

Brown, Melissa A

RELEASED IN PART

B6, B5

From: Nagy, Eleanor
Sent: Thursday, December 27, 2007 2:45 PM
To: Blackshaw, Brett; Brown, Melissa A; Rapson, Robert G
Subject: RE: Vietnam/Adoptions -- way ahead

Brett -- was there any decision about the NOID case?

B6

From: Blackshaw, Brett
Sent: Thursday, December 27, 2007 2:25 PM
To: Brown, Melissa A; Rapson, Robert G; Nagy, Eleanor
Subject: Vietnam/Adoptions -- way ahead

FYI: The message chain below is follow-up to a conference call this morning chaired by CA A/S Harty on Vietnam adoptions. The purpose of the call was to cement internal USG agreement on a way ahead. Participants included her counterpart at BCIS, Hanoi CONS Chief Eric Alexander, various CA staff and EAP/MLS (Brett).

Summary of the call:

- All agreed that adoption fraud in Vietnam is a problem almost entirely concentrated in cases of infant adoption. Fraud was nowhere near as prevalent in cases of adoption of toddlers and children with medical problems.
- Post reminded all that they had not been stingy on approving adoption visas. In 2007, Emb Hanoi issued 800 immigrant visas for adoption cases, and only 20 'NOIDs'.
- A/S Harty advocated, and BCIS agreed to, the following way ahead:
 - 1) Persuade GVN to commit to sign/implement the Hague Convention; offer U.S. technical assistance to help Vietnam prepare to join Hague

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B5

- 3) Demarche France and Italy to seek their support in pressuring GVN to sign up to the Hague Convention. Both countries authorize adoptions in VN, but refuse to allow their consular staff to conduct fraud investigations.

- There will be no changes to the Orphan First program, which has only just been introduced. State will make an effort to better publicize it.
- BCIS agreed they would not take any unilateral steps without consulting State.

Brett

From: Fuller, Gerry W
Sent: Thursday, December 27, 2007 1:16 PM
To: Alexander, Eric M (Hanoi)

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: FRANK TUMMINIA
 DATE/CASE ID: 06 FEB 2009 200801293

UNCLASSIFIED

Cc: Saint-Victor, Marc; Furuta-Toy, Julie A; Monahan, Katherine E; Brown, Melissa A; Blackshaw, Brett
Subject: FW: Vietnam Taskers

Eric,

Below is the tasker that we've received from MB-T on Vietnam. Items 2, 3, and 4 require your involvement. See my comments (in blue)

Gerry Fuller
202 663-2928

From: Bernier-Toth, Michelle
Sent: Thursday, December 27, 2007 11:50 AM
To: Fuller, Gerry W; Saint-Victor, Marc
Cc: Furuta-Toy, Julie A; Ruckman, Kathleen S
Subject: Vietnam Taskers

Gerry, Marc: From recent discussions on Vietnam, we need to:

1. Sit down with Gordon and start revising the MOU - if he's in, **can we schedule something for next week?** I will participate.

Initial meeting set for January 2, at 11 a.m.

2. Review what we have on the website and update. Just spoke to Eric, who will look at what's up now and suggest changes. More information on what sorts of problems we encounter (inability to confirm a child's real identity, for example) as well as a warning that parents should heed their ASPs when told not to travel prematurely seem warranted. We need to do this before Jan. 24, when Eric has a meeting with ASPs. **I'd like it up (cleared by MTB) by Jan. 10 at the latest.**

I will ask Marc to check all of the links and information for Vietnam on the Adoption page of Travel.State.Gov to make sure that everything works and is up to date. Eric, once you've gone through the Embassy website, let us know what you think needs also to be on our main site. I thought we had the "orphan first" notice there, but did not find it. So, we'll definitely add that, or at least a link.

3. Eric and MaryAnne have concerns about CIS's instructions on handling Orphan First cases. He'll send something in via email and include VO.

We await your input and comments.

4. Work up a demarche cable to countries (France, etc) as identified by post. Message should be that we want them to work with us to encourage the GVN to sign and implement the Hague Convention, and take confidence-building steps in the meantime. For the Aussies, it may be different - we can discuss. **We should aim to have this go out the week of January 14.**

Marc and I will start working on the text of a demarche cable with Kemy Monahan, and in consultation with Julie F-T, since the focus will be Hague Convention accession and implementation.

Eric, what we'll need from you is the list of countries that you know for sure we want to hit along with commentary on what we need to do with the Aussies. At the same time, I believe the appropriate way may well be to engage the Hague Permanent Bureau to carry this water for us. (At a minimum, we need to organize this effort under the umbrella/approval of the HPB. Let me know if there are any specific points that you want us to raise. I'm thinking that the cable will go as follows:

We're the largest receiving country

We're seeing strong evidence of serious fraud.

We have been told it may take years for Vietnam to pass Hague laws..

We want to work in concert to: 1. encourage Vietnam to join the Convention 2. encourage Vietnam to begin putting in place a regulatory infrastructure 3. in the mean time, encourage countries currently processing adoptions in Vietnam to exercise due diligence in reviewing documentation and cases.