed.

**Eli** OK, thank you. Any other comments or questions?

**Overseas adoptee in audience** This question is for Jes and Mirjam. I've been a teacher of babies and children for 10 years now. They're really great. I was wondering, earlier today, one of the ladies said that the word "abandoned" -- she didn't like the word. I was wondering did you ever feel abandoned? And is the word negative to you as a learning tool?

**Jes** Personally I didn't feel abandoned, but you do feel that there is an open question. For example, in my case, in my journal, when I got to Korea and actually got to see my journal -- I found out that my uncle's phone number was in the journal. I'm pretty sure that had my adoptive parents known that during my childhood, it would have been a different story. So I wouldn't say that I feel abandoned as such, because I wasn't, but I do feel that you question how that choice was being made. And again, seeing mothers today and seeing mothers in Denmark, seeing mothers in Korea, I don't believe that mothers are much different from what they were in terms of how much they care for their children. So no, I don't think I was abandoned, but I think my parents were put in a pretty difficult situation. And you can only of course feel sorry for -- and then try to make sure that the next generation won't happen to make those choices, but a lot better options.

**Mirjam** Yeah, I agree with that. I didn't feel abandoned as well and such. It was more that I wish the circumstances were different and I was raised in circumstances where I would have been happier. But abandoned? No, not as such.

**Overseas adoptee in audience** I think that's great. We have master's degrees and high levels of education I think because we don't use the word "abandoned" and negative words as a tool in the classroom with children and babies. Thank you.

**Eli** Well, if there are no more questions, I think we'll finish this session. I want to thank the panelists and the audience. If you have any further questions I'm sure you can ask the speakers afterwards. Thank you very much.

## **Session 4**

**Voices of those affected III:  
Stories of single moms  
who are rearing their children**

**Gam Eun-nam**

*Member of KUMFA*

**Choi Hyeong-sook**

*Member of KUMFA*

**Akaishi Chieko**

*Member of Japanese unwed  
mothers association*

**Sonja Vegdahl**

*Professor of Social Work,  
Concordia University, USA*



**Gam Eun-nam**

Member of the Korean Unwed Mothers and Families Association

I came from Ulsan, where I am living with my daughter, who is eight months old. When I first knew about my pregnancy, I initially considered having an abortion. But when I actually visited a hospital, the doctor refused to do it. So I went to other hospitals, but every doctor I visited refused to carry out the procedure. At that time, there was strong public opinion against abortion. I looked into having it performed secretly, but the doctor asked me to pay between 7,000,000 to 10,000,000 won. Some of the other doctors I asked advised me to have an abortion in China.

When my baby was 16 weeks old, I was 35 years old. When I went to the hospital, I saw through an ultrasound my baby's fingers and toes and heard her heart beating. At that moment, I decided to raise her by myself.

I did not have the courage to tell my mother about my pregnancy, so I looked for a government welfare agency. I thought that my mother would be relieved if I could get some help and support from them, but they told me that I could only receive such assistance if I gave up raising my child after birth and allowed her to be adopted either domestically or internationally. I was so sad upon hearing this story. If I gave her up, I would feel so guilty for the rest of my life. So I decided to raise my child by myself, even without the support of the welfare agency.

One and a half years has passed since my pregnancy. My family and employer have been very supportive since I gave birth. I take my baby to the office every day. Some of my colleagues had babies when they were in their forties, so they help me a lot, such as looking after and feeding my baby. Many people around me offer help and I am grateful to them.

But not everything has been happy. When I gave birth, I went to a community center to find any available benefit for single mothers, but according to regulations, I am only eligible to receive benefits if my monthly income is below 800,000 won. I was frustrated about such a cruel welfare system. I feel stress and frustration sometimes because of the stigmatization against single mothers. The worst thing is the government's lack of support, which amounts to hardly anything. I hope that our society stops the stigmatization, such as that directed against the children of single mothers. They are not guilty of anything. I wish that my daughter will grow up cheerfully without shame. Thank you.

**Choi Hyeong-sook**

Member of the Korean Unwed Mothers and Families Association

Hello. I'm Choi Hyeong-sook from the Korean Unwed Mothers and Families Association(KUMFA).

I live together with my seven-year-old son. Seven years ago, when I found out for sure that I was pregnant, I had a really difficult time. I had thought about not giving birth to my baby, but the pregnancy was not the pregnancy of a young woman. Therefore, as for me, I couldn't have an abortion. After that, I thought hard again about adoption and raising a child. I knew that because of community life, living as an unwed mothers is not just my matter alone. Above all, my parents and family thought that if the baby was born it would be hurt because of my choice. During those difficult times, I received consultations numerous times about adoption and child-rearing. My parents actually didn't know that I was pregnant. My older brother, who was thinking about our father who had a chronic illness, persuaded me that I should send my baby for adoption. Even though it was a difficult time, my baby grew healthily and was born. After I saw and held my baby just once, he was sent to the adoption agency. I will likely be sorry to my child for my whole life for the time that he was at the adoption agency. As a result of my child, I see the world with new eyes and I have the feeling of breathing the air of gratitude as I live.

During these seven years that I have been with my child, I have learned a lot and also had a lot of frustration and injuries, but I have also gotten some wisdom. There is a lot of courage and tears needed to live in Korean society as an unwed mother. When I chose to become an unwed mother, even people whom I treasured and believed in couldn't understand me. To me, as I have been living with my child, people's discrimination is more scary and difficult than the economic problems. I'm sad and always sorry to my child that he gets a share of the discrimination. Even now my fear hasn't changed. When I got my first job after the baby was born, the boss, who had found out that I was an unwed mother, told me to not tell customers, saying that if they found out, the awareness about the company would get bad. So I got a recommendation about a good workplace and moved there, but because I was an unwed mom, my coworkers insulted my character. In just five days, I quit. I was afraid of the world and I wondered how I could bear this kind of thing alone. I thought that because of my choice, my baby had to also endure this and was getting hurt. Therefore, for one month I went to the mountains with my baby to forget about the world. And I thought. I thought that the world has to change.

KUMFA was started to take action. Although I hadn't talked about it, after awhile my son asked me, "Mom, what's an unwed mother?" I replied, "A mom who has a

baby who is not married is an unwed mother. Mom is an unwed mother." He asked, "Is an unwed mother bad?" "Is mom a bad person?" I asked. "No," he said. "Right, an unwed mother is not a bad person, but just a mom." I talk to my son like that.

We aren't unwed mothers; we're just the mother of a child. Like all other ordinary mothers of a child, if our child is hurt, we would like to be hurt instead of our child, and if the child is hungry, we want to be hungry together. The only difference is that the father isn't living with us and that the mother is raising the child herself. Society says to our kids that they don't have a father, but there's no child in the world who doesn't have a father. All unwed mothers have a different situation that led them to become an unwed mother. However, there is one truth that all unwed mothers have. They are all taking responsibility for their actions and they are all responsible, confident women and moms who love their kids more than anyone, and even though they are alone they are living enthusiastically.

All mothers in the world have the right to raise their own child, says Dr. Boas from Korean Unwed Mothers Support Network (KUMSN). In addition, all children have the right to live with the mothers who gave birth to them, right? I think that Korean society has to change now. Babies eat together with their mothers and see the world through the same eyes as their mothers for ten months, and then go through birth pangs with their mothers. This situation where unwed mothers give up their babies not as a real choice, but out of fear of society's discrimination, has got to disappear. I want to make a world for my child in which unwed mothers are not discriminated against through language and the word "unwed mother" disappears. More than being a wonderful mother who doesn't get hurt, I want to become the kind of mother can hear words of thanks from her child. Thank you.



**Akaishi Chieko**

Member of Japanese unwed mothers association

Hi, my name is Akaishi, and I'm from Japan. I'm very glad to be here for this historic event. On behalf of the Japanese Single Mothers' Association, I want give a short presentation today [*Powerpoint displayed behind her*].

Nearly 30 years ago, I had a child and faced several problems because of it. To begin with, the father of the child said, "What you are doing is only causing trouble for us." As for my mother, she simply said, "There's nothing we can do about it, so please bear it. I'll support you." And my sister stressed that I should marry, "It doesn't really matter to whom, as long as you get married as fast as possible and bear the child while you are married."

So when I decided to have my child, I received social support in 1981. Regardless of what was said, it was my child so nobody could actually say anything against it, and nobody could force me to stop the pregnancy. The father ran away, and the only people who could really help me were some older and more experienced single mothers I'd met.

In 1984, the unwed mothers and I first gathered to fight against the reduction of welfare support for our children, and in that photo to the left, you will see my son [*A photo is displayed on a slide*].

As for the forms of discrimination we faced in the 1980s as single mothers First of all, everybody must register his or her child's birth. When I submitted the birth certificate, the first thing that I realized was that my child was born out of wedlock, and of course that meant he was an illegitimate child.

There is actually help for single mothers in Japan, but as unwed single mothers, we were treated as concubines, and this is why the state said, "As long as you are concubines, we won't pay you anything. You get your money from somewhere else, don't you?"

Besides the severe legal problem with inheritance, which didn't grant full legal recognition to our children, there was severe discrimination when registering for citizenship or the family registry.

This was evident when dealing with health insurance because on those certificates, which must be submitted during doctor visits, it is clearly stated that the child is illegitimate, so to speak, and that is why I just felt that whenever I was at the doctor's office, I was discriminated against.

On top of that, many mothers were forced to leave their jobs because of their pregnancy and status as unwed mothers.

There in that photo you see me many years before, and my hair was still short [*A photo is displayed on a slide*]. That was actually the time when we protested. We felt that by reducing our children's benefits, the government was violating our children's rights, as well as our own.

This article [*displayed on the slide*] was published in 1993 because that's when we founded our unwed mothers' writers' group. Just as all of you've done, we established a group. In Japanese, it was called, "Hee kon no ha no kai". And in that photo, that's me [*A photo is displayed on a slide*].

A very important fact that I want to mention is that in Japan, we stopped calling ourselves unwed mothers, which is "mihonmo" in Korean. We don't say "mikon," which is the Japanese word for "not yet married mother." Instead, we started to use another word that you can see here written in Chinese characters. It means "hikon," which translates to "not married," without any focus on the word "not yet." We're just not married, and that's all. And we actually asked the mass media to use this word when referring to us.

Here in the following photo you can see another friend of mine, who on behalf of our group, always goes to the media to raise public awareness by telling everyone about our organization.

[*While showing slides*] So, here you actually see that this was the discrimination we faced in the 80s, but now, it's less. What we couldn't tolerate was the lack of children's benefits. Now our children receive the proper benefits. And we also resolved the problem of losing those benefits when the father claimed the child. In addition to this, there's no longer any discrimination with health insurance, and the cases of mothers being forced to quit their jobs because they're having a child out of wedlock has been drastically reduced.

One of the problems that remains unresolved is that of taxes, and this is why I wanted to show you this photo. In the photo you can see two friends of mine who started to protest and fight against the government in 2009 for tax reduction discrimination.

I should also mention that the number of unwed-mother households in Japan has increased. In 1952, there were 10,000 households, and by 2006, this number had increased to 80,000 households. The birthrate of out-of-wedlock children has also increased from 1% to 2% in the last 20 years.

So when I heard the stories of Korean mothers today, I felt that the support we get in Japan is really different from the support that's available here. I just believe that in Japan, the support we get is perhaps even a bit better than what you get in Korea, although that doesn't mean it is enough. There is still much that our government must do to support us better. I just want to introduce you to a few relevant figures.

The first figure is the rate of child welfare benefits we receive. For a month, this is around 50,000 yen, which is equivalent to about \$4,000 at the moment, and we get that until our children are 18 years old. If you have a second child, you only receive 5,000 yen more. The regular child support that every child in Japan receives is the second point on this list, and this is 13,000 yen, and everybody receives it. Of course, we receive the first and the second figure together as unwed single mothers. There are, in addition to this, other forms of support, especially for medicine and school-related fees that we receive from the state. But still, for single parents, the level of poverty is at 54.3%.

So this figure is much, much higher than what single mothers in Korea receive, as far as I understand, and this is why the Korean government should at least raise the level of support to that of Japan's so that the mothers here can live a better life.

As unwed mothers, what we do is we go out to try to voice our cause and change society, and this is what I've done until now, and I think we all need to do it in the future.

One of the last points I want to make is that when I read today's title "Moving from Adoption to Family Preservation," I want to comment about family preservation, because in my opinion, we really need to be clear about what family means. Does family only mean the biological family? Perhaps it's better if a child sometimes is brought up in several different environments and still finds his or her own identity, as well as finds ways to cope with these changes and become a healthy adult. So when we speak about family, I just want us to keep that in mind.

Another point I want to make today is that, as you all know, there was a big earthquake in the northern part of Japan on March 11. In that area, there are many single and unwed mothers, and they are having a harder time than others because of their poor living circumstances. So I just want to raise attention to that problem.

One of my friends from Okinawa has made a special little message for you [MP3 recording], and I want to play at least a little part of it now. This is my friend's daughter [Shows a picture of daughter]:

### Greeting

Hello, I am Akiyoshi Haruko from Okinawa. I have an eleven year-old daughter.(Daughter greets in Korean : Good day, I am Akiyoshi (Chibumi))



Her name is Akiyoshi Chibumi. I was born and raised in Osaka, but I gave birth to my daughter in Okinawa, where we've been living ever since. Although it's been difficult to work regularly and raise a child alone, I've lived a pleasant and happy life thanks to the help and encouragement of several people around me. In Japan, Okinawa has highest number of unwed mothers, whose families comprise more than 10 percent of all the households with children. The region, known for having the lowest income level in Japan, has a strong patriarchal culture that gives preference to men over women and favors male children over female children, which may contribute to the problem. The issue I've been primarily concentrating on in Okinawa is a campaign to "Extend Widows' Inheritance Deductions to Unwed Mothers."

In Japan, for us, the unwed mothers and our children, there are two forms of legal discrimination. The first form is against the children. Being born out of wedlock, children can only receive half of the inheritance of those born to marriage. This means that they don't have any proper inheritance rights.

The other form of discrimination is against unwed mothers. Because they were never married, their households are denied tax reduction benefits that are given to widowed or divorced single-parent households.

To change this law so that it is more fair and equal, a great deal of time and effort from many people are needed. As a minority, the unwed mothers have little power, and the path to change the country's law is a long journey.

But when we began marching down this road - for whatever slight, but significant relief from the burden of raising a family alone - we claimed that at least in terms of day-care fees, we should receive the same benefits as those received by widowed and divorced single-parent households. After petitioning, we eventually succeeded. Beginning sometime next year, in the city of Ginowan in the Okinawa Prefecture, the government will grant us the same day-care benefits as other single-parent households.

This is really a step by step process, but to create a society in which unwed mother households can live without facing discrimination, we and our children strive to give our best effort.

Certainly, I wish to exchange experiences and information with unwed mother households in Korea, and I hope that we can work together.

And next year, I want to come to Korea with my daughter. Thank you very much.

**Sonja Vegdahl**

Professor of Social Work, Concordia university, USA

Dr. Vegdahl is the Director of Concordia University's Social Work Program. She is on sabbatical at Dankook University in Jukjeon. She did research on low income single mothers in the United States and prior to teaching, was a clinical social worker, providing therapy to many single parent families. Dr. Vegdahl lived in South Korea from 1982–1989. During that time her two sons were born. After returning to the United States with her sons and Korean husband, she became a single parent through divorce. Her sons have both graduated from college and are now employed. As a social worker, she is committed to supporting diverse family structures so that all children have a nurturing environment in which to grow.

The father of my two now-grown sons is Korean and my two sons were both born here in Korea but moved to the United States before beginning school. For the majority of their growing up, I was a single parent. They have now graduated from college and are supporting themselves. Raising children is one of the most important and most challenging activities in life, particularly when there is little support, benefit from having many involved adults in their lives. Children without grandparents and aunts and uncles miss out on something as does a child growing up without both parents. A single mother who has no family or adults involved in her children's lives is only a little worse off than a couple raising children without supportive adults. And a couple who does not get along probably has more difficulties raising children than a happy single mother on her own. My life became much easier once my children's father moved out of the house. I was fortunate to have supportive family and friends living nearby. Another essential ingredient in successfully raising my sons was a well paying and stable job that provided flexibility to be a mother.

As a social work professor I did research on single mothers who had very little money. The context of that research it became clear to me that most mothers are incredibly motivated to raise their children well. To that end, single mothers are very resourceful, often giving up much to benefit their children. They have fun with their children, even with no money, and often connect with other mothers for support. the main reason that single mothers are poor is because they have chosen to accept the responsibility of caring for their children. a parent limits one's choices in employment and also requires more financial resources than living on one's own.

Society benefits from the important work that mothers do. In fact, society is dependent on that time consuming and unpaid caring work which is usually done by women. It is ironic that a woman caring for society's children is considered dependent while a man who is earning money is not considered dependent when someone else cares for his children. We are all interdependent, contributing some things and needing other things at various points in our lives.

Throughout the world there are many different ways that children can be successfully raised in multi-generational families, with their relatives, with two parents, or with a single parent. Single parents need people to do the caring work and those doing caring work need a way to manage financially. The problem, as I see it, in Korea, is that when single women decide to accept the responsibility of raising their children, their caring work is not recognized or compensated by others. To the contrary, they are stigmatized and blamed for doing the caring work on which society depends. Korean society, which is one of the wealthier countries in the world, needs to step up to the plate and provide financial support for single parents willing to do the essential work of caring for their children. That support could come from a livable monthly payment from the government, from financial support from the child's father, from the child's extended family, from flexible employment opportunities, or from a combination of these sources. But Korean society must accept its responsibility to provide a means of financial support to single women willing to accept the responsibility of parenting the next generation of Korean children.

## Session 5

### Korean society's response to the affected people's voice

#### **Im Ae-duck**

*Director,  
Unwed mothers' home "Aesawon",  
Jeju Island*

#### **Park Eun-seong**

*Director,  
Single fathers' home "Adam's  
House", Incheon*

#### **Kim Hey-young**

*Researcher,  
Korean Women's Development  
Institute*





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## Single mom as a Good mother!

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**Im Ae-duck**

Director of unwed mothers' home "Aesawon", Jeju Island

Korea has a big issue about single mom nationwide. We have many soap operas including single moms in almost all dramas. I think mass media has covered single mom issue more than what I can imagine can be social issue.

I think it means the rapid increase of the number of single moms in Korean society can be felt by experts or drama writers as well as by futurists as the sign of rapid social change. That's not our option, but a unavoidable typical necessity.

Unmarried single moms whether they have marriage experience or not are under welfare benefit policy of single parents legal system.

Unmarried young mother under 24 years old, has another story. The number of teen mothers has continued to grow up but in effect few positive measures have been taken for them.

But low birth rate issue and domestic adoption issue much less available can not be solved as easily and simply as we can imagine or make up our mind.

Korean government has strengthened the law against abortion to be enforced and watched much more strictly than before. Besides we have had a wide pro-life movement nationwide. It forces poor pregnant young girls or women to give a birth to baby while rich pregnant young girls can go abroad to china or other country for abortion so that they can be free.

Since 2010 Korean government at last started to take positive and active policies and measures for young mothers to keep their babies and ignited single family policy to make it possible for unmarried mother agencies to take initiatives in starting alternative programs for young mothers with babies to keep.

Today, this is not the place for discussion about pro-life or abortion issue. When I just focus on unmarried young mother with a baby to keep, I cannot avoid raising child-care issue to help teen mothers to stand on their own feet for the future. They have to be educated for themselves with their babies until finishing high school course or college course.

In fact if professional women employed in late 20s or in the early 30s have babies without any marriage, there will no big problems other than child-care or re-marriage. But usual unmarried poor young mother other than well-educated professional women face child-care, job training, education, and re-marriage etc.

Whatever care service they may take, whether it may be home care or daycare, facility care, group home care, unmarried mothers face two or three serious and difficult problems such as child care and job training or education and job opportunity.

Korean government provides totally free child care service to all the babies of unmarried mothers in need. But sometimes when they have a medical problem of the baby or when the child day care center is off, or on holiday, they have no family or baby-sitter to take care of the baby while mom is working in her office or at work field.

Care system in children day care center these days fits for the single moms to work or to be educated? We should be in the way of choice, who takes care of my baby? Mom or child care center? I would like to suggest government to provide child care benefits to the mom while keeping baby without sending the baby to the daycare center as much as government provides day care center for child care. Otherwise, child care center should change their care service system including bus-service time, holiday system or medical care service for children etc. For the single moms to be educated in school or college or university, the institution should establish children day care center system.

Second, I would like to point out job training system for long-life education. 50:50 national government : provincial government matching fund system is applied for job training for single mom in need. But problem is the time-length to be applied. It is limited to 6 months. It should be extended to more than 1 year for job training. Because it is very difficult for single moms to stand on their own feet with just 6-month job training.

Third, remarriage issue can be a very complicated issue which means wide change in many kinds of social values. Awareness towards single moms with babies should be changed from very deep-rooted attitudes towards babies, father or mother or even family. Yes, though it is changing now, we have a long way to go for discrimination-free society especially towards unmarried mother. But we should be a driving force to change it and get rid of discrimination from society so fast as the speed of their change. We need awareness development movement for unmarried single mom and baby like multi-cultural family movement nationwide in all kinds of world such as educational or political or economical as well as mass-media. Therefore, Korean government should take awareness development movement as a pilot project policy. Because discrimination and stigma against unmarried moms like *Scarlet letter A* can be

the biggest and heaviest blocking stone for them to keep and raise their child in Korean society.

Last, I would like to refer to home education or mother's education for the babies. It is very difficult to be a good mother, not only for unmarried single mom but also for every mom. To be a good mother, we need a lot of support from inward and outward training. Various self-efforts of single moms as well as getting social support to be a good mother must be a rewarding and worth-doing job. Single moms should be careful for inward anger or complaint not to be directed towards innocent baby.

For further discussion, Now I don't know what can be done against violence or negligence of babies. Sometimes we should talk about obligation along with human right. We're usually likely to talk just about human right, not about obligation. Whose human right has priority, mom's or baby's? Sometimes it can cause my personal confusion.

Finally next time I would like to have any chance to talk about changing the very micro personality as well as macro environmental change.

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## Life Realities of Single Father-Child Households and Support Measures

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**Park Eun-seong**

Director of single fathers' home "Adam's House" in Incheon

I'm Park Eun-seong, the manager of the country's first father-child protection facility, Adam's House. Adam's house is located in Incheon, Namdong-gu, Susan-dong. The facility has places for 60 people or 20 low-income households of fathers raising their children under the age of 18.

I will talk about the life reality and support measures as experienced by Kim Dong-kil(45), who is staying at Adam's House.

### Testimony of Kim Dong-kil

#### 1. Life realities

It's already been six years since I started caring for my child alone. I'll try to frankly talk about the difficult points, the emotional points, and the points that I wish for society.

I had a job, and my mother and I were living in a basement apartment with two rooms, a bathroom and a living room. The monthly rent was 250,000 won.

When I met my wife, we were the same age, 37, and I brought my mother to live with us and we lived happily. Starting about one year after our daughter was born, my mother started to torment my wife for no reason. My mother had dementia for a long time and it started to get worse. My daughter was born with a strange heart condition. The doctor at the hospital suggested that the daughter have surgery less than a year later.

In about a year, my wife who was tormented by my mother finally demanded that we get a divorce. I think that I made a big mistake in my role between my mother and my wife. For the sake of our daughter, by turns I tried to beg and persuade my wife to live together, but in the end we parted ways so I raised my child. People in the neighborhood asked "Why is a man raising a child?" but I am raising my child

because my daughter's mother said she wouldn't raise her. At first, I thought about sending my daughter to the orphanage or for overseas adoption, but I heard that it was difficult, so I couldn't bring myself to do that to my daughter.

At first, I put my child in a kindergarten that gives 24-hour care. For one year, I took her there on Monday and brought her back home on Saturday night. If I can say one thing about the life at that time, it was difficult and tiring. I had no satisfactory skills, so I did kitchen work, but it wasn't stable so if business wasn't good there were a lot of times when people would get the axe.

As my mother's condition got worse little by little, she would go out of the house and not be able to come back. So it began that I would have to go immediately to get my mother if I got a phone call from the police box or the neighborhood citizens' center. I couldn't do anything, so after consulting with my three older sisters and two older brothers, we sent our mother to a nursing home. Every month, each brother and sister sends 100,000 won for the nursing home fee.

Starting at that time, I just tried to work really hard. I only thought about my daughter while making an effort to live and drew back from thinking about anything else. However, I started drinking alcohol sometimes at night if I felt lonely. I escaped from reality with alcohol, and sometimes I experienced a crisis of thinking. This point about single dads who are raising their children is a really big cause of worry. Economically, there are no improvements. You have to pay the utility bills, nursing home fees, child-care fees, so everyday, you don't have any money left over, and life continues like that.

When my child was almost two, she got heart surgery at the hospital down the street. At the hospital, I was introduced to a heart foundation that supported the surgery fee, so my daughter was able to have surgery without any big problems. However, she had stopped developing for about two years because of her heart condition. My child is now seven years old, but her height and weight are that of a five-year-old. In addition, a mother's affection was lacking because it was just a father raising the child by his energy alone. When I looked at my child, there were many times when my heart hurt. I don't know whether or not my greed in raising my child alone instead of sending her for adoption will prevent her from being able to live well down the road, and I can't give the love of a mother, so I am always worried that my daughter could take the wrong path. However, I intend to have no regrets. I intend to make an effort so my daughter can safely finish her studies because it is my obligation as a father.

It's been two years since I got a call from the neighborhood citizens' center. They said that there was this father and child family protection facility called Adam's House, and they told me go and have a face-to-face talk with them. It was about two weeks after I had the face-to-face talk at Adam's House and submitted my health exam that

the decision was made to let me enter. I've lived there now for three years since I entered.

In the residence of Adam's House, there are two rooms, a bathroom, a living room and a veranda. There is a cafeteria where there are three meals offered a day, and you can also get student lunchboxes. In addition, all the utilities are free -- water, electricity, and gas. Because in the morning the kids ride together to school and in the evening the kids are picked up from school, it's a relief from the point of view of the parents. It's been about two years since I've lived at Adam's House, and during that time I've paid off almost all my debts and even have saved some money.

Residence at Adam's house is free for three years, so I am always carrying a feeling about when I return to society again, that I will have to have a purchasing fund for a house and that I have to send my daughter to school. Right now, my life is stable and there is no discomfort in taking care of my daughter. It was possible because of the father and child protection facility Adam's House.

## **2. Recommended Support Measures**

### **1) Establishment of father and child protection facilities**

My hope for the future is that there will be father and child protection facilities like the first father and child protection facility, Adam's House, throughout the country and in every city. Even if there were just one place in each province installed, it would be a great help to foster a sense of independence for single daddies who are having a lot of difficulty economically and psychologically.

Accordingly, my hope is that the world will become a place where single daddies who have made mistakes, gone down the wrong path, and have despairing thoughts can have dreams and vision and put their hearts into raising their kids.

### **2) Child-rearing and education**

It is very difficult for single daddies to maintain a harmonious career lifestyle under the circumstances of raising kids who are preschoolers and elementary school students (1st-3rd grade). In addition, single daddies have a really hard time with the education of their children when they are elementary school students from 4th-6th grade and junior and high school students.

I propose support measures for the education and care of single daddies' children as follows: to preschoolers, a grant for child-care and support for childrearing expenses in the amount of 300,000 won for each child; to elementary and junior high school-aged

children, 500,000 won in support for childrearing expenses; and 700,000 won in support for childrearing expenses for high school and university aged children.

I recommend that single daddies' children who are in elementary school, middle school and high school get a 50% discount on the tuition fee for hagwons(private after-school academies), and that there be support for a 50% reduction in the tuition for university and graduate school.

### 3) Stabilization of housing

Most single daddies pay monthly rent for their housing, so I propose that in order to stabilize their housing, the state provide support measures through the Korea Land & Housing Corporation, the city, and district office. I also propose that when applying to move into permanent rental housing(cheonsae) and public rental multi-family housing, etc., single daddies get preference when housing is assigned.

### 4) Employment

The real situation of most single daddies' employment is not permanent but irregular. Especially in winter(November through March) there are many incidences of people who don't have jobs.

As for measures to support single daddies' careers, I recommend that workers' employment centers and career expos, etc. be connected and free job training education centers be implemented at vocational training centers, and during the job training period single daddies' living expenses be supported.

In terms of support measures, I wish for: 1) Establishment of father and child protection facilities 2) Child-rearing and education 3) Stabilization of housing 4) Employment, etc. policies should be reflected in policy and enforced as soon as possible.

Especially, in society too, I wish that people would understand the difficulties of single daddies like me and throw away their wrong discrimination and create social climate where we can rightly and correctly raise our kids.

From now on I will really try hard and I live to take care of my daughter well. After my daughter grows up and becomes an adult, she will be able to return the love that she got from others. As a father I wish that my daughter will never be raised by other people. In the future I will serve God and my neighbors, and as I give love to my neighbors I will give my utmost effort to raise my daughter. Thank you.



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## **Current Situation and Further Agenda: The Government Support Policy for Unwed Parents**

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**Kim Hye-Young**

Researcher, Korean Women's Development Institute

### **1. Introduction**

Since the mid 1990's, Korean society's basic family structure has underwent rapid changes. While the birthrate continues to decline, the number of divorced and single people grows. At the same time, the rate of international marriages and the size of the elderly population increases, requiring the intervention of the government.

Despite the rapid transformations of modern society, there are still conventional patriarchic cultures and beliefs that continue to take a highly critical stance against the newly emerging family structure and concept. The critical view regarding unwed couples is a prime example of this traditional attitude. Korean society remains quite rigid towards accepting children out-of-wedlock while it's become relatively tolerant towards the increasingly casual sexual activity of adults.

This social atmosphere stigmatizes any child born by unwed mothers. As a result, unwed mothers must continually confront constant social discrimination all aspects of their lives. Accordingly, the unwed mothers hide their identities as a type of social survival tactic.

Due to such social pressures, the unwed mothers are often forced to have abortions or relinquish their children even when they want to keep them. It is for this reason that Korea earned a global reputation for its overseas adoption practices. Thus, despite Korean society's concerns over its low birthrate, children - mostly from unwed mothers continue to be sent abroad.

Fortunately, tolerance towards diverse styles of family structures has recently become more acceptable, partially due to the concern over the low birthrate. It is necessary to support the rights of unwed mothers and their children. The abolition of the family registration system, which registered the eldest male as the head of the family, and the increasing number of women entering the workforce requires a new approach in dealing with unwed mothers and their children. Because of this, the government budget related to unwed parents and relevant facilities increased slightly in 2010. Nevertheless, strong social discrimination continues against unwed mothers and their children, and the

government support system for them remains woefully inadequate. Therefore, it is vital to provide further support for unwed parents.

## **2. History of the government's support for unwed parents**

Until presently, due to the rapid industrialization policy of the government, scarcely any state welfare benefits existed for the poor, and even the support that is currently offered doesn't extend to unwed mothers, since they are marginalized by the rest of society.

## **3. Agenda of the government policy for unwed parents: From exclusion to embracement**

The government needs to support unwed parents by providing children's benefits, especially for poor parents.



## **Appendix**

**On the Message Wall**

**Publicity**

**Pamphlet for the Adoption  
Law Revision**

**Statement for Promotion of  
the Adoption Law  
Amendment**

**Amended Adoption Act**



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## On the Message Wall

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### To > Single Moms' Children

- ◆ You were born to be loved. you are still receiving that love.♡ God bless you.
- ◆ "The road to blessing" we are here for you. I want to be the road to blessing for you, when you walk lonely in the dark night. I will shine those steps with a bright star light.
- ◆ You are precious as you are.
- ◆ We are here for you.
- ◆ When you want to lean on someone, and when you want to rest your head down, We are here to wipe your sorrow so that you will be able to rest your tired body. We want you to have hope despite the hardships.
- ◆ Let's live on together.
- ◆ The most beloved children in the world. We always believe in you and support you!!! May your life be filled with joy.
- ◆ Dear, the world welcomes you. Welcome!!!

### To > Korean Government

- ◆ With sympathy and love, look into the difficulties single moms have with their lives. With a realistic and pragmatic policy, help our society to become a place where everyone can live together.
- ◆ I wish and pray that joy and happiness will always be with everyone, Keep up the good work!
- ◆ I don't want my son to grow up holding any grudge against Korean society. Help me so I can raise my child /to be happy with full of possibilities.
- ◆ Good work! Good job! KEEP UP THE GOOD WORK!
- ◆ Work for the change now!
- ◆ Rather than stopgaps, shouldn't fundamental and active policies come first.
- ◆ Let our society become appreciative of lives.
- ◆ Please approve my F4 visa soon. Thank you.
- ◆ The government should represent the people. It needs to be more professional to come up with fundamental solutions and more humane policies.

## **To > International & Domestic Adoptees**

- ◆ Great job! Good work!
- ◆ Love!
- ◆ Even in troubles and sorrow, Let's hope together.
- ◆ Cheer up! Cheer up! Cheer up! Cheer up!
- ◆ Gen.1:1 In the beginning God created the heavens and the earth.  
It's God who manages lives and sends them to our land. Join us.
- ◆ Sorry, I am sorry.
- ◆ I will share your joy when you are happy. I will share your tears when you are sorrowful. Can I comfort you? Can I be a strength for you?

## **To > Single Moms**

- ◆ All of us are here to support you. Don't forget that! :)
- ◆ It's OK! Single moms, Single papa, Various families!
- ◆ Have hope. Your courage and love are being spread throughout the world.
- ◆ Cheer up! I support you!
- ◆ Keep up the good work.
- ◆ Don't lose hope~ We are here for you. Cheer up!♥
- ◆ Rather than being a mom who just waits for the world to change, be a mom who brings changes into the world. We give you a big round of applause for your courage and love...
- ◆ Always support you. We love you.
- ◆ I wish you happiness always. Do not give up even in troubles. Live your life, keep moving on. I always support you
- ◆ You are the bravest moms in the world. I applaud to your courage and send my words of encouragement. Every member of a society needs someone to count on. So we should live, together. You may feel burdensome and lonely, but remember that you are not alone.
- ◆ Cheer up! Don't lose hope!
- ◆ Thank you for hosting this wonderful event! Single Mom's Day~! Single Mom's Day! Cheer up, every single moms in Korea!
- ◆ I am always here for you. Keep your chin up.
- ◆ Great job! Good work!
- ◆ Love!
- ◆ It's great that here are single moms, single dads, and other various families!

\* Published in the Hankyoreh newspaper's column "Because" \_ May 6, 2011

### **'Adoption Day' vs. 'Single Moms' Day'**

by Pastor Do Hyun Kim, Director of the Overseas Adoptees Center 'KoRoot'

*The celebration of 'Single Moms' Day' instead of 'Adoption Day' is a confrontational discourse to prioritize encouraging society to embrace single mother families facing the crisis of separation*

This coming May 11 is 'Adoption Day.' However, the returning adoptee organization 'Truth and Reconciliation for the Adoption Community of Korea' (TRACK), followed by 'KoRoot' and then assisted by the 'Korean Unwed Mothers and Family Association' and 'Korean Single Parent Alliance' rolled up their sleeves to celebrate May 11 as 'Single Moms' Day,' and are preparing an international conference and commemoration event. The international conference will be held all day long on that date at the Community Chest auditorium on Seoul, Jonggu, Jung-dongm, and a commemoration event will be held in the "Sunken Garden" of Kyobo Bookstore at noon.

It is a kind of confrontational discourse to mark 'Single Moms' Day' on the same day as 'Adoption Day.' At the root of adoption is family dissolution, especially the separation of unmarried mothers' families. We should gather our society's power and give consideration to single mothers' families facing the crisis of separation. What we want to say is that before we try to solve the problem through adoption, shouldn't society provide unwed mothers with the alternative of raising their children?

Confrontational discourses often fissure ideas that were strongly held inside a society and also function as a driving force for reconstructing that society. Because of that, confrontational discourses can be uncomfortable for people who have to go against the voice of opposition. However, by closely listening to the wisdom lodged in these discourses, participating in the recomposition of the future should be healthier.

In the case of the United States, the second Monday of October every year is the national holiday 'Columbus Day.' However, the government of South Dakota refuses to celebrate this day and instead celebrates 'Native American Day.' To them, 'Columbus Day' is nothing but beautifying the exploitation of the American continent by the Europeans. These kinds of confrontational discourses gained support, being accepted in



Hawaii along with several different states and cities in the U.S. In a similar matter, American natives renamed the biggest American holiday 'Thanksgiving Day' as the 'National Day of Mourning.' This is to recall the fact that after the first Thanksgiving Day, the white immigrants began huge-scale attacks and genocide against the American natives. Like these, a confrontational discourse is some type of struggle to not forget and at the same time, to revise the interpretation of history with a passion to construct the future of the society in a different way.

Likewise, last year in Australia's Western State of Australia, the government apologized to the women who had been subjected to forced separations of unmarried mothers and children as well as adoption measures from the 1940s to 1980s. At the same time, they comforted adoptees who were separated from their birth families by placing a bouquet of roses in the courtyard of the Parliament. These were all achievements of the confrontational discourse cultivated with regard to adoption.

If we reflect on the reality in which the government has instituted 'Adoption Day' on its own, we should welcome the advent of 'Single Moms' Day' as a confrontational discourse that tries to guarantee the rights of unmarried mothers and single mothers' unit family formations and provide social consideration to them, in order to prevent them from being separated from their children.

Link > <http://www.hani.co.kr/arti/opinion/because/476712.html>

\* Hankyoreh \_ May 5, 2011

## **Single Moms' Day shifts focus to family preservation**

by Lee You-jin

*TRACK and KoRoot to host international conference May 11 placing the spotlight on single moms*



↑ Noh Keum-ju (Noh Myung-ja) discusses the circumstances of separation from her son pictured on the poster for the film

Interview by Lee Jeong-a

May 11 is “Adoption Day.”

The government created the day in 2006 to activate for domestic adoption. Every year around this time, however, there are people whose hearts are cut to pieces. They are the mothers whose children were sent overseas. The Dandelion parents’ group is a group of mothers who were compelled to send their children overseas for adoption in the 1970s and 1980s. The mothers formed the group three years ago to commiserate, help one another and share information on their children

visiting Korea. Most of the 12 members have been reunited with their children.

“It is another start. Because we cannot communicate due to language, I cannot explain, and even if it is a bit insufficient, I want to say it’s all my fault... Overseas adoption, to those involved, is a pain that must be endured for a lifetime.”

Noh Keum-ju (Noh Myung-ja), 52, the chairwoman of the group, said, “Before 2005, when I was reunited with my son, I did not even know the phrase ‘overseas adoption,’ and I assumed he was living in Korea.”

Noh continued, “Without my knowledge, my husband’s family sent my child to an ob/gyn and signed a statement relinquishing parental rights. Later, I found out the hospital sent my son to an institution, and the country [Korea] sold my child off. My world collapsed when I heard the news.”

“When I was 18 and working in a factory, I gave birth to Seong-wook (35, living in South Dakota, United States) due to an unwanted pregnancy. My starvation was so serious that I was unable to lactate. My husband gambled and was never around, and the next year, while I was away for a month, I lost my child,” said Noh. “I went out of my mind, so I went to find him.” 30 years later, she found him again.

Through the adoptee-founded organization Global Overseas Adoptees’ Link (G.O.A.’L.) assisting returning adoptees, Seong-wook found her first. At a glance, she could tell, “He looks just like me. He is my child.” His face, however, revealed the gloom of his own family troubles. Listening to his story with difficulty, she learned he grew up without the appropriate help from his adopted parents. He started his own family at a young age, and they were poor, and his daughter even developed a heart condition. Noh said she felt most sorry that she could not help him though she wanted to because of her situation, despite being his birth mother.

Their story was the subject of adoptee filmmaker Tammy Chu’s documentary film “Resilience.” The film was shot over a three-year period and premiered at the Busan

International Film Festival. Noh also made Chu, who met her birth mother before she passed away at an early age, an adopted daughter.

May 11 is the first “Single Mom’s Day,” created by adoption and single mother groups. Noh plans to tell her story at an international conference that day at the Community Chest Auditorium hosted by Truth and Reconciliation for the Adoption Community of Korea (TRACK) and KoRoot, a guest house for overseas adoptees returning to South Korea.

“Society will only change if mothers like me show themselves more. I am a mother whose child was sent for overseas adoption, and a single mother. If a base is created so that single mothers can also raise their children, the nation’s concerns about adoption will also disappear,” said Noh. “We must lessen the pain that must be suffered to the day they die by those affected by overseas adoption.”

Kwon Hee-jong, a coordinator at the Korean Unwed Mothers Support Network (KUMSN), said, “70 percent of the mothers at state-supported facilities relinquish their children for adoption, while in the United States, the ratio of mothers who give up their children is just 1 percent.”

Kwon added, “It is absolutely necessary that we eliminate prejudices so that birthmothers can raise their children on their own and expand support before encouraging adoption.”

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**Link** > <http://www.hani.co.kr/arti/opinion/because/476712.html>

**Film Review / Culture \_ Nostalgia for the Light :  
Mothers demand cosmological shift in children's rights**

Author \_ Tammy ko Robinson / Translation \_ Choi Woo-suk, Kim Kyung-mook

I was glad to hear Patricio Guzmán's *Nostalgia for the Light* was selected as one of the 190 films screening at South Korea's 2011 Jeonju Film Festival (JIFF). Not only is the Atacama Desert with the geoglyphs of Pre-Columbian residents and the history of the political prisoners disappeared there during Augusto Pinochet's regime, but it also houses the world's largest astronomical facility, the Páranal Observatory. Guzmán's film keenly renders how each of these three groups, geologists, astronomers, and mothers of the disappeared separately understand the fragility of the present. Indeed, as we are introduced to the scientists pursuing questions about the origins of both our solar system and humankind, we are presented with the fact that the chemical composition of both the stars and the bones of the mother's dead are the same. The two histories, one of ourselves as matter and energy, and also Chile's specific sociopolitical history are articulated together as one of the mother's says to Guzmán during an interview, "I wish the telescopes didn't just look into the sky but could also see through the earth so that we could find them."

Like most in remigration, I come and go from South Korea, and as it is unfortunately the common case elsewhere, documentary films outside of the film festival circuit are unfortunately difficult to see. The last non-Korean documentary film that was an exception was Michael Moore's (2004) *Fahrenheit 9/11*, and the last Korean documentary film was Lee Chung-ryoul's (2008) *Old Partner* (워낭 소리). This is unfortunate because as it was then and often, I believe documentary films that have much to teach us are constantly being made and that the audience impacts the viewing experience. However, in this instance, I had more than the fact that I was seeing the recent film of one of my favorite filmmakers, if not most beautiful of the past decade, being screened in Jeonju to appreciate. What surprisingly became one of the biggest factors in my reception of the film was introduced by JIFF's announcement that it was showing the French and Korean subtitles print. While South Korea and Chile lend themselves easily to post-dictatorship transitions to democracy comparisons and I believe accounted for the emotional response of viewers sitting around me in the theater, my experience of this film in my secondary language, French, prompted me to reconsider questions from the perspective of a particular historical trauma experienced in South Korea, inter-country adoption.

Subtitles in documentary films have a particular historical emergence and utility. I recall distinctly the first time I watched Kim Dongwon's (1998) *Sanggye-dong Olympics*

in the US, I understood the English subtitles signaled the need not only for external production support but also want for international attention to a domestic issue. In this instance, however, the Spanish language of the voice-over and the French subtitles for *Nostalgia for the Light* also provide for a Korean diaspora whose neither primary nor secondary language is Korean. Like approximately half of all Korean adoptees that have been adopted abroad to one of 15 receiving countries since the 1950s, I concur with the US State Department survey results that rank Korean among the most difficult languages in the world to learn, and Spanish and French amongst the easiest.

In this documentary, Guzmán interviews an engineer who was born in Germany, and whose life like his mother's who lived in exile, was impacted by the Pinochet dictatorship. He identifies as a Chilean, who has come to return to work in the Atacama Desert and is positioned through the course of the film as part of the constituency the mothers are pleading to for help in scanning the earth for their children's remains(유해). In the languages of our diaspora, I unexpectedly encounter in Guzmán's film a possible source (원천, 근원)for empathy(감정이입, 공감) for reconciliation for mothers whose children have been disappeared by intercountry adoption and are struggling for juridical change in South Korea.

It has been noted that since the 1990s, an increasing number of aging Korean adoptees have returned to South Korea on NGO-sponsored motherland culture trips, semester-exchanges, business trips and so on, and invariably many have looked for birth records and birth families. In addition to this, some are advocating for changes in the laws or lack of laws that condition inter-country adoption in the first place. In a country that became the defacto world record setter in children sent abroad for inter-country adoptions post WWII, it is late to ratify the ethical standards, professional practices, and principles set forth in the Hague Convention on Inter-country Adoption (although passed unanimously by the National Assembly in March, it has not yet been signed into law). In addition, South Korea maintains reservations in complying with the United Nations Convention on the Rights of the Child (UN CRC).As a result, missing children together in what are in many instances illegally relinquished children have been disappeared through an inter-country adoption system that has gone unregulated and unmonitored. Indeed, NGOs in Scandinavia cite total figures for South Korea's adoptions at 300,000 whereas the South Korean government cites a figure of 170,000. Until the special law on adoption reform bill is successfully passed and the government decides to properly adjudicate adoption cases through the courts, not only will South Korea never be able to account for its past, neither will it be able to properly account for the ongoing present.

Adoptees and adoptee-led organizations like ASK and TRACK have joined in the past years with the unwed mothers movement in South Korea to investigate inter-country adoptions persistence(지속) in a country that has emerged as a G20 country. As a result of these efforts, it is now known that 90% of children being adopted overseas today are children of unwed mothers who have chosen to give birth

over abortion, and who feel their primary choice afforded to them by society is relinquishment, especially in a country that provides exponentially more welfare support in terms of basic living, housing and educational assistance to domestically adopting couples than to single parents. Meanwhile, the UN CRC advocates that the rights of the child includes the attempt by participating state authorities have made steps to ensure that care for the child can be provided for by living family members within the birth country. In the past two decades, South Korea has facilitated the opposite by allowing adoption agencies to go unmonitored while acting in a conflict of interest and continuing paper orphaning practices to service the pressing lobby and market of infertile couples from the West at a cost. Indeed, regarding latter, I know colleagues whose birth parents dying wish to be reunited with their children have been thwarted by third-party adoption agencies uncompelled to disclose information that belongs to the parties directly involved.

Korea has endured a number of traumas, and families have born the brunt of this. If an index of a country's traumas is in its folklore, the numbers of tales that abound about paranormal conditions of family reunifications are telling, from Grandmother Bbong's reunion to Oseam to the Sun and the Moon. Unsatisfied with these fantasy resolutions, there is a growing intensity in the struggle for unwed mothers to keep their children, and adoptees searching for their birth families. Likewise, Guzman's film draws us in to meditate on the machinations required to shoot the night sky and examine the desert, and the ongoing resolve of the mothers to walk the earth looking for their children. More than this, his profound film and the mothers shows us the possibilities of making something akin to an altogether cosmological, philosophical, and socially-committed shift in resolve to address the past. As bills move from the National Assembly ratifying the Hague Convention, increasing support for single parents and reforming the special law on adoption, there are also fellow light seekers here.

Nostalgia for the Light, Winner Best Documentary, Prix ARTE, 2010 European Film Academy Awards, screened at JIFF 4/30 and 5/6 and is available for select theater release.

**Link** > [http://www.pressian.com/article/article.asp?article\\_num=20110518183311&Section=01](http://www.pressian.com/article/article.asp?article_num=20110518183311&Section=01)

## **A day redefined to honor single moms**

By Lee Sun-min (summerlee@joongang.co.kr)



The stories of adoptees are often recounted in the media, especially around this time of year, when focus on the government-designated Adoption Day produces articles about adoptees who have returned to Korea or are seeking to reunite with their birth family.

*'We challenge the government to support children in the families in which they were born.'* - Jane Jeong Trenka

But behind every adoption there is another story to tell about a woman who has surrendered a child, and oftentimes not by choice.

What keeps these women from raising their children is a persistent stigma in a still patriarchal society that says they are unfit to raise their children alone and don't deserve the social or financial support to do so.

Until recently, their stories remained hidden, a dark secret at the core of the adoption issue.

But many of these women have begun not only to fight the system and demand support for their choice but also to speak about their experiences in an effort to gain recognition for the rights of other women to keep their children.

One adoptee group joined the fight by organizing a Single Moms' Day on Adoption Day, May 11, to shift the focus from adoption to family preservation. At a conference organized for the occasion, single mothers recounted the sometimes harrowing experiences of seeing their children sent for adoption by relatives or agency workers while adoptees voiced their support for the actions of a single moms group that is working to change the law so future generations will have the option of raising their children.



↑ Jane Jeong Trenka, far left, and Single Moms' Day participants distribute cakes celebrating single mothers and those who spent their first birthday away from their family. **Photo by** Jes Eriksen

## Tracking adoption

Single Moms' Day was organized by Truth and Reconciliation for the Adoption Community of Korea (Track), an adoptee-founded group that advocates for family preservation and adoptee rights; KoRoot, a guesthouse for adoptees returning to Korea; the Korean Unwed Mothers & Families Association (KUMFA), a single mothers' advocacy group; and the Korean Single Parent Alliance. It included a gift drive, conference and cake give-away and was held May 11 at Community Chest of Korea in Jeong-

dong, central Seoul.

“By raising public awareness about this issue, we can challenge the Korean government to meaningfully and sufficiently support children in the families in which they are born instead of sending them for adoption either domestically or internationally,” said Jane Jeong Trenka, a Korean adoptee who was adopted to the United States when she was 6-years-old and the author of two autobiographies and an anthology about adoption.

## Single moms speak out

Having few options and little money, one single mother, who wishes to remain anonymous, signed papers relinquishing her rights to her child before giving birth. She was 24-years-old and on her own and it was the best option she could imagine.

But after her daughter was born, she decided she couldn't bear to give her daughter up and decided to do what she needed to do to raise her. She returned to the agency to try to get the child back, but was unsuccessful, though the agency did allow her visits. The last time she went, the social worker told her that she wouldn't be able to see the child anymore if she kept asking to get her back. When she persisted, the social worker told her that even if it were possible to reverse the adoption process, she would have to repay the agency the money spent on the baby and the birth.

At the conference, she encouraged the government to support women who want to raise their children and create an environment in which a woman can raise a child on her own.

“A child is not something we can give to someone else,” she said. “Adoption should be considered after the birth mother is given a chance to raise her own child.”



## History

According to the Ministry of Health and Welfare, 158,703 children were adopted abroad from 1953-2005, though some estimates put the number closer to 200,000 because of the large number of unrecorded adoptions.

But of the 1,250 children adopted abroad in 2008, 1,114 were the children of unwed mothers, or 89.1 percent, according to a 2009 study by the state-run Korea Women's Development Institute.

The Korean government has tried to stem the tide of overseas adoption, most notably following an article published in *The Progressive* in 1988 that branded the country as a "baby exporting nation." The article, which appeared ahead of the Summer Olympics in Seoul the same year, shamed the country and lowered adoption rates, but it wasn't long before the numbers rose again.

Later, in the face of a plunging birth rate, one of the world's lowest in 2008 at 1.19, the government began making policies to encourage couples to have children - offering money to families with more than three children and, recently, by providing free day care for multi ethnic families.

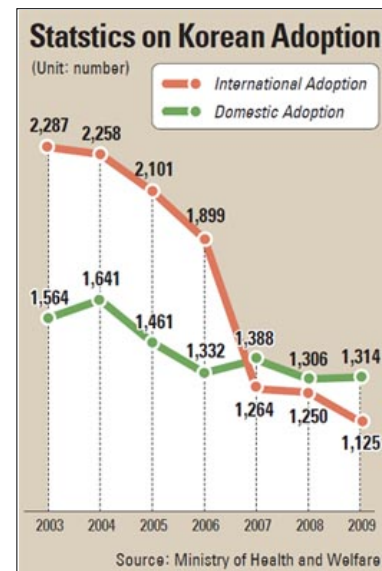
But experts say the government's effort to boost the birthrate while ignoring the needs of unwed single mothers is indicative of its bias against these women, who are viewed as unfit to raise their children.

The government created Adoption Day in 2005 to promote domestic and reduce international adoption.

Although the international adoption rate is on the decline, with 1,125 children adopted abroad in 2010, the increase in domestic adoption has been minimal, from 1,306 children in 2008 to 1,314 in 2009, according to the Ministry of Health and Welfare.

At the conference, Trenka pointed out that the imbalance in gender roles has had a significant impact on women's rights and unwed single mothers in particular.

Lack of adequate social-welfare support, Trenka said, is another obstacle for single women raising a child. She cited a 2010 Alternative Report by Korean NGOs to the UN Convention on the Rights of the Child, that said child and family expenditures



accounted for 1.7 percent of the national budget, the lowest level among OECD countries.

Conference participant Gahm Eun-nam, a single mother, spoke about her own struggle to apply for welfare support.

When she went to register as the head of a single-parent family, she was told she was ineligible because she earns more than 800,000 won (\$737) a month.

“Wealthy or poor, old or young, single mothers share similar problems,” Gahm said. “It is not right to equate our social status with the amount of money we make.”

Many of the experts and single mothers who spoke at the conference pointed to a need for greater social acceptance of a woman’s right to raise her child, in addition to an increase in welfare support.

Choi Young-hee, a Democratic Party lawmaker, is working on a revision to the country’s Special Adoption Law in a coalition with several groups including the Single Moms’ Day event organizers. She said that through the law, which shifts the focus of the current law from adoption promotion to family preservation, she would strive to set a new paradigm for single mothers and adoption.

“Children in adoptive and foster families get 1.07 million won per year from the government,” Choi said. “But a single mother raising a child only receives a monthly subsidy of 50,000 won until the child turns 12. We are now challenging this archaic system.”

Though the law revision, which is set to be considered in an upcoming National Assembly session, focuses largely on adoption, there are also provisions for single mothers, most notably a requirement for unbiased counseling that is free from adoption agency interference.

At the conference, several adoptees spoke about their experiences, including Jes Erikson, a Danish adoptee, who also discussed his view of Korean society.

“I grew up in a society with a very robust welfare system in which equal opportunity, including gender equality, is a primary asset. So I find it only natural to question which laws and social norms constitute the root causes for inequality,” he said. “And this is why I find it interesting to question the system of overseas adoption as a symptom of an underlying social infrastructure that can and should be changed over time.”

During the conference, all of the single moms, whether their child had been relinquished for adoption or not, pointed to the social stigma against single mothers in

Korean society. But what's changed is that more of them are willing to stand and be recognized.

"I'm ready to go out in public and say I'm a single mother. I'm ready to say that out loud, but I don't know if the public is ready to accept me as I am, and of course my child as well," said Choi Hyong-sook, a single mother.

Choi has a 7-year-old boy who used to ask why people called his mom a "single mom" and Choi remembered having to explain her situation to him. Now, she says, he is proud to be the son of a single mother. He even says it out loud in restaurants when talking to his friends, she said.

"I'm happy he is not ashamed of who his mother is, and he doesn't need to be," Choi said. "But it hurts when I sense how other people at the restaurants stare at him."

Link > <http://joongangdaily.joins.com/article/view.asp?aid=2936429>

\* The Korea Herald \_ May 4, 2011

### **First Korean Single Moms' Day**

By Hannah Stuart-Leach ([hannahsl@heraldm.com](mailto:hannahsl@heraldm.com))

Celebrations during Korea's family month of May are to recognize single mothers in the country's first ever Single Mom's Day.

Unwed mothers and their children are to be celebrated and supported at a conference exploring issues ranging from international adoption to the discrimination these small families often face.

Attendees will celebrate the event on May 11 by sharing enough birthday cakes to feed 1,000 people outside Kyobo bookstore in Seoul's Gwanghwamun.

The cakes made by Mi n Mi Cake bakery will be given out at the bookstore's sunken garden at 12 p.m. to wish a collective happy birthday to kids raised by single moms — who often lack support in Korea.

Children will also be given presents bought through a gift drive for the conference hosted by the Korean Unwed Mothers and Families Association (Miss Mama Mia), the Korean Single Parent Association, Truth and Reconciliation for the Adoption Community of Korea and KoRoot.

Miss Mamma Mia member, Jo Su-yung, 41, who requested a toy car for her son through the gift drive, told why she decided on raising her child without a husband on falling pregnant: “Forty is somewhat of an old age, so I decided to have my child. It has been hard, but I don’t regret it one bit and we are living a strong and bright life together.”

The international conference aims to raise awareness about challenges facing single mothers, and to encourage the Korean government to provide more support to help them raise their children rather than feeling the need to resort to adoption.



An unwed mother with her baby taken at a support group facility. **Photo by** Jeanne Modderman

TRACK president Jane Jeong Trenka, who has written three books about her own experiences as a Korean adoptee in America, said: “We decided to organize single mom’s day because this year is the 6th year that the government and adoption agencies have organized adoption day to promote domestic adoption. “Since around 90 percent of Korean children put up for adoption come from single moms, we want to promote family preservation and support for them rather than adoption.”

Kwon Hee-jung, executive director of event sponsor, the Korean Unwed Mothers’ Support Network, which also works to change attitudes toward unwed mothers, agreed: “Our society has not accepted their (unwed mothers’) right to be mothers for a long time and the majority of people naturally think they are supposed to give up their babies for adoption.

“This is against human rights and now it is time to recognize motherhood out of marriage as legitimate as motherhood inside marriage.”

Unlike in many Western countries, Korean single mothers are often aged 25 or older.

Single mother Kim Deuk-won, 33, said: "Education is so important because I believe it is the most efficient way to change prejudices around us."

The international conference titled, "Redefining Family: Moving from Adoption to Family Preservation" is to be held at the Community Chest of Korea conference room on May 11 from 8:30 a.m. to 5 p.m.

Speakers will discuss official positions on international adoption as well as hearing first-hand stories from international adoptees and single mothers.

One such mother, Choi Hyung Sook, has stood up to tell her story — in the face of discrimination by those around her.

She initially gave her baby up for adoption after becoming pregnant at the age of 35. The father refused to be involved in the child's life, and her older brother warned her that raising the baby would affect their parents too.

"In Korean society, raising a baby alone is not just my problem," she explained, referring to the stigma imparted on the entire family.

But when she took her son back to care for him herself she was forced to close her beauty shop after people discovered she was an unwed mother. After the local press reported that she did not have a husband, people began calling to check that it was true.

After six months, sales dropped, and coworkers began discriminating against her. "The drop in sales was difficult, but more difficult was the hurt I received from other people," she said.

"These people were like my family, they came to my home and we ate together. But because I am an unwed mother ... they thought badly of me." Although she has struggled financially and emotionally, she says she has no regrets.

"Even though life is difficult, when I see my son smile, I live for that."

No registration is required for the International Conference and free will donations are accepted from those attending on the day. Visit <http://justicespeaking.wordpress.com> for more information, details on donating to the gift drive or to contribute in other ways.

Link > <http://www.koreaherald.com/national/Detail.jsp?newsMLId=20110504000899>

## **Korea Celebrates 6th Adoption Day to Promote Domestic Adoption**

By Oh Jee-hyun

The Korean government designated May 11th Adoption Day in 2006 to boost adoption rates within the country.

And this year, some 1-thousand government officials, social workers and adoptive parents participated in a special event in Seoul.

**Interview \_ Lee Hwa-sup, Adoptive parent** "People worry that they might not be happy because adopted children are not related to them. But look, we're a very happy, loving family. When a beautiful child joins your family, it brings so much joy."

The government started a new service on Wednesday, connecting adoption agencies and parents seeking to adopt a child, which will provide more information for both sides. And, although it is important to raise awareness about adoption, some say it is equally important to help change society's perception of single mothers.

"May 11th was also chosen as Single Mom's Day, to raise public awareness about the connection between adoption and single mothers and the discrimination the women face."

Several Korean organizations, including TRACK and KoRoot, came together to organize the first international conference on single mothers and a special party where adoptees and women who gave up their children spoke up.

Supporters say there is a prejudice against single mothers in Korea and this is driving up the number of children being given up for adoption.

**Interview \_ Kim Do-hyun, Director KoRoot** "More than 2,4-hundred Korean children were adopted domestically and internationally last year, with 90 percent of them from single mothers. We want to support women who decide to raise their babies alone."

Experts demand that the government revise its adoption law so that mothers have at least 30 days to decide before giving up their child.

They also argue that the mothers need more support and that stricter measures are crucial when assessing potential adoptive parents.

**Link >** [http://www.arirang.co.kr/News/News\\_View.asp?nseq=115841&code=Ne2&category=2](http://www.arirang.co.kr/News/News_View.asp?nseq=115841&code=Ne2&category=2)

## Negative Externalities of Foreign Adoption

Most people have heard about microeconomics but few realize that they utilize it. After obtaining my MBA at Syracuse University, I began to look at the world through a lens of microeconomics and looked at how my family made spending decisions and for the actual costs associated with each purchase. Most of the costs seen in our daily transactions are fully disclosed and transparent. In other instances, the true costs are not bared by the producer, and a part of the cost is paid by society. An example of a negative externality could be a factory in China that pollutes in the atmosphere and the cost of the pollution then is passed unto Korea's society. These costs to Koreans would include: increased respiratory illnesses, higher medical expenses, poorer quality of life, and reduced aesthetic appeal of the air. The pollution that is expelled during the production of goods is a cost that the factories do not have to pay.

Generally, the public looks at the placement of abandoned Korean children with a home as a positive transaction. But in the last decade, as Korean Adoptees are maturing they have been speaking openly about their adoption journey, and not all of what is shared has been positive. In my case, I was adopted by a Scandinavian couple who was unable to have children. I was moved to the Midwest and lived a difficult life that was filled with mental torture, physical abuse and hard physical labor. I was forced to get up before dawn every morning at 05:00am to feed and milk the cattle of my adopted family's farm. I was berated daily by the people who called themselves my family and for entertainment they would have the dog attack and bite me. Stories like mine are becoming more numerous as research sociologists begin to acquire adoption statistics and publish their findings. Policy makers and individuals who adopt should be aware interracial adoptions come with them unique and complex social issues. So complex and problematic, that many adoptees would argue that adoption may not always be the right answer. The full cost of adoption should take into consideration as lawmakers set policies. The real costs go beyond the single transaction of a child being sent away to a foreign land, instead they are paid through the lives of individuals and costs to society...these costs should have merit to weigh in on the decision of future policies.

**Cost to Adoptee's:** A large number of adoptees have no record of their family history. The loss of an individual's medical history produces anxiety and fear as they go through life not knowing the risks that they could have altered with the aid of medical technology and change in lifestyle. There is also a hidden monetary cost as this lack of information often means that adoptees will have to shell out more money to get insured and there is a cost to society when individuals cannot receive medical care due to the lack of a medical history.

In terms of efficiency, many adoptees spend several months and even years to search for their families or to find answers about their identity and culture. Typically, most individuals do not spend their productive years to learn about or deal with such issues. Some individual shave

delayed starting a family, pursuing education and turned down more lucrative job opportunities to satiate their hunger to know where they came from and who they are.

Cost to Families: The other side of this equation is the Korean families that gave up their child and the families that obtain Korean children to foreign countries. Women who give up their children undergo depression and emotional scarring that they often carry through the rest of their lives. The author Carole J. Anderson, M.S.W., J.D. described it best in her booklet, **Eternal Abuse of Women: Adoption Abuse**, as she states. "Adoption is not the end of a painful chapter, but the beginning of a lifetime of wondering, worrying, and missing the child. It is a wound that time cannot heal...it is a limbo loss." I often ask parents who have kids of their own if they could stop thinking about their children if they were kidnapped. The normal response from most is that they would search for their children however long it takes to find them. It should be no surprise then that women were forced to give up their children are consumed by guilt and other negative thoughts for a long period of time or even their entire lifetime.

The third equation to the adoption is the parents who adopt. These parents can become overwhelmed as they take care of a child from a foreign land. Unlike a pet or a plant, the adoption process doesn't allow the parents to return back a child if they are not ready or unsatisfied with the child. They also have to bear the risk of health concerns, stress of overcoming language barriers and later on the feeling of rejection when the child begins to question their identity and where they came from. In most instances the adopting parents have to spend more time to learn to communicate with a child that is unable to speak their own language and other preparations in dealing with a child that is not biologically theirs. What do you tell strangers or your children during the awkward conversations or challenges pertaining to ethnicity? How do you deal with the cold stares as people look at your family because the children look different? Many parents are not equipped to deal with such issues and the added stress has lead to abuse, abandonment of the adopted child.

Cost to Korea: In past 2 decades Korea has displaced more than 160,000 children through adoptions and more than 159,942 Korean males and 80,813 Korean females through foreign marriages (International Marriage and the State in South Korea" Hye-Kyung Lee). This recent population loss of children and women in Korea will expand the ethnic populations of Korea and forever shape the cultural landscape. The increasingly popular trend of searching for brides in foreign countries (due to the lack of brides available in Korea) along with greater disposable incomes and obtaining education outside of Korea will increase travel and business transactions to destinations outside of Korea. Honeymoon trips to Thailand, the United States and Europe is becoming more frequent- this globalization or "flattening" of Koreans described in the book "The World is Flat" by Thomas L. Friedman will increase in the ensuing years. With these increased travels there will be stagnant or decline in travel to domestic destinations like Kyongju and Jeju-do, this means that the Korean local economy must bear the cost of these demographic changes.

There are other issues to Korea other than potential lost revenue and that is the issues seen with lowered population as a whole. The CIA World Fact book ranks Korea to be 210th out of 221 countries, one of the lowest birth rates of developed nations. The United Nations has



pegged it to be worse where Korea is ranked at the 4<sup>th</sup> lowest in the world with the fertility rate being 1.21 per woman. Such news has numerous of implications and one of them will be the lack of general working population to sustain Korea's economy. Who will take care of the ever growing elderly population? How will Korea able to compete with the growing global population without a workforce to grow with the expansions? Yet Korea continues to sell off its most important asset...its children to foreign countries and few companies have capitalized on recruiting or hiring Korean adoptees from abroad. Numerous Korean adoptee shave a rudimentary understanding of Hangul, the ability to bridge foreign policies with Koreas, and many know about Korea's culture. They could be a stop gap measure that could help Korea to remain a global economic powerhouse.

In closing, policy makers should heed to the stories and advice of notable adoptees such as Olympic Athlete Toby Dawson, Senator Paull Shin and writer Jane Jeong Trenka. Adoptees understand the ramifications of policy maker's decisions and realize the true costs to the parties that are involved. The full cost of adoption is not realized at the signing of the adoption, it isn't paid off until many years or decades later as the children grow up and are aware of what it is to be adopted. Many of us have a firm grasp on current legislative and social issues that face adoption and hope that our advice can be implemented while there is still time to make changes that will make a difference. To do this we need to take into consideration the negative externalities of adoption.

Jayme K. Hansen was born as Yoon, Dong Jin in Chung-ju, South Korea. He is currently living near Seattle Washington with his wife and two children. He is a highly decorated military officer working as a hospital comptroller for the US Army. He has obtained his Master of Business Administration (MBA) and Master of Public Administration (MPA) from Syracuse University along with a Bachelors of Science (BS)in Interdisciplinary Social Sciences from Clarkson University along with internships with the National Security Studies Program of Syracuse University and Project Lead Program through United Way. He has earned numerous awards and recognition with his work with NGO's to include Korea America Friendship Society Medal and Good Neighbor Award from the American Red Cross.

**More than a one-woman show:**  
**Amy Mihyang's *Between* and South Korea's unwed mother movement**

*"Between: Growing Up (Adopted)," a six show performance written, adapted and performed by Amy Mihyang ran between April 8-17, 2011 in Seoul, South Korea.*

*tkR \_ Let's start with the title, "Between" It seems to suggest something about the geographic and psychogeographic coordinates of having been adopted from South Korea and raised by a family in New York and your recent experiences living in Seoul, but also a temporal "betweenness" experienced by the show's six different characters.*

**Amy Mihyang \_** In terms of all of the characters, all of them are experiencing different kinds of betweenness. For Jenny, who we meet when she is between six and eight years old, there is a sense of assimilation she is negotiating. She desperately wants to fit in, but she knows she is not fully within a community and doesn't know what the alternative is. It's like she doesn't even know the other circles in the Venn diagram exist. For the older and outspoken adoptee character in her twenties, Yunjin, her between has a lot to do with her reunion with her birth mother. She knows it hasn't been the resolution she had hoped it would be. For the adoptee character, Sarah Kim, she has de-emphasized the significance of her adoption for thirty-something years. As a new mother, however, she finds herself reflecting on her birth mother's experience...

*tkR \_ You talk about these different characters and yet I wonder despite flight announcements, seat placement changes and other stage cues signaling character transitions, it seems to take your audience a little time to realize that you are the sole performer of multiple and diverse characters, only one of which is based on your own personal experiences.*

**Amy Mihyang \_** Yes, I've had someone ask me after the show, "Why do you as a child call yourself Jenny?" I find it fascinating that others have spoken to me in a way that suggests they want the unwed mother character, Ki-Bum, to be my mother even though she is clearly talking to her son. It's interesting how they want to read all of these characters in connection with me.

*tkR \_ I wonder if this reaction suggests a willingness to be presented not only with each character's unique state of betweenness with their adoption experience, but also an attempt to read a collective adoptee experience shared between them. What was your research process for developing these adoptee characters and the overall framework for the show? Anna Deavere Smith in one of her interviews cited a conversation with a linguist who had suggested it is imperative to ask the questions of, "Do you know the circumstances of your birth?, Have you ever come close to death?" Jenny's character appears to be really struggling with this first question and by the end of your show, your character is talking about coming to terms with the passing of your adoptive mother.*

**Amy Mihyang** \_ In the beginning when I was first developing this show [at Hofstra], it was based on Internet research as adoptees came online internationally and joined listservs and created blogs, and about speaking to as many people as possible. For example, around six or seven years ago I would sit and read message after message that was being posted. My friend Yunjin's character is based on a blog that emerged around that time, and eventually she and I made contact and became friends. And the unwed mother character was based on an online posting of a diary that had been translated into English and I later translated for the show back into Korean.

My impulse is to develop and look at these characters in a very intellectual way or from an academic point of view, but as an actor, I also try to get into the character's bodies and find where their breath, tempo and movement are coming from. My director is a very physical director, and encourages a lot of this kind of work. For example, you can see how the unwed mother rests and how she protects herself.

In thinking about what kind of data I should gather when I first came to South Korea and worked on adapting the show, I collected sound recordings. Even in the womb, we are seventy percent water, and sound waves impact our sensory experiences and our development. Infants and children have the ability to receive stimuli and experiences but do not necessarily have the capacity or vocabulary to express what is happening to them. This dynamic is what we see with Jenny's character, and then also later with Yeon-Ooh/Andrew Charles, who has just been adopted after living foster care for three months and whom my character encounters in the Detroit airport.

*tkR \_ In referencing the online formation of the adoption community, it's been interesting how through it or through remigration (many making summer trips in their teens and twenties, but some permanently relocating in their thirties and forties) to South Korea, we've come to realize that we are part of a post-World War II 15-country diasporic social experiment in a way that we wouldn't have otherwise known due to limited access to our records. In other words, we have found out that the 100,000 of us adopted to the US could have easily been the 100,000 adopted to Western European or Scandinavian countries. We have also learned that intercountry adoption out of South Korea has a very short history as a social experiment especially when compared to a longer history of interfamilial adoption within Korea. Related to this, what do you see as the work of performance in relation to this history we are still only beginning to piece together?*

**Amy Mihyang** \_ Sometimes in the writing process I have found that my impulse is as an activist and to be as inclusive of various historical perspectives as possible, but as a theater person and an artist, I very intentionally try to find a balance dramaturgically. For example, I love the bareness of some of the transitions that force the audience to go from a really heavy, deep moment with the unwed mother character to something so absurd in my childhood in the US. There are decisions I made to use flight announcements as transitions in the beginning to set up more expositional content, and then rely on them less. The quickening of the pace of the

transitions between the characters as the show goes on, I'm not sure how effective it is, but it's intended to suggest that they are not so separate from each other and that they are part of a collective experience that they come to know through together and it is a history in process.

**tkR** \_ *In lieu of an identity politics or politics of identity, Jose Munoz suggests that some of us engage a process of "disidentification," minority performance, survival, and activism. For me this comes up somewhat in the different iterations within your performance of what I would characterize as a genre of writing within our community, the "birth family search letter" and also a common speech act, the "prospective parent q&a." You open the show reading a letter written by yourself, seated amongst the audience and a Korean language translation projected onto the screen above the stage. For me, the counterpoint is most profound when I hear the content of what Sarah Kim, a thirty-something adoptee, who was raised in the South, and is a mother of a two-year old toddler says to her therapist about her feelings towards her birth mother.*

**Amy Mihyang** \_ This is the first show where Sarah is talking to a therapist. Before, she was having a conversation with a friend in a coffee shop, and we realized we needed to move her. Now when you meet her character, right off the bat it's interesting how she clearly is in the beginning stages of therapy. It's pretty much her first visit and she's sitting on the edge of her chair saying, "I don't really need to be here... my adoption was great." She intrigues us because even with this disavowal, or attempt to distance herself ideologically or narrative-wise from other adoptees, she is there. For Sarah, perhaps she's always been 'pro-adoption' and now she has had a specific experience carrying her baby to term. This has raised new questions for her about what challenges her birth mother may have experienced during the first two years of her life before she was adopted.

With Jenny, she no longer talks about being adopted explicitly even though we saw her earlier posing numerous questions to her adoptive mother due to her experiences at school. One of my favorite scenes is when she has this fantasy moment where she attempts to conjure up her birth mother. She wishes to see her; she wishes to be found. She has no idea that there is a bigger collective of us who have experienced a similar wish. This moment for her isn't political.

In my experience, while some voices are quite public and might simultaneously validate and/or criticize intercountry adoption as a practice or social experiment, sometimes adoptees do not always have a lot of patience in talking to each other. There was an adoptee who came to one of the shows, who has remigrated to South Korea and her adoptive father has just recently passed away and she felt as though she was able to talk about this based on one of the characters in the show. Hopefully what this show does is allows space for this affective knowing, and allows us to productively start our conversations based on our empathies and questions rather than from an already-determined political viewpoint of good or bad.

Some people ask me how it was be adopted to the US, but the thing is when you're a child or even as an adult, we do not necessarily know what the politics or ideologies are that undergird

our experiences. More importantly, we do not necessarily know an alternative is possible, nor did we have someone to advocate with us or with our birth parents.

*tkR \_ The flight manifest of your show is primarily full of Korean adoptees in transit between the US and South Korea, and I wonder how much you feel this is a Korean American adoptee show? For me, one between I cannot relate to directly is suggested in your introductory soliloquy and one regardless is a touching homage to your adoptive mother. You relay your experience of Camp Mujigae as both a sanctuary for you and your childhood friends who were also adopted, and conversely about moments of discrimination you encountered going to a school where the student body was predominantly white where your mother stepped up as an advocate. Although I was adopted from South Korea to a couple that raised me in the US, my adoptive mother wasn't white, I didn't go to a 'culture camp,' and I didn't attend a predominantly white elementary school. That said, I understand these references to cue to in how you have intentionally adapted your show to provide something for two if not several audiences, adoptees and nonadoptees?*

**Amy Mihyang \_** I'm interested in developing other adoptee characters, but perhaps that's for another show. For example, I would like to see an adoptee character who is experiencing deportation. I also sense much more of a divide between Korean American adoptee and Korean European adoptee experiences. However, I've had a number of adoptees from other countries coming up to me and telling me how much they've connected with the show as it is. That said, I categorize the intended audience into three: adoptees, Koreans, and non-Korean non-adoptees.

The biggest thing for me for Korean audiences is to tell a story about unwed mother's experiences within South Korea, and to fill in nuances of our adoptee experiences abroad that are not covered in the two Korean broadcast TV reality shows that focus on birth family search and reunions. I don't believe Koreans are fully capable of empathizing unless they have lived outside of South Korea and experienced the racial adversity that we have lived through. For them, I think of Jenny's Princess Barbie monologue where she expresses the ideal that blonde is best. I think Koreans definitely have internalized standards of beauty, but witnessing this young adoptee experience this conflict and then later attempt to magically conjure up her birth mother might speak to them. I also think for birth family members like my mother who saw the show, it helps her realize that our family wasn't alone in the separation we experienced. She is part of this bigger diasporic experience. For nonadoptees, I believe there are some who are interested in adopting and/or are acquainted with adoptees as friends or family. For them, my hope is that this show is educational and that they learn from the teachable moments my adoptive mother set. Intercountry adoption is complicated and it is not a simple form of charity.

*tkR \_ "between" has been adapted and a few characters have been added since you first performed this show at Hofstra and for the Fringe Festival in Edinburgh. In particular, could you speak to any changes to Ki-Bum, the unwed mother character, as she seems particularly pronounced against the backdrop of an assessment by ASK that in the past decade, the majority of children from here in South Korea being placed through intercountry adoption have been from single parent homes where women have not until recently been able to register themselves as heads of households. Moreover, there is campaign to put a better welfare system in place to*

*support them as single parents receive only 50,000 Won per month, almost four times less in benefits than domestically adopting parents. Is part of this character's development attributed to the time you've spent living in South Korea amongst a growingly active Korean adoptee research and advocate community. Related, I wonder how much the audience's awareness that you are an adoptee who has developed an empathy for the unwed mother's struggle in South Korea affects the success of this performance.*

**Amy Mihyang** \_ As an actor, memorizing the Korean, and learning where the breath comes from for the character of Kim-Bum has been the most challenging of my career. In particular learning her voice plus exploring the strength of her physicality, combined with how weakened she becomes as she nears the birth of her child surrounded by social and familial pressures about what contradicts her ideals for what is in the best interest of her child. For her as an unwed mother, although she wants more than anything to raise her child, she is caught between what her doctor, social worker, and her society thinks is right for her child.

I want all the audiences to fully believe that I'm this Korean woman before them, but I have accepted to a Korean-fluent audience there really is no amount of voice-work I can do to achieve this. It's interesting because non-native Korean speakers have told me that this character is the most affecting, and this is from the group who has to rely on subtitles I'm providing. There's a really interesting debate on subtitles and performances, and it isn't my intention to break this fourth-wall. But, you're not the only one to intimate that part of what is moving about this performance of Kim-Bum is how hard and perhaps how imperfectly I as an adoptee am trying to portray this character to audiences here in South Korea.

**tkR** \_ *In the US, we see diversity in the opinions and voices of adoptive parents ranging from psychologist Nancy Verrier, author of Primal Wound on the effects of separation from the birthmother on adopted children, or lawyer Elizabeth Bartholet, whose arguments highlight "successful adoptions" and an expansion of the "rights of adoptive parents." You've granted interviews related to these shows in Seoul where you attempted to shift these conversations or focus on initiatives adoptees have led in terms increasing support for single parents, and changing the special law on adoption in South Korea to adhere to the spirit of the Hague Convention and United Nations Convention on the Rights of the Child to protect children and place a priority on keeping families together. I wonder what you think the response in the US would be to your show and if you have plans to perform it there?*

**Amy Mihyang** \_ When I first got here to South Korea, I encountered an ideology that intercountry adoptive parents on the least harmful end of the spectrum were naive or on the most harmful end racist and ethnocentrist in how they determined themselves as rightful parents. This has been changing. In the character of Sarah, she's really defensive in saying her intercountry adoption was great, but I wanted to share how her position has changed since she's had a baby and is attempting to comprehend what has made it impossible for a birth mother in South Korea to keep her child. In the UK, we really struggled to build an audience and the biggest response came from mothers who had adopted children from China. Conversely, we've always said there was potential for a university campus tour in the US, in adoptee -heavy areas

of the country. I would want to keep the philanthropic connection with the show whether or not it's continuing to contribute to the struggle of unwed mothers to address the root cause of cases of intercountry adoption out of South Korea, but also to address funding needs for localized adoptee support groups in the US.

*All of the shows proceeds (4,000,000 Won) went to KUMFA, advocates for unwed mothers' rights who work against the discrimination of unwed pregnant women, unwed mothers and their children in South Korea. In addition, these two adoptee artists (Amy Mihyang and Tammy Ko Robinson) support the immediate passage of both a law increasing support for single mothers, and the adoption law reform bill sponsored by Lawmaker Choi pending in the National Assembly's Committee on Health and Welfare.*

## Pamphlet for the Adoption Law Revision

### Pass the Adoption Special Law Revision!

#### **Why does the adoption law need to be changed?**

When overseas adoptees, domestic adoptees, birthfamilies, and unwed parents share stories about adoption, they notice that many injuries that happened to them are not isolated cases, but systemic, long-standing abuses in the adoption system. We want to close the loopholes in the law as one way to make positive changes so future generations will not experience the same injuries.

#### **Unwed moms and adoptees – what connection?**

Only 1,228 children were sent for adoption in the five years immediately after the Korean War. Since then, up to 200,000 Korean children, most with living relatives, have been sent overseas for adoption. These days, 90% of children who are legally adopted now come from unwed moms, and all of the children who are illegally secretly adopted domestically every year are presumed to come from unwed moms.

#### **Forward-thinking changes to protect children in modern times**

Korea Past	Korea Present	Korea Future
1. International adoption	1. Domestic adoption	1. Family Preservation
2. Domestic adoption	2. International adoption	2. Domestic adoption
3. Family Preservation	3. Family Preservation	3. International adoption

*International law states that family preservation is the best way to protect a child, followed by domestic adoption second, and international adoption last.*

#### **Giving moms a fair chance to raise their babies**

**Present:** Unwed mothers may be pressured into making a quick decision to relinquish their child for adoption even before the birth of the child, and are sometimes asked to sign illegal papers relinquishing their parental right.

**Future:** Consent to adoption will given only after the baby is at least 30 days old, and documents proving the mother's consent must be submitted together with an adoption request to the court. While a mother is considering adoption, the state and local government will provide for the mother's and baby's health and protection.

#### **Giving babies a chance to grow up in Korea**

**Present:** There is no coordinated effort among agencies to place children for domestic



adoption first.

**Future:** International adoption may only be considered by the court after the agencies and the Central Adoption Support Agency have cooperatively made efforts to find domestic adoptive parents for a child.

### **Naming the adoption law in the spirit of family preservation**

**Present:** The title of the act is "Special Act on Adoption Procedure and Promotion."

**Future:** Let's remove the word "Promotion" to change the name to "Special Act on Adoption Procedure" because family preservation, not adoption, should be promoted. In addition, let's change the definition of children eligible for adoption so all the children are protected by the law. The old definition was overly simplified because of the belief that adoption was the best protection for children.

### **Protecting the rights of children through the court**

**Present:** The permission procedure for international adoption is only a formality.

**Future:** Complete documentation will be provided to the court to protect the child from unlawful separation from his or her family, show that all efforts have been made to place the child domestically first, make sure only suitable foreign adoptive parents are approved, and make sure the child will gain permanent resident or citizenship status in their adoptive country.

### **Protecting adoptees' right to identity**

**Present:** The law protects the privacy of parents and denies the adoptee's right to know his or her origins, and agencies do not always cooperate with adoptees' birth family search requests.

**Future:** The adoptee's right to identity will be balanced with the parents' right to privacy. Adoptees over the age of 19 will be allowed to read and copy their adoption documents.

### **Putting child welfare, not consumer desires, first.**

**Present:** Adoptions are disrupted when children do not meet the expectations of their adoptive parents.

**Future:** Adoptive parents will be screened and educated before being allowed to adopt. In the case of an adoption disruption, children will be protected by law, and families will be able to access counseling services before a final adoption dissolution.

### **Documenting children, protecting children**

**Present:** Children who are not registered by their birth families are vulnerable to illegal adoption practices and trafficking. More than 97% of domestic adoptive parents register their adopted child as a birth child, largely due to the family register system and social shame. This means that the adoptee can be unprotected if the adoption is broken.

**Future:** Only through correct documentation can adoptees receive legal protections. Therefore, all babies will get a birth certificate in the hospital to be included in adoption documents. In addition, the family register system will be improved so that the

official relationship between the birth parents and the adoptee is kept private as in a "full adoption." Social prejudice against adoption will be removed.

**Making our government responsible for its citizens' welfare**

**Present:** The adoption agencies are privately run. There is no strong government supervision of the agencies, but a central authority must be established if Korea ratifies the Hague Convention on Inter-country Adoption.

**Future:** In accordance with the parliament's March resolution, the government should responsibly carry out its duty and ratify the Hague Convention, under which the central authority would be a strong state organization that monitors and supervises the adoption agencies. It will prioritize domestic adoption and keep an accurate database of information on adopted children and their families.

## — Statement for Promotion of the Adoption Law Amendment —

We support the spirit and guiding principles of the bill to reform the Special Law on Adoption Promotion and Procedure!

June 10, 2011

The following represents the considered view of adoptee researchers who support the spirit and guiding principles of the bill to reform the Special Law on Adoption Promotion and Procedure presented to the National Assembly by Lawmaker Choi Young-hee on behalf of South Korea and ARC (Adoption Reform Coalition) the coalition of adoptees associated with Adoptee Solidarity Korea (ASK), Gong-gam (public interest lawyers' organization), KoRoot, Korean Unwed Mothers & Families Association (KUMFA) and Dandelions group of first parents of international adoptees in Korea, and the Truth and Reconciliation for the Adoption Community of Korea (TRACK).

This law revision bill, which is drafted by the above-mentioned coalition and first endorsed by Lawmaker Choi Young-hee and 12 other South Korean lawmakers on 11 May 2010, is part of a wider effort to improve the status of children's rights and family preservation in South Korea. South Korea has the opportunity to demonstrate its leadership in this area to the international community not only as party to the United Nations Convention on the Rights of the Child (UNCRC), but also in following up with the National Assembly's unanimous decision in March 2011 to ratify the Hague Adoption Convention with a demonstrated commitment to ensuring children's rights and family preservation are reflected in changes to relevant civil laws.

We firmly believe that the child is considered a fellow citizen from the time of birth. We advocate adherence to international conventions for a family registration system centering on the rights of the child: to acquire nationality, and to know and be cared for by his/her birth parents. (ref. UNCRC, Article 7). We are convinced that in general, it is in the best interests of a child to be raised in a biologically familiar and culturally relevant environment (ref. Hague). We support the State's implementation of an expanded support system for children of single mothers in order to ensure protection of children domestically. Furthermore, we see foster care and open domestic adoptions as alternatives to closed or intercountry adoptions.

We are critical towards a promotion or celebration of adoption, or a proactive pursuit of adoptable children as has been evidenced by the practices allowed under the current adoption law. We firmly advocate a disassociation of both adoption agencies providing facilities for single birthmothers and so-called post adoption services for adoptees. We consider adoption as a legal matter and a human rights issue for the Courts to oversee, and not as acts of humanitarianism that can go unregulated by privately-run international agencies.

We hope that the South Korean government and the legislators will take into consideration our perspectives, recognize the growing public will, and take up leadership in the international community as it has now acquired G20 status to unanimously support the passage of the bill to reform the Special Law on Adoption Promotion and Procedure (see attachment: Korean language version of this bill).

In hope of your recognition and support,

Adoptee academics, researchers & activists

1. Becky Belcore (US) Educating Korean/American and Korean diasporic communities nationally on Korean adoptee issues have included the following roles: Helping Adoptees Lead Together member; Executive Director and Board Member of Korean American Resource and Cultural Center; Korean American Women in Need (KAN-WIN); National Korean American Service & Education Consortium (NAKASEC) Board of Directors Member
2. Brian Belcore (US) Contributing researcher to "Korean Adoptees Share Koreanness: A Parenthesis of History" by tammy ko Robinson and Becky Belcore in Koreans In The Windy City, Editors Hyock Chun, Kwang Chung Kim, Shin Kim, East Rock Institute (2005); Contributing Programming Member of Camp Pride for Korean Adoptee high school age students in the US (2005-2009)
3. Edo Beukenhorst (BEL/ROK) Adoptee Solidarity Korea (ASK)
4. Kimberly Campbell (US/ROK) Deputy Editor, the Hankyoreh, Adoptee Solidarity Korea (ASK)
5. Marc Champod (SUI/ROK) MSW candidate, Seoul National University, Adoptee Solidarity Korea (ASK)
6. Jennifer Kwon Dobbs (US) Assistant Professor and Director of American Racial and Multicultural Studies, Saint Olaf College, Literature/Creative Writing/Asian American Studies. Editor for the Journal of Korean Adoption Studies (2011 Issue) and The Proceedings of the Second International Symposium on Korean Adoption Studies (2010). Columns and new stories based on present research on adoptee birth searches and unwed moms have appeared in Chosun Ilbo, Conducive Magazine, Gyeonghyang News, Hankyoreh, Korea Herald, Korea Times, Pressian, and Yonhap News.
7. Amy T. Ginther (Cho Mi Hyang) (US) BFA, Drama Performance, Magna Cum Laude, Hofstra University. Writer, Producer, Actor of "between," a one woman play about Korean-American adoption: produced in New York, Edinburgh Fringe, Seoul. Educator and activist. Reunited with Birthfamily in 2004.
8. Boonyoung Han (DE/ROK) Graduate student, Soongsil University
9. Shannon Heit (US/ROK) MA candidate, Hanyang University
10. Tobias Hübinette (SWE) PhD Korean Studies, researcher at the Multicultural Centre and lecturer at Södertörn University. Author of and numerous publications on adoption including Comforting an Orphaned Nation (2006)
11. Jane Jin Kaisen (DEN) MFA, UCLA; MA, The Royal Danish Academy of Fine Arts; visual artist, filmmaker
12. Jae Kauffman (US) International Brotherhood of Electrical Workers Local 48, Adoptee Solidarity Korea (ASK) founding member
13. Mee Joo Kim (US/ROK) Adoptee Solidarity Korea (ASK)
14. Su-Yoon Ko (US/ROK) Adoptee Solidarity Korea (ASK)
15. tammy ko Robinson (US/ROK) Professor, Applied Arts, Hanyang University. Writing

on adoption matters in South Korea spans twelve years and includes: MA thesis "Historical Wagers of Intercountry Adoption in South Korea" (1998) to most recently "Literatures of Korean Adoption" in the Encyclopedia of Asian American Folklore and Folklife (2010)

16. Julie Jong Koch (US/ROK) MSW, LISW; Adoptee Solidarity Korea (ASK)

17. Siri Lande (NOR) Actively educating herself and others in adoption issues since her first return trip to South Korea as an adult Korean adoptee from Europe in 1997 and since having served as a representative attendee to the Gathering of the First Generation of Adult Korean Adoptees, Washington DC 1999

18. Maja Lee Langvad (DEN) writer, researcher international adoption from South Korea

19. Julayne Lee (US) Healthcare, Adoptee Solidarity Korea (ASK)

20. Mary Lee (US) Adoptee Solidarity Korea (ASK)

21. Leanne Leith (US) BA in Architecture, University of Washington. Core member, Truth and Reconciliation for the Adoption Community of Korea (TRACK) (2009-2010). Presenter, Global Overseas Adoptees' Link (G.O.A.'L) Annal Conference (2009). Artist, A collection of one (2010) installed at South Korea's National Assembly.

22. Mihee-Nathalie Lemoine (aka Cho Mihee) (BEL/CAN) Artist, Advertising Photography Studio Coordinator

23. Amanda Renee Kim Eun-Ja Silva Lowrey (US) PhD, Northwestern University; Co-founder of Chicago Korean Adoptees (2001-2005); Co-founding Member Helping Adoptees Lead Together (2004-present); current President Korean Adoptees of Hawai'i (KAHI). Served as a participant in numerous research studies on adoption issues, co-organizer for the KAHl Asian Adult Adoptee Gathering and Film Festival (2008), participant in both the Adoptee Gathering in Seoul (2004, 2010), planning committee member for International Korean Adoptee Associations (IKAA) Gathering 2010, and presenter Korean Adoptee Adoptive Parent Network.

24. Allen Majors (US) Board of the Korean Adoptees of Chicago, Board of the Korean Cultural Center of Champaign-Urbana, Illinois, and member of Adopterade Koreaners Förening (Sweden). Presented at Korean American Adoptee Adoptive Family Network conferences, adult adoptee role model at "Jane Brown Workshops", addressed parents at HOLT picnics, facilitated discussions at International Korean Adoptee Associations conferences, and presented at Illinois Chinese Adopted Siblings Program. Am active in the adult adoptee community through conferences, networking, and learning more about adoption through historical and legal information as well as the power of stories.

Please be very clear that I mention my affiliations with these organizations strictly to present my involvement in formal adoptee organizations and adoptee interests. I am in no manner here attaching my support of the statement below in representing any of the aforementioned organizations. My support is limited solely from myself as an individual.

25. Kelsey March (US) Adoptee Solidarity Korea (ASK)

26. Cori McMillan (US) Helping Adoptees Lead Together member (2004-2011), Korean American Resource and Cultural Center Board of Directors (KRCC) Member (2009-2011); Korean American Adoptee Adoptive Family Network (KAAN) Conference Presenter (2007, 2009). Research areas include: adoptee rights, adoptee parenting concerns, and solidarities between adoptee parents and birth mothers

27. Lene Myong (DEN) PhD, Assistant Professor, DPU, Aarhus University

28. Anders Riel Müller (DEN) MA, Roskilde University, Denmark; Contributing Member Adoptees of Color Roundtable (2010-2011)

29. Jenny Na (US/ROK) Deputy Editor, Korea JoongAng Daily, Adoptee Solidarity

Korea (ASK) founding member

30. Jacob Ki Nielsen (DEN) PhD Candidate, University of Copenhagen; research focus is on multiculturalism in South Korea, Korean media and on topics and issues related to international adoption particularly in the case of South Korea

31. Mads Nielsen (DEN/ROK) Doctoral candidate English literature, Sogang University

32. Ross Oke (US/ROK) Director of Administration of TRACK

33. Joo Ae Shin (US) MA candidate, University of San Francisco

34. Eli Park Sørensen (DEN/ROK) PhD, Assistant Professor, College of Liberal Studies Seoul National University; Research Focus: Postcolonial Studies, Korean Adoption Literature

35. Kim Stoker (US/ROK) MA, Full-time Lecturer, Duksung Women's University; Adoptee Solidarity Korea (ASK) Representative

36. Tammy Chu Tolle (US/ROK) Filmmaker, ASK founding member

37. Jenny Town (US) Master of International Affairs, Columbia University School of International Public Affairs. Research areas: Human Rights, Women's Rights, South Korean adoption and social welfare policies, North Korea, Nuclear safety and security

38. Molly Townsend (US/ROK) Adoptee Solidarity Korea (ASK)

39. Jane Jeong Trenka (US/ROK) President of TRACK, author

40. Maya Weimer (US/ROK) MFA UC Irvine; Video/Media Artist; Professor, English Dept., Dongguk University. An internationally exhibited artist, she has been involved in the international adoptee community as an artist, researcher and activist for more than a decade. Her focus is on transnationalism, migration, globalization, trauma, gender, ethnicity/race, and cultural studies

Adoption scholars & researchers

41. Joemy Ito-Gates (US) Founder & Director of FUSION: A Summer Program for Mixed Heritage & Transracially Adopted Youth

42. Eleana Kim (US) PhD, Assistant Professor of Anthropology, University of Rochester, Rochester, NY, Cultural Anthropologist; Transnational Adoption Studies

43. Merete Laubjerg (DEN) MPH, University of Copenhagen; Public Health advisor, researcher, research focus: adoptees health compared to non-adoptees in the host country

44. Richard M. Lee (US) PhD, Associate Professor of Psychology, University of Minnesota; research focus on the role of race, ethnicity, and migration on the development and mental health of internationally adopted individuals and families

Signed, June 2011

## Whole Amended Bill for Exemption Law

### Concerning Adoption Promotion and Procedure

(Substitute Bill)<sup>12)</sup>

<b>Bill No.</b>	12414
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Date of Proposal: June 28, 2011  
Proposer: Chairperson of Health  
and Welfare Committee

<b>Subject Leading</b>	<b>Bill No.</b>	<b>Proposer</b>	<b>Submission Date</b>	<b>Introduction Date</b>
Fully Amended Bill for Special Law Concerning Adoption Promotion and Procedure	1808453	13 Members of Parliament (MP) including Choi Young-Hee	May. 12, 2010	April. 12, 2011
Partially Amended Bill for Special Law Concerning Adoption Promotion and Procedure	1802693	18 MP including Kim Jong-ryul	Sept. 22, 2009	Nov. 20, 2009
Partially Amended Bill for Special Law Concerning Adoption Promotion and Procedure	1808103	17 MP including Lee Yae-ju	April 7, 2010	April 12, 2011
Partially Amended Bill for Special Law Concerning Adoption Promotion and Procedure	1810473	Government	Dec. 31, 2010	June 13, 2011

#### 1. Proposal Reason for Substitute Bill

After the examination of the above four Bills at the 2nd Bill Review Subcommittee of Health and Welfare Committee (held June 20, 2011 and June 22, 2011, respectively) at 301<sup>st</sup> Provisional Session of National Assembly, we decided not to present for discussion at a plenary session. According to Article 51 of the National Assembly Law, we integrated them into one law and decided to propose it as a substitute bill of the committee).

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12) This is an unofficial translation. The government will prepare the official translation.

## 2. Reason for Proposal of Substitute Bill

The best method for children's well-being is being raised and protected in one's original family. The Hague Convention also stated clearly that the government must take relevant measures for children's well-being: the child should be raised by one's original parents and in one's original country. Thus, overseas adoption should be the last choice, when all of the other options are entirely impossible. Yet it can be seen even from the title of the current law that it 'promotes adoption', and it contains 'simplified adoption procedures'. Therefore, there are huge disparities between the reality and the law.

Thus, it is necessary to make adoption policy for the utmost benefit of children. With this view, the government should strengthen the management and supervision for overall adoption procedures. The paradigm of the adoption policy should be as follows: the best protection of child is being raise in one's original home and country.

To this end adoptions both domestically and abroad should be possible only by the permission of the court. The biological parents should be given sufficient counseling and information about the rearing of children, by doing so, the government should support direct rearing by the biological parents. Also, the biological parents will be given the right to agree to the adoption of a newborn baby only after a week passed after birth, and not before then. Adoptees shall be given rights to access information regarding their adoption information. By regulating domestic adoption as prioritized obligation, the government shall promote the rights, benefits and well-being of the children.

## 3. Main Contents of Substitute Bill

A. Change of the name of the law from 'Special Law Concerning Adoption Promotion and Procedure' to 'Adoption Special Law' (Proposed title).

B. The purpose of this law is to promote the rights, best interests and well-being of children who are being adopted by regulating necessary supporting matters concerning adoption conditions and procedures for children who need to be protected. (Proposed Article 1).

C. The government shall look for domestic adoptive parents as the first priority when children need to be adopted. According to a decree of the Health and Welfare Ministry, the head of the adoption agency has a duty to take measures to find domestic adoptive parents when children need to be adopted, and must report to relevant head of governmental agency. Overseas adoption shall be only possible when the children need to be adopted are unable to find domestic adoptive parents, despite above efforts and measures of the relevant organizations (Proposed Article 7).

D. The qualifications of the adoptive parent candidates shall be strengthened: they must be clear from history of child abuse, domestic violence, drug abuse, crimes, and alcohol



abuse prior to adoption, they shall take relevant education courses from adoption agency according to a decree of the Health and Welfare Ministry (Proposed Article 10).

E. The adoptive parent candidates shall be established on the above conditions, and then they can apply to the family court for adoption permission (Proposed Article 11).

F. Biological parents can give adoption consent after one week of the birth of a baby, and not before then. The biological parents shall not be eligible to receive any money, benefit or compensation whatsoever because of the adoption consent (Proposed Article 13).

G. Adopted children shall be given the same rights as "fully adopted" children according to civil law (Proposed Article 14).

H. If the adoptive parents abuse the adopted children or vice versa, they can dissolve the adoption in family court (Proposed Article 17).

I. In order to promote domestic adoption and take relevant measures regarding the adoption, the Health and Welfare Minister shall establish and operate a Central Adoption Authority (CAA). The CAA shall accumulate and operate an integrated database system on adoptees, adopted parents, and biological parents (Proposed Article 26).

J. The adoptees can apply information access to the CAA or adoption agencies. The heads of CAA or adoption agencies shall reveal information with the consent of the biological parents. If the biological parents refuse to reveal identifying information about themselves, non-identifying information shall be revealed (proposed Article 36. Clause 1 and 2).

K. For medical purposes of adoptees or in special circumstances, such as in the case of the biological parents' deaths or other inevitable reason in which consent cannot be obtained, the adoption information can be revealed regardless of permission of biological parents (Proposed Article 36, Clause 3).

**Whole Bill for Special Law Concerning Adoption Promotion and Procedure shall be amended as below.**

### **Adoption Special Law**

#### **- Chapter 1 General Provisions -**

Article 1 (Purpose) This law shall determine the necessary conditions and procedures concerning the adoption of children in need of protection. By doing so, it aims to promote the rights, best interests and well-being of children to be adopted in the future.

Article 2 (Definition) The definition of terminology in this law shall be as follows:

1. "Children" refer to those who are under 18 years old.
2. "Children need to be protected" refers to children who need protection under Article 2, Clause 2 of the Child Welfare Law.

3. "Adopted children" refers to the adopted children by law.
4. "Duty of supporter" refers to the duty of supporters according to Article 2 number 5 of the National Basic Livelihood Guarantee Law.

Article 3 (Responsibility and Duty of the State) ①All children shall grow in a healthy way with their biological parents.

②The government shall support the children to grow up healthy way with their biological parents. The government shall take necessary measures to provide an alternative home if children cannot live with their biological parents.

③All citizens shall cooperate to provide a healthy life for adopted children.

④The government shall make sound adoption culture and promote domestic adoption for children who need to be protected. To help smooth life after the children's adoption and to the promote rights, benefits and well-being of the adopted children, the government shall enforce following measures:

1. Establishment and implementation of the adoption policy
2. Research on the actual conditions of adoption
3. Accumulation and operation of adoption and follow-up measure procedures
4. Support for adopted children and their adoptive families
5. Provide for counseling and social welfare service after adoption to help ensure a smooth landing
6. Education and PR concerning adoption
7. Any other necessary matters according to a Decree of the Health and Welfare Ministry

Article 4 (Principle of Adoption) The children benefit shall be utmost priority in adoption by this law.

Article 5 (Adoption Day) ①For a sound settlement of adoption culture and promotion of domestic adoption, May 11 of each year is designated as Adoption Day, and the subsequent week shall be the Adoption Week. ②According to Clause 1, the government shall be hold relevant events for Adoption Day.

Article 6 (Accumulation and operation of information system) ①The government shall accumulate and operate an information system in order to provide follow-up service for the adopted children; to provide information for adoption agencies; and to encourage domestic adoption.

②The government can operate, fully or partially, the above information system of Clause 1 through outsourcing.

Article 7 (Prioritization of Domestic Adoption) ①The government shall make its best effort to find domestic adoptive parents when children need to be adopted.

②According to the Decree of the Health and Welfare Ministry, the heads of adoption agencies shall take necessary measures to find domestic adoptive parents for children who need to be adopted, then they shall report to the Health and Welfare Minister.

③Despite various efforts according to the above Clause 2, if the heads of adoption agencies are unable to find the biological parents then according to Article 6 of the information system, by exchange of information with relevant organizations, the heads of adoption agencies shall push ahead with domestic adoption.

④The heads of adoption agencies can push ahead overseas adoption only if the above Clause 2 and 3 based efforts are unsuccessful.

Article 8 (Reduction of overseas adoption) The government shall make every effort to reduce overseas adoption in order to fulfill its protection duty and responsibility for the children.

## **- Chapter 2 Requirement and Effect of Adoption -**

Article 9 (Qualification to be adopted) According to the law, candidates to be adopted and who need to be protected have to meet one of the following conditions.

1. A person who does not have any guardians and the local government cannot find anyone whose duty it is to support them, and according to the National Basic Livelihood Guarantee Law a person who has asked for protection at guaranteed facilities.

2. Parents (if the parents were dead or cannot give consent with some reasons then referring to other lineal ascendants) or guardians can give consent to guaranteed facilities or adoption agencies according to Article 20.

3. A child of parents who have been sentenced to lose parental rights according to the court, and who has been requested to be cared for by the government's guaranteed facilities for the protection of children.

4. Outside of that, if there is no one known whose duty it is to support the child, a child whose care has been requested to the local government's facilities for protection of the children.

Article 10 (Qualification to be adoptive parents) ①According to the law, adoptive parent candidates shall fulfill all of the below conditions.

1. One shall have sufficient property to raise an adopted child

2. One shall acknowledge the freedom of religion for adopted children and able to provide corresponding nurturing and education as members of society.

3. The adoptive parent candidates shall NOT have following history: child abuse, domestic violence, sexual violence, drug abuse, crime and alcohol abuse.

4. If the adoptive parent candidates are not Korean nationals, they shall be qualified to be adoptive parents according to the law of their own countries.

5. According to a Decree of the Health and Welfare Ministry, one shall have necessary conditions for the well-being of the adoptive children:

②The adoptive parent candidates shall not be engaged in an occupation which can be cause of human rights abuse or against well-being of adoptive children.

③According to the Decree of the Health and Welfare Ministry, the adoptive parent candidates shall take designated lesson from adoption agencies before they take any adoptees.

#### Article 11 (Permission of Family Court)

①If one wishes to take adoption as regulated by Article 9, one shall submit the following documents with permission of the Family Court.

1. Verified birth certificate of the child to be adopted
2. The documents show that applicants fulfilled the qualifications of Articles 9 and 10 respectively
3. Adoption consent documents according to Articles 12 and 13 respectively
4. Other documents regulated by the Decree of the Health and Welfare Ministry for well-being of the children

②For the well-being and benefit of the adoptive children candidates, the Family Court shall examine the motive, rearing ability and other relevant conditions of the adoptive parent candidates, then may refuse the permission of Clause 1.

③Regarding Clause 1 of the required documents for adoption permission of the Family Court, the designated organization by the Presidential Decree, shall screen and issue the relevant documents. Yet the necessary matters to fill in the documents shall be regulated by the Decree of the Health and Welfare Minister.

④Regarding the necessary matters according to Clause 1 of the permission application procedure, review and approval, it shall be decided by regulation of the Supreme Court.

Article 12 (Consent of Adoption) ①If one wish to take adoptive child for Article 9 of each number, one needs to acquire consent of the biological parents. Exception shall be given in one of the following cases.

1. When the parents sentenced to lose parental right
2. When one cannot find whereabouts of the biological parents, therefore impossible to acquire consent

②According to Clause 1 reason of the condition, when the parents are not eligible to give consent for adoption, it is necessary to acquire consent from the guardians instead.

③If one wish to take adoptive child for Article 9 number 2 child case, the one can adopt child with substituting consent of the guaranteed facilities or the adoption agencies.

④If one wishes to adopt a child over 13 years old, one needs consent not just from the consenters of Clause 1 or 2 but also from the child to be adopted.

⑤Before there is permission from Clause 1 of Article 11, the permission following the code from Clauses 1 to 4 can be withdrawn.

⑥The adoption consent according to Clauses 1 to 4 or withdrawal from the previous adoption consent according to Clause 5, can be done in written form. The rest of the matters shall be decided by a Decree of the Ministry of Health and Welfare.

Article 13 (Conditions for adoption consents) ①The adoption consent according to Clause 1 of Article 12, shall be effective after one week has passed after the birth of the child.

②Biological parents shall promise to not receive anything, such as money, property or any form of compensation or benefit in return for adoption consent.

③The adoption agency shall provide sufficient counseling service for the biological parents about the legal effect of adoption and what kind of support is available if they send the baby for adoption themselves according to Clause 1 of Article 12, before they give consent for the adoption. The content of the counseling shall be decided by a Decree of the Ministry of Health and Welfare.

④The adoption agency shall provide sufficient counseling service about effect of adoption consent according to Clause 4 of Article 12 before the biological parents give consent for adoption. The content of the counseling shall be decided by a Decree of the Ministry of Health and Welfare.

Article 14 (Effect of Adoption) According to this law, adopted children shall have equal civil law status as one's own children.

Article 15 (Effectuation of Adoption) Adoptions by this law shall be effective after confirmation of a Family Court judgment. The adoptive parents and children shall register the document of permission from the Family Court according to the law concerning the Family Relations Registry.

Article 16 (Cancellation of Adoption) ①According to Clause 1 number 2 of Article 12, if the biological father or mother was not responsible for the adoption consent, they can apply to the Family Court for an adoption cancellation procedure within six months of the adoption recognition date.

②When the adoption cancellation judgments are confirmed, the Family Court shall report to the relevant local government or the governmental bodies immediately.

Article 17 (Dissolution of Adoption) ①Adoptive parents, adoptive children, and public prosecutors can request a dissolution of adoption for any one of the below reasons.

1. If the adoptive parents abuse or neglect or clearly harm the well-being of the adopted child.

2. When it is impossible to maintain family relations due to the immoral behavior of the adopted child toward the adoptive parents.

②In relation to the application for adoption dissolution, if the child is under 13 years old, the Family Court shall listen to opinion of the child and respect it.

③When the adoption dissolution judgment is confirmed, the Family Court shall report to the relevant local government or the governmental bodies immediately.

Article 18 (Overseas adoption within the country) If foreigners wish to adopt a child within the country who belong to any category of Article 9 of any numbers, according to the Decree of the Health and Welfare Ministry, together with guardian, the foreigner

shall apply for adoption permission to the jurisdiction Family Court of the child to be adopted with following documents.

1. Birth registration of child to be adopted
2. Document showing that the child meets qualifications under Article 9
3. Document showing the family condition of the adoptive parent candidate according Clause 1 of Article 10
4. Adoption consent document according to Article 12 and 13

Article 19 (Overseas adoption abroad) ①The head of the adoption agency, as a mediator of the adoptive parent candidate, shall apply for adoption permission to the Family Court with the Overseas Emigration Warrant which is issued by the Health and Welfare Minister.

②If foreigners abroad wish to adopt Korean children, they shall take necessary adoption procedures through adoption agencies.

③When the child leaves Korea with the Overseas Emigration Warrant and acquires the adopted country's nationality, according to the Decree of the Health and Welfare Minister, the adoption agency shall report to the Justice Minister immediately. The Justice Minister shall notice the jurisdiction office of the family relation registry to cancel the Korean nationality of the adoptee.

④According to Clause 1, when the Health and Welfare Minister receives an application for the Overseas Emigration Warrant, if the applicant belongs to any of the below categories, the Minister shall not issue a Warrant.

1. If the adoptee candidate is a missing child or similar status decided by the Decree of Health and Welfare Minister
2. If the head of the adoption agency did not make an adoption related pact with the country which wishes to adopt Korean children or an accredited adoption agency in that country.
3. If the receiving country is in a war with Korea or a hostile state.

### **- Chapter 3 Adoption Agency and Central Adoption Authority -**

Article 20 (Adoption Agency) ①People who wish to operate an adoption agency that is a social welfare corporate body shall acquire permission from the Health and Welfare Minister according to the Social Welfare Work Law. If the adoption agency is working for only domestic adoption it needs to acquire permission from the head of local government.

②After getting permission according to Clause 1, if one wishes to change important matters which are decided by the Presidential Decree, one must report.

③A foreigner cannot be the head of an adoption agency.

④The heads and employees of the adoption agencies shall take regular education according to a decree of the Health and Welfare Ministry in order to protect adopted children's rights and to establish a sound adoption culture.

⑤When the head of the adoption agency makes an adoption related pact with the country that wishes to adopt Korean children or accredited adoption agency of that country, it shall report to the Health and Welfare Minister. Then aPresidential Decree shall decide the contents of adoption related pact.

⑥A Decree of Health and Welfare Ministry shall decide necessary matters regarding facilities, standard of employees, report for permission and change of the adoption agency.

Article 21 (Duty of Adoption Agency) ①The head of the adoption agency shall protect the rights and benefits of adoptees and make every effort to find parents or lineal ascendants of the adoptees.

②The head of adoption agency shall examine the facts according to Article 10, regarding the adoptive parent candidate, when they mediate adoption.

③Prior to adoption, the head of adoption agency shall provide education on child rearing to the adoptive parent candidates. After the adoption, the head of adoption agency shall deliver the personal records of the adoptee to the adoptive parent according to a Decree of the Health and Welfare Ministry. Then the head of adoption agency shall report to the relevant heads of local government.

④In order to promote the effectiveness of adoption and to build a cooperative system among the adoption agencies, according to the Decree of the Health and Welfare Ministry, the head of the adoption agency shall provide information on adopted children and their families to the Central Adoption Authority.

⑤The head of adoption agency shall make a record of its work according to the Decree of Health and Welfare Ministry. In this case, the adoption record can be made through electronic means.

⑥The records on adopted children, which decided by Clause 5, shall be kept permanently for post-adoption services.

⑦The preservation of electronic record and adoption record according to Clause5 and the scope and contents of information of Clause 4 shall be decided by a Decree of Health and Welfare Ministry.

Article 22 (Guardian duty of head of adoption agency) ①The head of the adoption agency shall be the guardian of the children from the first day of the adoptive children are delivered by the parent or orphanage until the last day of the adoption completed. If the Court designated a guardian for the adoptive children, an exception can be made.

②In the case of the Cause 1, parental rights shall be terminated when the parent delivers the child for adoption. According to Clause 5 of Article 12, if the parent withdraws adoption consent, the parent shall regain the parental rights.

Article 23 (Establishment of Family Relations Registry) If the head of the adoption agency receives a child without a family relations registry, then the head of the adoption agency shall establish a family relations registry.

Article 24 (Protection of children who are difficult to be adopted) ①The head of the adoption agency shall report to the relevant head of the local government when the child belongs to any the below categories.

1. A child who is requested to be adopted according to Number 2 of Article 9, but who is difficult to mediate for adoption.
2. A child whose guardian requested protection from the adoption agency in the case of a child's adoption being either cancelled or dissolved.

②The local government heads shall remove protection measures immediately according to Article 10 of the Child Welfare Law, when s/he receives a report on the person according to Clause 1.

Article 25 (Provide follow-up service) ①In order to help the mutual adaptation between adopted children and adoptive parents, the head of the adoption agency shall conduct the following measures until one year after the adoption. In the case of the overseas adoption, the below measures shall not be applicable.

1. Observation and necessary follow-up service for the mutual adaptation of adoptive parents and adoptive children.
2. Providing of necessary information for rearing of children in adoptive family
3. Setting up frequent counseling for adoptive families and arranging for counselors.

②The head of adoption agency, with the help of overseas counterpart organizations, shall find out whether the adopted children acquired the adopted country's nationality or not, then report to the Health and Welfare Minister through the head of the Central Adoption Authority.

③The head of the adoption agency shall conduct work for overseas adopted children, such as motherland tours, to be decided by a Presidential Decree.

Article 26 (Establishment of the Central Adoption Authority <CAA>) ①In order to take follow-up measures for adoption and to promote domestic adoption, the Health and Welfare Minister shall establish and operate the CAA.

②The CAA shall be a juridical foundation.

③For the establishment of CAA, articles of association shall be written. Then approval from the Health and Welfare Ministry will necessary. The same procedures shall be followed in the case of alteration of the association's articles.

④The CAA shall fulfill the below works.

1. Operation of a unified database to find biological families of the adopted children
2. Accumulation and connection of a database for adopted children
3. Research on domestic and international adoption policy and service
4. International cooperation works in relation to adoption
5. Other commissioned works by the Health and Welfare Minister

⑤Regarding the CAA, the rest of the matters shall be applied with necessary modifications from the regulation of judicial foundation in the Civil Law.

Article 27 (Officers and staff of the CAA) ①The CAA will consist of nine board members including one chairman of the board and one auditor.



- ②The chairman of the CAA shall be designated by the Health and Welfare Minister.
- ③The chairman of the CAA shall represent the CAA and handle the works of the CAA.
- ④The chairman of the CAA also shall be the head of the CAA.
- ⑤The Decree of the Health and Welfare Ministry shall be decided the terms and working conditions of the board members, auditor and staff.

Article 28 (Support of expenses) ①The government can support the establishment and needed operation expenses of the CAA's budget within limits.

②According to Clause 1 on the usage of the subsidy, necessary matters shall be decided by the "Law Concerning Budget and Management of Subsidy."

Article 29 (Appeal for cooperation to relevant organizations) ①The head of the CAA can request information from public organizations and adoption agencies as necessary for the performance of its work. Upon receiving such a request from the CAA, public organizations and adoption agencies shall submit the requested information unless there is a special reason not to do so.

②The information submitted to the CAA according to Clause 1 shall be used only to performing work which determined by Clause 4 of Article 26. .

Article 30 (Guidance and supervision of the CAA) ①The Health and Welfare Minister shall guide and supervise the CAA.

②The Health and Welfare Minister can ask the CAA to make a report on its work, finance and property or order Ministry officials to examine the documents and work of the CAA.

③The officials who examine the works of the CAA according to Clause 2 shall show authorized certificates to the relevant persons of the CAA.

④After reviewing the report of the examinations according to Clause 2, the Health and Welfare Minister can give order to the CAA to revise or to make correction as necessary.

#### **- Chapter 4 Welfare support for adopted children -**

Article 31 (Transfer of children) ①After the court gives adoption permission, either the adoption agencies or parents shall transfer the adoptee candidate to the adoptive parent candidates.

②In the case of transferring the child overseas, unless there is a special excuse as determined by a Decree of the Health and Welfare Ministry, the transfer should take place in South Korea.

Article 32 (Receive and get support on expenses) ①The adoption agency of Clause 1 of Article 20, can receive partial expenses as an adoption mediation fee from the adoptive parents-to-be according to a Presidential Decree.

②The government and the local government can support fully or partially the adoption mediation fee to the adoptive parents-to-be, according to Clause 1.

Article 33 (Prevention of occurrence of children who need protection) The government and the local governments shall consider strengthening the policy for rearing children with biological parents, and by doing so, prevent the occurrence of children who need protection.

Article 34 (Social Welfare Service) In order to make a sound rearing environment for adopted children, the government and the local governments shall provide social welfare services, such as counseling and use of social welfare facilities, to the adoptive home through the adoption agencies.

Article 35 (Providing of the child benefit) ①In order to create a sound rearing environment for children (including handicapped adoptees) adopted through the adoption agencies, the government can provide a child benefit, medical fees, educational fees and any other child welfare fee within the Presidential Decree.

②The country and local government can support the operation fees of the adoption agencies and, following the National Basic Livelihood Guarantee Law, the fee for the foster family outside of the provided goods.

③A Presidential Decree shall determine necessary matters regarding Clause 1 of the child benefit and Clause 2 of the operation fee of the adoption agencies and expenses for the adoptive home.

## **- Chapter 5 Disclosure of Information Concerning Adopted Children -**

Article 36 (Disclosure of Adoption-related Information) ①According to this law, the adoptee can request adoption information regarding themselves that is possessed by the Central Adoption Authority (CAA) and adoption agencies. If the adoptee is under 18 years old, they need consent from their adoptive parents.

②Upon receiving the above request as of Article 1, the CAA or the adoption agencies shall disclose such information after they get consent from the biological parents of the adoptee. If the biological parents disagree regarding the disclosure of such information, the agency still shall release the information, apart from the personal details of the biological parents.

③Despite the above Article 2, if the biological parents are deceased or cannot give consent due to inevitable situations, or if the information is needed for a medical purpose or for a special reason, the adoptees still can get the personal details of the biological parents.

④A Presidential Decree shall decide the scope of information, application methods and procedures on disclosure of the information for aforementioned Article 1 to Article 3.

Article 37 (Duty of Secrecy) The employees of the CAA or the adoption agencies shall not disclosure any work-related confidential information. The disclosure of the adoption information can be made by way of exception according to Article 36.

## **- Chapter 6 Guidance and Supervision -**

Article 38 (Guidance and Supervision) ①The Health and Welfare Minister or heads of the local governments shall conduct necessary guidance and supervision regarding the work of the adoption agencies. If necessary, the above government officials can order the submission of relevant documents from the adoption agencies and can visit such agencies for inspection.

②According to the above Article 1, when government officials visit adoption agencies for inspection, officials must show their IDs and certificates to the relevant people.

Article 39 (Cancellation of Permission) ①If the adoption agencies violate the below regulations, the Health and Welfare Minister or the heads of local governments can order the halt of the work permit within six months or, according to Clause 1 of Article 20, can cancel the permission.

1. When the facilities and standards of the staff are not fulfilled requirements of Clause 6 of Article 20

2. When the adoption agencies violate Clauses 3 and 4 of Article 13 respectively, and Clause 1 of Article 21, and harm the rights and best interests of the adoptee candidates

3. When the adoption agencies do not submit a report as regulated by Article 38 or give false information or refuse or obstruct the inspection of the government officials

4. If the adoption agencies violate this law or order by this law

②A Decree of the Health and Welfare Ministry shall decide the detailed administrative measures upon considering the degree of the violation.

## **- Chapter 7 Supplementary Rules -**

Article 40 (Hearing) If the Health and Welfare Minister or heads of the local governments decide to cancel the work permit of an adoption agency, according to Clause 1 of Article 39, they shall hold a hearing.

Article 41 (Delegation of Authority) According to the Presidential Decree, a partial authority of the Health and Welfare Minister can be commissioned to the relevant heads of the local government.

Article 42 (Relation to the Civil Law) Concerning the adoption, one shall follow the Civil Law, unless otherwise stated by this law.

Article 43 (Treat as the government officials when the penalty is applied) When the board members and staff of the CAA receive penalties according to the regulations from

Articles 129 to 132 of the Criminal Law, they shall be treated as if they are government officials who committed violations.

### **- Chapter 8 Penalties -**

Article 44 (Penalties) Any of the below category violators shall receive a prison sentence of less than three years or pay fine of less than twenty million won.

1. Anyone who violates Articles 11, 18 or 19, and conducts an adoption without permission from the Court
2. Anyone who violates Clause 1 of Article 20 and conducts adoption mediation without permission
3. Anyone who violates Article 37 and discloses information which s/he gained through one's work, without justifiable reasons
- ② Anyone violates Clause 2 of Article 20 and alters important facts among permitted matters without making a report of it, shall receive less than one year sentence or pay a fine of less than three million won.

Article 45 (Regulation on Double Penalties) If the heads of corporations, representatives of corporations or individuals and staff violate Article 44 concerning the work of the corporations or individuals, not only the violators but also the corporations or individuals shall be the subjects of the penalties. If the corporations or the individuals paid considerable attention and supervision in order to prevent such violations, then they are exempt from the penalties.

### **- Supplementary Provisions -**

Article 1 (Enforcement Date) This law shall be enforced one year from the day of its proclamation.

Article 2 (Interim Measures on the CAA) ① KCARE, which was established before the enforcement of this law, shall be regarded as the CAA according to this law.

② All properties, rights and duties of KCARE, at the time of enforcement of this law, shall be succeeded inclusively to the CAA according to this law.

③ All names of KCARE, at the time of the enforcement of this law, shall be recognized as the names of the CAA.

④ According to Clause 2 of this law, the value of the property of which CAA is the successor of shall be recognized at the book value the day before enforcement date of this law.

⑤ The staff of KCARE, at the time of enforcement of this law, shall be recognized as the staff of the CAA according to this law.

Article 3 (Amendment of other Laws) ①A part of the special law concerning the promotion of health and welfare of the residents in farming and fishing villages shall be amended as below.

Article 4 shall be as follows

Article 4 (Benefit for Child Protection Family) According to the law, Clause 1 of Article 23, the government and the local governments can provide additional benefit that reflect the characteristics of farming and fishing villages, on top of the subsidy according to the Child Welfare Law or the Adoption Exemption Law.

Number 3 of Article 3 shall be as below.

3. An adopted family for protection needed child according to number 2 of Article 2 of the Adoption Exemption Law

②A part of the Social Welfare Work Law shall be amended as below.

Number 1 of Article 2 shall be as below.

I. The Adoption Exemption Law

③A part of the medical law shall be amended as below.

Number 4 of Clause 1 of Article 3 shall be as below.

4. According to the Adoption Exemption Law, domestically adopted children who are less than 18 years old

④A part of the special law on establishment of Jeju Special Self-governing Province and designation of International Free City shall be amended as below.

Article 334, the title and main contents of "The Special Law on Adoption Promotion and Procedure" shall be as "The Special Adoption Law".

Article 4 (Relations to other laws) At the time of enforcement this law, if other laws quote the existing "The Special Law on Adoption Promotion and Procedure" or its regulation, as long as this law has a corresponding regulation, it can be replaceable and shall be recognized as quoting the same regulation of this law.

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