

## Parents for Ethical Adoption Reform Call to Action: Vietnam

The US Embassy in Vietnam has announced recent changes in the process of applying for the I-600 necessary for the issuance of an immigration visa for adopted children in Vietnam. Additionally, the Embassy has effectively shut down referrals from Phu Tho province. This situation was brought about after evidence of unethical and illegal behavior was uncovered in the identification and referral of children in some provinces of Vietnam.

As a result, the *Joint Council on International Children's Services* (JCICS - <http://www.jcics.org>) has been motivated to convene a summit in Washington DC on November 28, 2007 to create unified response to the situation and hopefully establish a best practices agreement for intercountry adoption from Vietnam. The JCICS has invited whom it believes to be the stakeholders in intercountry adoption: the DOS and adoption agencies. *The voice of prospective and adoptive parents, children and their families of origin are currently unrepresented at the summit.*

*Parents for Ethical Adoption Reform* (PEAR – <http://www.pear-now.org>) supports the US Embassy in Hanoi for making this important statement recently on their website regarding Vietnam adoptions:

<http://hanoi.usembassy.gov/adoptionstatement1107.html>

We at PEAR also agree with the USCIS changes in I-600 processing procedure. This will provide more time for the USCIS to investigate the origins of the babies and children being referred for adoption to the United States from Vietnam, prior to the families traveling to Vietnam.

PEAR remains concerned that there is no fee schedule as required by the MOU signed on June 21, 2005. Until there is more transparency, oversight, and control of the funds required to be paid by prospective adoptive parents to agencies and the Vietnamese government, these parents will remain at risk for the referral of a child who has been relinquished and/or referred in a fraudulent manner due to improper financial influence. *Birth Parents, Adopted Children and Adoptive Parents have the right to an adoption process that is transparent, ethical and respectful of all members of the adoption triad.*

PEAR also remains concerned that some adoption agencies working in Vietnam are participating in, or at a minimum turning a blind eye to, the corruption underlying the relinquishment and referral of children. US adoption agencies need to be held responsible for their role in encouraging the unethical and illegal practices taking place. Shifting the blame for problems in Vietnam to the "uncontrollable" facilitators or to prospective

adoptive parents requesting quick referrals, needs to stop. Agencies are directly responsible for both of these situations by failing to demand that all children are relinquished and referred in an ethical and transparent manner, by advertising quick and unrealistic wait times given the real availability of children needing families in Vietnam, and by arranging for the payment of fees which are unreasonably high in the Vietnamese economy. *The focus needs to shift from finding children for desiring families to finding families for children who need them.*

### **PEAR's Recommendations:**

It is PEAR's strongest recommendation that all adoption service providers offering programs in Vietnam attend the summit to be held by JCICS on November 28, 2007. Similarly, it is our strongest recommendation that prospective adoptive parents and adoptive parents contact their adoption agencies requesting that they participate in the summit.

We also strongly recommend that all prospective adoptive parents, adoptive parents, adult adoptees and families of origin join with PEAR in asking the U.S. Department of State, the US Department of Homeland Security, and the US Embassy in Hanoi to issue formal letters to the JCICS requesting that best practices for adoption in Vietnam be created that protect the rights and interests of the adoption triad over the financial interests of agencies, their employees, and their connections in Vietnam.

It is PEAR's recommendation that best practices be created that clearly address:

- Reasonableness of foreign fees in light of economic conditions in Vietnam. Agencies should not be encouraging unethical or illegal behavior by foreign agents by offer large financial incentives to find children and should be ensuring that required fees and donations are going where they are supposed to go;
- Reasonableness of US agency fees in light of the amount of work performed by the agency and the reality that agencies are to be providing a social service;
- Prevention of coercive, threatening or criminal behavior in relinquishment and referral;
- Preservation of the records involving the child's familial, medical and social history;
- Preservation of the child's true identity including preservation of birthdate, location, identities of family of origin, and circumstances surrounding their relinquishment or abandonment.

- Complete disclosure to prospective adoptive parents concerning the child's familial, medical and social history at the time of referral;
- Advertising that is both truthful and provides a complete disclosure of the adoption process and availability of children of all ages and medical conditions in Vietnam;
- Programs and services that educate prospective parents on common issues in adopted children from Vietnam and post institutionalized children in general;
- Contracts for services that do not unduly restrict prospective and adoptive parents from discussing their experiences, whether positive or negative at any time in the adoption process;
- Contracts for services which place responsibility on the agency for the conduct of its in-country staff.

### **How YOU can participate in PEAR's Call to Action: Vietnam**

1. If you are a prospective adoptive parent or an adoptive parent, call your adoption agency and request that they participate in the JCICS Summit and work toward the establishment of a best practices agreement. If you are not currently working with an agency program in Vietnam, choose an agency from the list of licensed agencies at the following link and contact them requesting that they participate in the summit. Licensed US Agencies in Vietnam:  
<http://hanoi.usembassy.gov/conadoptedvisa.html>
2. Follow up your call with an email reminder and cc the email to: PEAR – [reform@pear-now.org](mailto:reform@pear-now.org)
3. Write an email to Tom DiFilipo, president of JCICS, [jcics@jcics.org](mailto:jcics@jcics.org) supporting the Summit on Vietnam and requesting that JCICS use their considerable weight and authority to encourage the development of a best practices agreement which support the rights of children, families of origin, prospective adoptive families, adoptive families, and ensures that intercountry adoptions in Vietnam are carried out in a transparent, ethical, legal and economical manner which respects the rights of the entire adoption triad and places responsibility on maintaining an ethical process on the agencies who work in Vietnam. Emphasize that importance of an ethical and transparent adoption outweighs the desire for a quick referral. CC the email to PEAR - [reform@pear-now.org](mailto:reform@pear-now.org), US Embassy Hanoi - [HanoiAdoptions@state.gov](mailto:HanoiAdoptions@state.gov), and the US Department of State, Office of Children's Issues, Gerry W. Fuller, Intercountry Adoptions – [FullerGW@state.gov](mailto:FullerGW@state.gov)

4. In addition to your contacts with the above you can inform other members of the adoption community and the general public to participate in PEAR's Call to Action: Vietnam.

### **When should you contact the above?**

Tuesday, November 20, Wednesday November 21,  
Friday November 23, or Monday November 26, 2007

For maximum effect, we are asking you to make your contacts within this time period. Please remember that most offices are closed for the Thanksgiving Holiday Thursday November 22 - Sunday November 25.

### **Timeline for PEAR's Call to Action: Vietnam**

1. November 21 – 23: PEAR will provide a detailed *Call to Action* Plan to the adoption community.
2. November 21 – 23: PEAR will educate members DOS, Homeland Security and US Embassy Hanoi on our issues.
3. November 21 – 26: PEAR will submit to DOS, Homeland Security, US Embassy in Hanoi letters requesting their immediate involvement in the summit and in the creation of best practices promoting an intercountry adoption process in Vietnam that supports our goals.
4. November 21 – 26: Members of the Adoption Community will contact via phone/fax/email, adoption agencies working in Vietnam, DOS, US Embassy Hanoi and JCICS supporting the summit and requesting the formation of a best practices agreement for Vietnam adoptions.
5. November 21 - December 31: PEAR will monitor the response of JCICS and adoption agencies and issue a second Call to Action if needed.

### **Additional Actions by PEAR**

1. November 21: PEAR will post on its website our statement and detailed *Call to Action*.
2. November 21 - 23: PEAR will issue a series of letters to the 42 adoption agencies working in Vietnam asking them to participate in the summit and to develop a best practices agreement that will support our goals.
3. PEAR will continue to advocate for ethical adoption practices in Vietnam.

<http://www.pear-now.org>