



After the 2004 tsunami, some feared that criminal gangs would take advantage of the chaos in Sumatra's Aceh province by whisking orphaned children into trafficking networks, possibly selling them into forced labor or even sexual slavery. The government has since banned Acehese children under the age of 16 from leaving Indonesia.

Adoption in commercial objectives

Adoption is acceptance of a minor child in a family on the rights of a son or a daughter made out by the special legal act.

ILLEGAL ADOPTION, BABY SELLING, AND HUMAN TRAFFICKING

Legitimate intercountry adoption provides a permanent family placement for a child unable to find one in his or her country of origin, absent any irregularities by the adoptive parents, the birth parents, or any parties involved in facilitating the relationship. Appropriate and legitimate intercountry adoption does not imply baby selling or human trafficking. Unless adoption occurs for the purpose of commercial sexual exploitation or forced labor, adoption does not fall under the scope of the Trafficking Victims Protection Act. Baby selling, which is sometimes used as a means to circumvent legal adoption requirements, involves coerced or induced removal of a child, or situations where deception or undue compensation is used to induce relinquishment of a child.

Baby selling is not an acceptable route to adoption and can include many attributes in common with human trafficking. Though baby selling is illegal, it would not necessarily constitute human trafficking where it occurs for adoption, based on the Trafficking Victims Protection Act, the UN Protocols on Trafficking in Persons and the Sale of Children, the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, and definitions of adoption established by U.S. jurisdictions.

The purposes of baby selling and human trafficking are not necessarily the same.

Some individuals assume that baby selling for adoption is a form of human trafficking because trafficking and baby selling both involve making a profit by selling another person. However, illegally selling a child for adoption would not constitute trafficking where the child itself is not to be exploited. Baby selling generally results in a situation that is nonexploitative with respect to the child. Trafficking, on the other hand, implies exploitation of the victims. If an adopted child is subjected to coerced labor or sexual exploitation, then it constitutes a case of human trafficking.

