

INTERCOUNTRY ADOPTION

U.S. Department of State • Bureau of Consular Affairs



Intercountry Adoption Dispatch June 22, 2020 Volume 4

The Office of Children’s Issues (CI) intends the Intercountry Adoption Dispatch to be a regular series of communications to keep adoption service providers (ASPs) abreast of developments that may be relevant to your work in intercountry adoption. The information below is not intended to be comprehensive, but instead offers a snapshot of the issues we have focused on and information we believe may be useful to you as intercountry adoption professionals.

Past issues of the [Intercountry Adoption Dispatch](#) are available on our website. We welcome your input and feedback, as well as suggestions for future versions. As always, we want to hear from you about specific questions or concerns as well. Please email ASPAoption@state.gov.



Division Chief for Adoption Oversight Division: The Office of Children’s Issues welcome Marisa Light as Division Chief for the newly-created Adoption Oversight Division. Ms. Light comes to this position with more than twenty years’ experience advancing protections for vulnerable children, adults, and families domestically and abroad, including fifteen years of federal civil service across three agencies. She has worked in the fields of human trafficking of children and adults, children in the worst forms of child labor, protection for separated or unaccompanied children, international human rights law, and issues of both forced and voluntary migration. Ms. Light holds a BA in Political Science from Xavier University (Cincinnati, OH), and a MS in Foreign Service, and Certificate in Refugees and Humanitarian Emergencies from Georgetown University (Washington, DC). A DC-area resident for more than twenty years, Ms. Light has also lived abroad in Africa, Europe, and Latin America. She is looking forward to working collaboratively with the adoption community to enhance the viability of intercountry adoption in the best interests of children, adoptive families, and birth families.

Updates on COVID-19’s Impact on Intercountry Adoption:

We are receiving inquiries from both ASPs and prospective adoptive families regarding the timeframe for resuming adoption travel that was postponed and continues to be delayed due to the COVID-19 pandemic. As everyone is aware, at the outset of this worldwide health crisis, most countries introduced health and safety protections that included some level of border closures and movement restrictions. The situation remains largely unchanged at present.

Intercountry adoption remains a high priority for the Department. The Office of Children's Issues, as well as our embassies and consulates globally, are in contact with adoption officials in many countries regarding any changes in travel restrictions, as well as information on restarting processing of adoption cases. Restrictions on both travel and adoption processing remain fluid and are unique to each country's policies and regulations.



We recognize that this is a stressful, emotional time for prospective adoptive parents seeking to travel as soon as the countries of origin may allow. The Department of State's official travel guidance remains at [Level 4](#), which advises against all travel globally. That said, despite the Department's worldwide suspension of routine visa services, our embassies continue to issue visas for eligible children at the end of the adoption process, provided their adoptive parents are in country and embassy resources and local laws and processes allow them to do so.

Important resources for monitoring updates include:

- Embassy websites for the country of origin
- Department of State's COVID-19 website, <https://covid19.state.gov/>
- Department of State's COVID-19 Country Specific pages (includes links for all countries), <https://travel.state.gov/content/travel/en/traveladvisories/COVID-19-Country-Specific-Information.html>

We welcome input from ASPs at ASPAdoption@State.gov with updates on any such changes of which you become aware.

Notification of Travel Plans:

We ask that ASPs notify the Office of Children's Issues about any prospective adoptive parents with scheduled travel plans before they travel, so we can communicate with the U.S. embassies and consulates in order to avoid unnecessary delays where possible. Please email the following information to ASPAdoption@state.gov:

- Names of all travelers,
- Name and location of child to be adopted,
- Date and places of departure and arrival / including transit country(ies),
- Airline and flight number(s),
- Any other pertinent details regarding the adopted child, travel and processing, and
- Specific information about the country of origin's awareness and instructions regarding travel and adoption case processing

Please encourage all travelers to register in the Smart Traveler Enrollment Program (STEP), www.step.state.gov, prior to departure.

General Updates on Intercountry Adoption:

ASP Regional Collaboration Calls: Michelle Bernier-Toth, the Special Advisor for Children's Issues, will be hosting collaboration calls with small groups of ASPs organized by region. We had hoped to conduct these as in-person meetings, but concerns about COVID-19 have resulted in indefinite restrictions on travel. Director of the Office of Children's Issues Scott Renner and Adoption Oversight Division Chief Marisa Light will join Michelle in these conversations. All ASPs will receive more information about this in the next few weeks.

Country-Information Pages: The Adoption Division will be reviewing the current content on the [country-information pages](#) on our Adoption website and consider new information that should be added to improve and increase the usefulness of these resources. We welcome ASP input and ask that you submit suggestions to ASPAdoption@state.gov.

Country- and Issue-Focused Calls: As mentioned in Volume 2 of the [Intercountry Adoption Dispatch](#), we have initiated a series of calls with groups of ASPs that will focus on a specific country or region. In most cases, we will invite ASPs that currently work in or have worked in the country within the past one to two years. (Note: This initiative is distinct from the calls with the Special Advisor discussed above.)

INTERCOUNTRY ADOPTION

U.S. Department of State • Bureau of Consular Affairs



We appreciate ASPs' participation and follow up collaboration to a recent call about Latvia, which proved to be very helpful to our ongoing engagement with the Latvian Central Authority. The next scheduled call is for Nigeria and will take place on June 30. If you work in Nigeria but did not receive an invitation, please let us know. We are considering future country-focused calls on Armenia, Bulgaria, Ecuador, Guatemala, India, Marshall Islands, Sierra Leone, Jamaica, Nepal and Ukraine. In addition, we may hold calls with a regional or functional focus, such as Outgoing Intercountry Adoptions or Expatriate Adoptions. If you would like to suggest or request a specific country or topic, please email us with your input at ASPA@state.gov.

Adult Adoptee Outreach and Collaboration: In an effort to offer adult adoptees the opportunity to share their perspectives and experiences, the Office of Children's Issues has engaged with these important stakeholders primarily through existing adoptee-focused organizations or in response to their advocacy on issues such as citizenship acquisition. We would like to hear ASPs' views about how we can conduct effective outreach to the broader community of adoptees, what issues may be most pressing to adoptees, and what role ASPs can play. Please write to us at ASPAdoption@state.gov with your suggestions and input.

Habitual Residence Determinations in Expatriate Intercountry Adoptions: U.S. citizen PAPs should resolve issues of habitual residence with the central authority of the Convention country in which they are living to avoid potentially serious consequences if the adoption is not completed in accordance with the laws of the appropriate receiving country. We want to remind ASPs about the need for U.S. citizen PAPs residing in another Convention country to seek a habitual residence determination before beginning the adoption process for a child habitually resident in that or another Convention country. PAPs and ASPs should review our [FAQ on Adoption by Prospective Adoptive Parents who Reside Outside the United States](#), particularly questions 1 and 2. The FAQ also provides guidance on home studies and immigration matters. We recently learned of a case in which the government of the adoptive parents' residence may not recognize their parental rights following a Convention adoption between the United States and the country of origin that did not involve the parents' residence as the receiving country. In other cases, children have been denied entry to reside with their parents under similar circumstances.

Country Updates

ARMENIA: Due to COVID-19 related restrictions on access to orphanages, the Armenian Central Authority has temporarily suspended referrals and visitation with children. As soon as the restrictions are lifted, normal operations will resume. The Armenian Central Authority also requests that for children who are adopted with known special needs or medical conditions, post-adoption reports should include updates on those health conditions. Specifically, they wish to have information about any treatment, surgery, or other medical intervention the child has received, as well as updates on the child's condition and progress. We understand the Armenian Central Authority has communicated directly with ASPs currently working in Armenia.

DEMOCRATIC REPUBLIC OF CONGO -- Updated CIS (June 18) and Adoption Notice (May 4): Intercountry adoptions from the [Democratic Republic of the Congo](#) (DRC) were suspended pursuant to a 2016 DRC law, which became effective July 15, 2016. The DRC's authorities agree that intercountry adoptions from the DRC are not legally possible at this time, and the Immigration Authority will not allow adopted children to leave Congolese territory. Due to the suspension of adoptions and the continued suspension of the issuance of exit permits in adoption cases, adopted children have no legal means to exit the country. Thus, the Department of State strongly advises against initiating an intercountry adoption in the DRC.

LATVIA: The Office of Children's Issues met virtually with representatives from the Latvian Central Authority and Latvian Embassy in Washington, DC on June 18, 2020 to discuss Latvia's concerns and answer questions regarding secondary placements of Latvian children in the United States. Issues concerning unsuccessful adoptions and secondary placements are driving a movement in Latvia to significantly restrict or stop intercountry adoptions. The Office of Children's Issues emphasized the importance of intercountry adoption when it is in the best interest of the child and the U.S. commitment to the Hague Convention obligations and the safety and welfare of all children.

INTERCOUNTRY ADOPTION

U.S. Department of State • Bureau of Consular Affairs



Thanks to the efforts of ASPs who work in Latvia, we were able to share uplifting stories from adoptive families and their children with the Latvian Central Authority. The stories communicated that the vast majority of adoptions between Latvia and the United States are successful.

The Human Rights Committee of the Latvian Parliament recently drafted legislation to end all intercountry adoptions in Latvia. The first reading of the draft legislation is scheduled to take place at an extraordinary Parliament meeting on July 2, 2020. The draft legislation must be read at least twice before Parliament can vote. The legislation initially included an exception for pipeline cases; however, the exception has since been removed. The legislation proposes that the ban on intercountry adoptions take effect on September 1, 2020. The Department of State will continue to advocate for intercountry adoption to remain a viable option in Latvia and for pipeline cases to be addressed if the draft legislation passes.

UGANDA -- Updated CIS (June 8) and Adoption Notice (June 17): Under the Children Act and 2016 Amendment (collectively “the Act”), prospective adoptive parents must satisfy one year of residency and one year of supervised fostering in Uganda. The Ministry of Gender, Labour, and Social Development (MGLSD) and the Ministry of Justice have communicated to the U.S. Embassy in Kampala the residency and fostering requirements must be satisfied in person. Failure to satisfy the residency and fostering requirements may provide grounds for the MGLSD to seek a rescission of an [adoption order](#).

ZAMBIA: The Adoption Bilateral Engagement Division (OCS/BL), in coordination with our Embassy in Lusaka, remains engaged with the Zambian Central Authority's (CA) as they process some of the first Convention cases with the United States. Our office recently provided the Central Authority with information on requirements of the U.S. Convention process, including the role of U.S. adoption service providers.