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INVESTIGATION IN CASE ROL IC 1044-2018

An update from Mr Mario Carroza, and his team of investigators, about the current findings which we wish to share with you.

The report provides an update on child abductions and irregular adoptions. Both the methods and systems being used, and the people suspected of involvement.

INFORMATION COLLECTED

The investigation carried out in various stages: The first reflects the period June and September 2017. Documents seized from Social Telma Uribe Ortega, include 351 files, 8 field notebooks, 4 filing cabinets and 5 agendas. Cases include the abduction of minors. It was possible to identify 579 children who were taken from Chile via an adoption process.

In March 2018, further reports were discovered from Social Assistant Telma Uribe Ortega. Many involved Social Assistant Esmeralda Quezada. A further 371 children were identified. A database was created: 'Filings for the Swedish Adoption Centre' to collate the information systematically. Many inconsistencies were identified by comparing the Social Reports with the official records in the Civil Registry Service and on the website www.nombrerutyfirma.cl. An example is that home addresses were not correctly entered in the Civil Registry for children who were taken other countries.

By 14 September 2018, there were records of 201 children who, it appears, have been illegally removed from their original family, guardian or protective institution in charge.

The files of Social Assistant Esmeralda Quezada were also seized. She apparently worked exclusively for the Swedish Adoption Centre. However, in later findings, it has been confirmed that she also worked directly for the Court of Minors (VIII Region), an orphanage for Girls and several other institutions. Eleven boxes of information were seized, we are nearly halfway through them. This is a slow process as, often, the title covers of documents do not correspond with the information inside them. Many photographs of children have information on the back which does not correspond with those pictured. There are copies of official documentation, without identification of the mother, and with partial annotations.

Another 25 files have been seized from Father Alceste Piergiovanni, Director of the Chilean Institute of Colonies and Camps, recording the history of "International Adoptions" concerning approximately 390 children. The court is still waiting for updates concerning the San Ramón Nonato de Curicó Home. The number of girls adopted from this facility is not known.

The Adoption Unit of the National Service of Minors have co-operated with the investigation team, and show the greatest willingness to provide the backgrounds in their possession. From 1988 the authority kept a record of around 5000 children taken from the country for adoption. This data has, so far, only been partially analyzed.

The investigators have been in direct contact with Mrs. Kristina Svartz, Director General of the Swedish Family Law and Parental Support and Maria Diemar, Representative of The Chilean adoptees in Sweden.

Until recently, most adoptees believed that their adoption documents were valid. Due to recent media coverage in Sweden about the removal of Chilean Children, there has been an increase in adoptees providing background information. This has been a particularly effective part of the investigation.



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APPROACH

Document Analysis

The investigation Rol 1044-2018, concerning Subtraction of Minors, has taken into account the assembled data, which currently runs to 7 volumes and 2 reserved notebooks. Due to the number of existing victims, the background provided by witnesses, and the reports incorporated into it, the need to create a parallel database is obvious. The purpose, initially, is to co-ordinate the information in the seized records, not necessarily to solve specific cases, but to find common patterns in the procedures used and the people involved.

What has been established until now?

Main (1238 children)

Based on current records obtained from Social Assistants Telma Uribe (both as an independent and as part of the Swedish Adoption Center) and Social Assistant Esmeralda Quezada (mainly through the Swedish Adoption centre, but also other institutions), a register has been developed to list the irregularities.

-SENAME (1621 partial records)

From 1988 to 1994, the institution manually registered cases. There are 5 archives of records. These include more than four thousand children who were removed from Chile for adoption.

-Complaints (201 children, so far)

Complaints have been made that information has been amended and will require to be investigated in a systematized way, eg:

Mother's name
Mother's National Service Number
Mother
Child's name
Sex of the Child
Child's National Service Number
Date of birth
Affiliation
Personal Official Registration
Civil registration address
Departure from Chile
Destination Hospital
Any third parties involved

The investigation team have to take into account the following criteria.

Index (371 records)
Courts (19 Courts with jurisdiction in minors)
Hospitals / Clinics (28 institutions)
Organizations (24 institutions)
Addresses (72 residences)
Catchers / Searchers



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RELEVANT FINDINGS IN THE GENERAL PROCESS

1. Capture of the Child

a) Voluntary Transfer

For many reasons, pregnant or puerperal women in situations of vulnerability, social and / or economic, may make the decision to pass their child to an adoptive family. This decision may be taken voluntarily or under duress. In cases where an economic benefit is obtained by the transfer of the child, it may be procured through a cash payment or by covering the expenses of basic services, housing and food during the last period of pregnancy, etc. This can be seen from the background checks, examples of payments to women during their pregnancy, while supervised by social workers in terms of their health and nutrition. Every month they withdraw a check from a private home, until the moment of delivery or withdrawal of the child from the hospital, when the payment ceases. Occasionally, the transfer of a child was not made by the birth mother herself, but by third parties, such as private custodians, who might not have passed the agreed payments to parents or other family members.

b) Induced Transfer from the Mother

The Swedish Adoption Center, made efforts to delegate their duties. To train professionals who were in contact with the biological mother and influencing the surrender of children, for adoption.

They produced "Adoption. A guide for Social Workers and Swedish Authorities in charge of procedures related to the Adoption " 5 July 1979, that corresponds to an extract made by the Swedish Adoption Center with the authorization of the Management of the "Allmänna Barnhuset " .

This manual provides theoretical support that places the intervening professional as a facilitator of the "voluntary delivery of the mother", (who may be in a vulnerable position). Simply reading this, it is obvious that it pursues a clear objective: the delivery of an infant for its adoption.

Beginning with a list of various characteristics of pregnant women able to deliver their child, at birth, to a third party which corresponds to situations of socio-economic vulnerability and lack of social support networks. It clearly incorporates suggestive elements influencing not only the mother in the various stages of pregnancy and puerperium, but also for the intervening professional, automatically assuming that, in most cases, surrender of a new-born is the best option for the child.

It advises how to prevent attachment between the mother and the newborn, which might jeopardize voluntary delivery, eg. avoiding breastfeeding.

On some occasions, the mother is informed that her child is born with serious health problems (for example, leukemia or microcephaly), that the only possibility of survival for the child necessitates being adopted to a foreign country able to provide the proper treatment.

In this context, the agreement to relinquish the child is clearly induced and manipulated by accentuating the negative conditions presented by retention of the child or definitively creating fictitious situations to force such a decision.

c) Declaration of Abandonment of the Child

Five document provided by Esmeralda Quezada in April 2018 (custody 28-2018).

There are cases where, although the mother does not verbalize the intention of surrender her child to adoption by third parties. Esmeralda would remove the child from hospital, not only at birth, but after hospitalization due to health problems, situations of malnutrition and dehydration of infants or pre-school children being observed on a recurring basis.

In addition, those children who were interned in Conin (Corporation for Child Nutrition), by nurses of the National Health Service or in Residential Homes, who had not received frequent visits from their relatives, were also declared abandoned.

Reference is also made to children as having been in a street situation or in the absence of responsible adults.



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In these cases, the Social Worker of the Health Establishment or intervening institution, informed the Court of the situation of the child and /or its parents, third parties could also request protection measures for children in these circumstances.

These reports and declarations, in which a protective case was initiated, were used to request removal to a foreign adoption, as a measure of protection, with authorization to be taken from Chile.

It appears there was a prior co-ordination between the institutions which reported 'abandonment' and those arranging removal to foreign adoption.

d) Subtraction of the RN

From the information collected from case Role 1044-2018, various ways of removing a child, from their family of origin, can be seen, below:

At the time of birth, the mother was informed that the newborn was born dead and with malformations, so that it was not appropriate for them to see it. As this is not a 'Live Birth' no Birth Certificate is provided. The mother is told that the baby's body will be disposed of by the hospital, or be the subject of research for science ("So that no other mother will suffer what you are suffering.").

In cases of multiple births, the mother would be informed that one was dead or had serious health problems, and so concentrate all her energy in the second.

In premature births, the mother is informed that they did not have a chance to survive and was not given either Birth or Death Certificates.

After childbirth, the newborn is taken to an examining room for tests and not returned. In some cases staff report the death of the child, in others, without giving more information, the mother is discharged and denied information. Children who are placed in the charge of third parties temporarily, whether freely or under duress, are delivered, for payment, to social workers or institutions to be sent for adoption.

Signatures of mothers or other relatives are placed on documents that are individualized as medical or other records, including blank pages. This practice is eased by the mother's illiteracy or by deceptions made by third parties.

e) Medical and/or Psychological Review of the Child

Another common denominator is that medical examination of the child is always carried out. In the case of pre-school children, a psychological and developmental evaluation, since although defects do not exclude adoption itself, they raise the need for transparency with the adopting family.

Therefore, the birth data, the results of the APGAR tests applied, as well as the physical characteristics or hereditary diseases with which the child could be affected in the future are recorded. In these cases, omissions and misrepresentation of information to adopters are also observed.

It should be noted that the Manual issued by the Swedish Center states that premature infants are candidates for adoption provided that their birth weight has been over 2 kilos. However, this situation makes it easier to lie to the biological family that the baby suffered serious illness or died.

There is a consistency in reports of professionals written in medical records and other documents, the number of weeks of pregnancy being less than those actually maintained according to their registration and maternal controls.

2. Child Care

It should be noted that 1975 the children who were taken from Chile for adoption came from the National Children's House, an annex of the Calvo Mackenna Hospital under the Health Service, whose Social Service was run by Social

Worker No 1

The departure of children from Chile by National House was restricted, so Ms. Uribe, a precursor in these procedures, managed together with Ana Maria Elmgren (representative in Chile of the Swedish Adoption Center), the practice of "childcare through private custody".

There are three main care mechanisms for children taken from Chile for the purposes of adoption:

The first corresponds to "private custodians", paid directly by the social assistants or lawyers who handled the cases, and were responsible for the daily care, transfer to health control and completion of basic procedures of the child.



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Secondly, there are nurses of the National Health Service, who assumed the care of children discharged from hospital premises. Frequently, at home they did not have the minimum conditions for due care. According to the records observed to date, although they were supervised by the Social Workers of the hospitals, the level of care and protection was mainly at the subsistence level.

Finally, there were children who were interned in protective homes or other institutions, such as Conin, from where they were directly delivered to private custodians or were taken by an adopter.

3. Judicial Processing

Although in the 70s, social workers personally represented foreign adopters in the Courts, later it became necessary for adopters to grant sponsorship and power to representatives. Mandates that were regularly signed at the Consulate of Chile of the country of the adopters.

Because proceedings started with social reports or by officers of some institution, they were viewed as voluntary surrender procedures, in that there was no counterpart opposing the request. There are even cases in which the mother was not notified.

Although no legislation regulated international adoption until 1988, the procedure consisted of proving the abandonment of the child/ the mother's expressed desire to give up her child, the adopter's ability to take care of the child in the future, including the capacity to legally adopt the child in the destination country.

It has been possible to verify the existence of information other than the social reports that support the Judgment in various annotations, but especially recorded in the background of the Civil Registry Service.

In regard to Judicial processing, there are various forms: the establishment of the jurisdiction of the Court; the means by which the transfer of the child to the foreign parent/parents is made; Authorization to leave Chile; social report of the Judicial Social Worker; the economic contributions made to the officials; the notifications made and the time limits for processing the cases.

This is the aspect in which irregularities become more evident: very short processing times have been observed, outside the usual range (one day or week); sentences in which the final protection or measure of protection to foreign parent/parents is made; no notification to the biological parents of the child; certifying the execution and authorizing the child's exit from Chile immediately; reports of allegations of threats or undue pressure from judicial officials; among others.

It has been possible to verify the existence of two Judgements in respect of the same child, Judgements in the name of infants who never left Chile (for which another could have gone out in their place), and even cases that were rejected in the courts of the jurisdiction of Santiago but were later processed and received in the Juvenile Court of Talca.

Although the database may reveal the existence of certain irregularities, the statement of the Former Judge of the First Court of Minors of Santiago, Mrs. Ana Luisa Prieto, confirms observations made regarding the participation of judicial officials in irregular processes of delivery of children to foreign marriages for adoption purposes.

4. Delivery to Foreign Adopters

It should be noted that the choice of a foreign adopter for a particular child was carried out directly by the partner institution, social worker or lawyer involved.

The transfer of the child to the future adopters could be in Chile for those who travelled there in their search. Children were often transported to the destination country by third parties or escorts from an airline. This occurs mainly with SAS (Scandinavian Airlines System), which maintained exclusive hostesses for this purpose. There are cases of foreign adopters, having previously obtained one or more infants, with the support of third parties (relatives or friends), the latter being their legal representatives and guardians. In these cases, they were simply asked for the support of social workers and/or lawyers to carry out the processing and were given responsibility of removing the child.



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5. Regularization of Adoption in the Destination Country

Having obtained a Judicial Order of protection, and authorization to be taken from Chile, the children were adopted according to the laws of the country of destination. Although each country maintained various requirements, such as a medical examination to obtain a visa for the United States, or an explanation of the abandonment or orphanage situation in the case of Sweden, in general, the adoption processes were automatically granted in the country of destination.

There are cases in which infants and children were interned in protective homes for alleged health and behavioral problems in destination countries, some were even returned to Chile, mainly in adolescence, as a result of age-related conflicts.

6. Search for Origins

In cases processed by the Social Assistant Telma Uribe, and by Esmeralda Quezada, both kept records of the adoption processes in which they participated, done with the objective of being able to manage information and charge for the search process of adolescents' origins and connect them with their family of origin, if possible. Although the Swedish Adoption Center organized group trips to Chile for tourist purposes, those who did meet members of their birth family were, sadly, due to a lack of common language, unable to communicate easily with them.

Later, with more time and the dedication of third parties, the children could see that their background recorded history did not correspond with that of their biological family.

FINAL OBSERVATIONS

It should be noted that to date more than 66,000 data entries have been incorporated, in the background of 1238 children with a complete background mainly associated with the Social Assistants Telma Uribe and Esmeralda Quezada; 1621 partial records of children from the SENAME Registry since 1988, 201 children for whom complaints have been made in this case, 19 courts, 28 health facilities and 24 organizations involved in the removal of children from Chile for adoption.

Although data is partial, it is expected that in the near future it will be possible to obtain more information about important institutions such as the Infants Transit Center of Concepción, and others. It is not the ultimate goal of the present investigation to reveal the specifics of each of the cases presented. The database will be the only historical record of thousands of Chilean children who were taken for adoption so that they uncover their origin.

The documentation that has been collated, with that expected soon, not only constitute relevant background for the present investigation, but form the only database in which thousands of Chileans who were uprooted from their family and sent for adoption abroad, in the '70s to the '90s, can access to search for their origins. Till now, their right of identity has been violated by the lack of information available, previously they were dependent on potentially false information, from their adoptive family, previously believed to be true.

Today there are families, in Chile, from whom organizations that deprived those mothers, and other family members of those who were wrongly removed, trying to find their children.

The systematization of information is one of the few real alternatives for them to effectively find the whereabouts of their children. This research forms part of an official recognition of the reality that existed in Chile which, at the time, may have been made invisible by sociopolitical factors.

Therefore, the present investigation appears as a concrete response to the obligation of the State contracted with the signing of the Convention on the Rights of the Child to restore the identity of those who left Chile for adoption abroad, established in Art. 8 ° n ° 2 of said normative body, as well as support in the case established in Art. 9 ° n ° 4 of the same legal body.