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DEPARTMENT FOR CA/OCS/CI

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SUBJECT: AS U.S. ADOPTIONS IN ETHIOPIA SHARPLY INCREASE,  
OFFICERS INCREASE OUTREACH TO GOE, AGENCIES

1. SUMMARY: Ethiopian adoptions by American citizens nearly doubled in 2004 and significantly increased again in 2005, continuing the upward trend of the last several years. With an estimated 4 million orphans, Ethiopia is already the largest source of adoptions by American citizens in Africa, and one of the top ten worldwide, with numbers expected to rise further as more agencies are accredited. In contrast to one active U.S. agency in operation in Ethiopia in 2002, there are now six active U.S. agencies, with at least one more pending certification. An increasing caseload has led to greater post scrutiny of the adoption process, in order to discourage malfeasance. The following is a summary of adoption procedures in Ethiopia, and post's concerns regarding current processes. END SUMMARY.

2. In 2005, Embassy Addis Ababa adjudicated 479 adoption visa cases, up from 306 in 2004. With the accreditation of at least two new agencies in 2005-2006, post expects to adjudicate more than 600 adoptions during FY2006. Anecdotally, post notes that we see several adoption cases per month transferred to Ethiopia from countries whose adoption programs, while larger, present greater difficulties and waiting times. In addition to the relative ease and speed to process adoptions in Ethiopia (adoptions for Americans tend to be overwhelmingly IR4s, as the government does not require the family to travel to Ethiopia before the child's adoption is processed in the courts), Ethiopia's growing popularity as a source country may be due to a lack of minimum age at which a child can be adopted; the majority of adoptions processed at post are infants. Average waiting time is roughly five weeks from the matching of a child to a family, to the time that parents depart Ethiopia with their adoptive child.

3. Given the ease of processing, low fees, and skyrocketing interest among both Americans and Europeans, the possibility of adoption-related fraud is a major post concern.

**REVIEW AUTHORITY: Robert Strand, Senior Reviewer**

Adjudicating officers and adoption agency representatives, who are frequently debriefed by conoffs, are alert to the possibility that mothers may be giving up their children for monetary or perceived immigration-related rewards.

#### SEPARATION vs. ABANDONMENT

4. The majority of adoptive children have been abandoned by their mothers in places where it is assumed that they will be found and taken to local authorities. The application of U.S. law is particularly challenging when the child has been left with a friend or family member of the mother, and the mother subsequently disappears and cannot be found. In this case, it is not immediately clear that the mother intended that the child be given up for adoption, and all efforts must be made to locate the mother. In these situations, local officials typically place a notice in the local newspaper, conduct interviews and take statements in order to demonstrate "reasonable effort" to locate the parent. The Ministry of Social and Labor Affairs (MOLSA) reviews the actions taken by local officials before certifying that the child is available for adoption. Recently, post initiated spot-checks of cases that fit this model, sending our own seasoned fraud investigators to try to find the child's parents.

5. Out of necessity, the local city administration (kebele) has a significant judgment role in cases of abandonment or even deceased parents. If, for example, a child has lost both parents, but death certificates are unavailable (a common occurrence even in urban areas) the kebele will provide a finding that the parents are dead, using three local residents as official witnesses. If the mother disappears, it is the kebele's responsibility to make a decision that the mother does not intend to return. Post reports no problems in the decision-making process at the local level, which is closely scrutinized by both the MOLSA and Federal courts.

6. The adoption process involves a cooperative effort between MOLSA (the Ministry of Labor and Social Affairs), the Federal Courts, and the local social welfare authorities. When an American parent presents a dossier to adopt an Ethiopian orphan, the Children and Youth Affairs Office of MOLSA makes a final determination on the child's status as an orphan, as well as the parents' suitability to adopt. A statement from MOLSA recommending that the adoption be approved is then presented to the Regional Federal Court for a custody decision. (NOTE: MOLSA's responsibilities will soon be transferred to the Ministry of Women's and Children's Affairs, but the same personnel will direct the Office. END NOTE). Finally, the federal court decision is returned to MOLSA for final approval.

7. Post is pleased with the cooperation we have received from MOLSA officials, who appear determined to maintain

legitimacy in Ethiopian adoptions. When Post has questions about the child's status, MOLSA readily shares this information, as well as the rationale behind their decisions. Ethiopian officials insist on proper documentation before a child is released to a non-Ethiopian family. Courts routinely approve MOLSA's determinations, and MOLSA is careful to follow up on post-placement evaluations for Ethiopian children adopted internationally.

8. The Ethiopian authorities cautiously evaluate the social and economic status of adoptive parents during the process. MOLSA has unequivocally stated that adoptions by openly homosexual parents will not be approved, nor by single men or single women under the age of 25, although exceptions have been made to all of these rules. MOLSA's guidelines identify couples married for five years as their preferred cases. All parents are required to submit a statement to MOLSA explaining their interest in adopting an Ethiopian child, and the measures that they will take to ensure the child's cultural ties to Ethiopia throughout his or her childhood.

9. In an effort to maintain understanding of a fast-changing issue, post is proactive in reaching out to U.S. adoption agencies, holding regular quarterly meetings with all accredited U.S. agencies in Ethiopia. Special meetings are also held when high-level leadership of these agencies visit Ethiopia. Of the six U.S. adoption agencies accredited in Ethiopia, four were accredited in the past 18 months, making it vital that post maintain close and active communication with agencies. The increase in accredited agencies is evidence of the growing interest that Americans have in Ethiopian adoptions. Both U.S. and Ethiopia-based representatives of these agencies have been astounded at the level of interest in Ethiopian adoptions by American clients, and many have noted their clients' happiness with the process.

#### OFFICERS VISIT ADOPTION AGENCY FOSTER HOMES

10. All six American agencies accredited in Ethiopia maintain their own facility to house orphaned children. The children reside in these facilities until they are adopted. Two American officers and two FSNs from the immigrant visa unit visited the orphanage run by the Minnesota Children's Home Society (MCHS). This institution placed 107 children with American families in 2005. Embassy personnel visited the offices, the infant nursery, and a separate home which houses toddlers.

11. MCHS outlined their procedure for receiving orphans. A child is only accepted by the Center when local officials have determined that the child is an orphan. After a child

is accepted by the Center, a thorough medical evaluation is performed. Any known relatives are photographed with the child, and a family history is completed. MCHS has agreed to make any of their records available to the Embassy upon request. Like many local agencies, MCHS is involved in a sponsorship program, helping the poorest children in the Southern Nations, Nationalities, and Peoples Region of largely-destitute southern Ethiopia. Many adoptive families become sponsors, although this is not a requirement for adoption. MCHS also runs a school to train students in primary health care, and is financing the construction of a new orphanage in southern Ethiopia.

12. Conoffs also visited Layla House, the foster home operated by Adoption Advocates International (AAI). AAI has been involved with Ethiopian adoptions for 8 years, and in 2005 processed 175 children for adoption in the United States, the highest of any agency in Addis Ababa. The agency handles a large number of older children, and is proud of the fact that no child in their home has ever reached the age of 16 without being adopted.

13. Layla House has a brand-new facility that opened in November 2005 and includes an on-premises school and housing for the children. AAI work closely with government-run agencies in Addis Ababa, as well as the Missionaries of Charity, a private Catholic organization. All of their referrals come from MOLSA, once the Ministry rules that the child is eligible for adoption abroad. Many of the children referred to the agency were abandoned by their parents, and a police investigation is done to locate any relatives before the child is eligible for adoption.

14. Ethiopia is the fastest-growing source country for adoptions by American citizens, and the rapid growth mimics the troubling pattern of programs that were eventually closed because of fraud concerns. As adoptions continue to increase in Ethiopia, post will continue to visit accredited agencies' facilities and government-run orphanages, conduct

spot fraud investigations, and meet regularly with agency representatives and government interlocutors, to ensure the integrity of adoption cases adjudicated by post.

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