

Parents for Ethical Adoption Reform
Call to Action: Vietnam - Update
Saturday, May 3, 2008

UPDATE: Call to Action Vietnam - USCIS Warning

On Friday, April 25, 2008, the US Embassy in Hanoi took the unprecedented step of releasing a detailed "[Summary of Irregularities in Adoptions in Vietnam](http://vietnam.usembassy.gov/irreg_adoptions042508.html)" about the adoption corruption their recent investigations uncovered in Vietnam. The text of this summary can be found at:

http://vietnam.usembassy.gov/irreg_adoptions042508.html

This summary followed an earlier warning not to initiate adoptions from Vietnam, which can be found at: http://vietnam.usembassy.gov/adoption_warning0408.html

In it, the Embassy stated:

"On April 25, the Government of Vietnam announced that it will allow adoption to be completed in cases where prospective adoptive parents have been matched with a child and received an official referral prior to September 1, 2008".

It further stated that in accordance with Vietnamese law,

"the DIA will suspend the acceptance of new dossiers on July 1, 2008. On September 1, 2008 any dossier that has not received a referral will be closed and returned to the Adoption Service Provider. In view of the processing time required in Vietnam from placement to the Giving and Receiving Ceremony, an adoption process begun now cannot be completed before the current Agreement expires."

In news articles widely disseminated on the Internet, DIA angrily denied the charges and stated that the MOU (Memo of Understanding) governing adoptions between the US and Vietnam would not be renewed.

Parents for Ethical Adoption Reform (PEAR) sympathizes with all families caught up in this situation: prospective adoptive parents (PAPs), adoptive parents, birth parents, and children. We know that this news is extremely disturbing to parents waiting to adopt, as well as to adoptive parents (APs) of Vietnamese children, who must now wonder if their children's adoptions had been free from corruption. This is a tragedy effectively ending the adoption dreams of many PAPs, while affecting the future of the legitimate orphans awaiting these families. It particularly puts ongoing humanitarian aid from adoption agencies (ASPs) to these desperately needy orphanages at risk. It is a position no person should ever have been placed in.

We also wish to support the efforts of the US Embassy in Hanoi, particularly the Adoptive Children Immigrant Visa Unit, who have worked tirelessly for many months, and amid mounting criticism from many PAPs angry at delays affecting their paperwork, to uncover the ongoing corruption that has been presented in damning, incontrovertible detail. Given this report, there can be no doubt about the serious flaws in the adoption process in Vietnam. Adoptions from Vietnam can no

longer be defended as free from potential corruption, and they need to cease. A great deal of work on the part of both countries must be undergone before there is any talk of entering into a new agreement.

However, given the lack of transparency; the failure of DIA to adhere to several of the most salient points of the MOU; the licensing by DIA of many agencies known to have engaged in corrupt practices before the first shutdown; the anger engendered by the Department of State's investigations in different Vietnamese provinces; and the staunch denial of wrongdoing by these ASPs (and their clients) who knowingly tried to hide their trafficking, PEAR is not surprised that Vietnam adoptions to the US will cease.

As a result, PEAR believes it is time for PAPs who will no longer be able to adopt from Vietnam, as well as APs who now may have reason to doubt the legitimacy of their child's adoption, to unite. By uniting, we can better demand reform from agencies that have behaved with little government oversight and regulation for far too long.

We suggest the following courses of action:

A. **For PAPs:**

1. Contact your ASP immediately to ask how to proceed with your case.
2. Contact PEAR with any concerns or questions you may have about the proposed procedures from your agency.
3. Contact the US Department of State and or the US Embassy in Hanoi with any suspected illegal or unethical behavior on the part of any ASP.
4. Demand that the DOS disclose and take legal action against the ASPs that have committed outright illegal and unethical acts in Vietnam.
5. Keep meticulous records of contacts and information provided by your agency. You may have grounds for legal action against the ASP - be prepared with good records.
6. Do not be afraid to speak out. Do not be afraid to demand answers.
7. Consider joining us at PEAR and assisting in our work.
8. Consider donating to legitimate humanitarian aid programs supporting Vietnamese orphanages.

B. **For APs who suspect that their completed adoption may have been unethical and/or illegal:**

1. Prepare to take legal action. Review your paperwork; contact your agency, the DOS and the Embassy and request information and assistance in verifying your child's identity and paperwork. Keep meticulous records of contacts and information provided by your agency.
2. Consider an investigation into the adoption through the use of a searcher. PEAR is currently compiling a list of experienced searchers in Vietnam.

3. Report your concerns and suspicions to PEAR, DOS and the US Embassy in Hanoi. PEAR will be compiling lists of clients according to ASP and province in order to provide families with connections and resources.
4. Consult an attorney who specializes in adoption fraud. PEAR is currently compiling a list of experienced attorneys who may be willing to assist you.
5. Demand that DOS disclose and take legal action against ASPs found to be participating outright in illegal practices.
6. Do not be afraid to speak out. Do not be afraid to demand answers.
7. Consider joining us at PEAR and assisting in our work.
8. Consider donating to legitimate humanitarian aid programs supporting Vietnamese orphanages.

C. **For ASPs working in Vietnam:**

1. We ask that all ASPs suspend submitting new dossiers at this time, unless they have been assured by the Department of State and DIA that there will be official referrals prior to July 1.
2. We also ask that agencies contact us with their plans and their projected needs for assisting their clients who do not have referrals by July 1.
3. We are calling on all Vietnam ASPs with support of the JCICS to act in a manner that respects the emotional and financial hardship PAPs will be experiencing and to work in a cooperative manner to find solutions for all families affected by the pending closure. To assist in this we suggest:
 - An effort from all 42 ASPs working in Vietnam to transfer Vietnam dossiers to other country programs within the agency with minimal financial hardship to families.
 - A cooperative effort by the 42 ASPs, with the support of JCICS, in the creation of an inter-agency transfer of dossiers to other open programs for a minor fee if the original agency does not have other viable options, such as working in countries other than Vietnam.
4. We ask all APs currently working in Vietnam to continue with their humanitarian efforts in the provinces and orphanages with which they work. PEAR will assist in getting the word out to the public concerning legitimate humanitarian aid programs in Vietnam orphanages.

D. **For everyone concerned with providing ethical adoptions in all countries:**

1. Write to the DOS and the US Embassy in Hanoi and request the disclosure of ASPs engaged in corrupt activities. While the US Embassy in Hanoi may not be permitted to name the ASPs described in their "Summary of Irregularities", we hope they will name the provinces investigated, which will make it easier to identify these ASPs, and for their clients to consider how to respond. The culture of secrecy has permeated the entire international adoption industry, but without naming suspect ASPs, no action can be taken against them.
2. Consider joining us at PEAR and assisting in our work.

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To join PEAR, please visit our website, <http://www.pear-now.org>, to download a member application form. Membership is \$20 annually. Membership applications can be submitted on-line and dues paid with PayPal; or applications and payment can be mailed to:

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