

Results of PEAR's Ethiopia Study

Introduction

Over the past two years, PEAR has received numerous comments and complaints concerning adoptions from Ethiopia. Investigations by governments and the media increased substantially towards the end of 2009. As PEAR began to see a pattern similar to that of Vietnam and Guatemala before their closures to US adoptions, we decided to conduct a survey of Ethiopia adoptive parents and prospective adoptive parents from March 16, 2010 to April 16, 2010. The purpose of the survey was to identify possible areas of unethical practice and procedure in Ethiopian adoptions, and report them to adoption stakeholders and appropriate authorities so they can be corrected.

This survey was based upon PEAR's Mission and Prospective Adoptive Parent Bill of Rights, which can be found on our homepage at www.pear-now.org. The results will be discussed in the same order as the survey. Survey-taker's suggestions that were given in comment areas will be listed at the end.

Summary

There were 31 different respondents (27.7 percent) who completed their adoptions and who experienced multiple, serious issues that are **completely unacceptable**.

PEAR believes that this data showing the **inexcusable**, including

- unethical practices of adoption service providers,
- coercion of birthfamilies, and
- lies to the adoptive triad

will, if not corrected, lead to the shutdown of the Ethiopia.

If the PEAR Prospective Adoptive Parent Bill of Rights were adhered to by adoption service providers, we feel that none of those serious issues would have occurred. We hope the adoptive community reads this report thoroughly and realizes what is currently taking place in the adoption process in Ethiopia. We encourage all parties to become involved and join PEAR to reform these corrupt activities.

Section One: Demographics

One hundred thirty-four people completed the survey. Survey participants came from 36 states and the District of Columbia. Of these, 84 percent of respondents completed an adoption from Ethiopia, and 16 percent were prospective adoptive parents in the process of adopting. The participants were clients of 24 adoption service providers: 19 adoption service providers that are registered to conduct adoptions in Ethiopia and 5 that are not.

The registered adoption service providers¹ represented include:

- Adoption Advocates International
- Adoption Associates
- Adoption Avenues
- All God's Children
- Americans for African Adoptions
- Bethany Christian Adoption
- Better Future Adoption Service
- Celebrate Children International
- Children of African Enterprises (doing business as Hope Adoption)
- Children's Home Society and Family Services
- Children's Hope International
- Children's House International
- Christian World Adoption
- Dove Adoption
- Gladney
- Illien Adoptions
- International Adoption Guides
- International Adoption Net
- Wide Horizons for Children

Unregistered agencies² include:

- Adoption Ark
- Families Through International Adoption (FTIA)
- Holt
- Tree of Life
- World Association for Children and Parents (WACAP)

¹ The list of registered agencies was published in 2008. It is the only publicly accessible list of registered agencies provided by the Ethiopian government to adopting families and the general public <http://www.ethiopianembassy.org/OtherResources/OtherResource.php?Page=AdoptionEthiopianChild.htm> PEAR requested current information from the Ethiopian Embassy in Washington and MOWA on two occasions each (in 2009 and again in 2010) and we received no reply. We understand that Holt and WACAP report they are registered with the Ethiopian authorities and have documents supporting this status, but we have no way of independently verifying their current status without the cooperation of the Ethiopian government.

² Ibid.

Section Two: Competent Providers

The PEAR Prospective Adoptive Parents Bill of Rights states that prospective adoptive parents have the right to an adoption service provider with appropriate high-quality adoption services. Prospective adoptive parents have the right to receive a complete list of qualifications of all providers of adoption-related services. Qualifications include both education and training.

Results

1. Five adoption service providers mentioned in the survey are unregistered³ with the government of Ethiopia.
2. The transition homes in some cases, though overseen by American adoption service provider personnel, had extremely substandard care, including lack of running water, personnel who were found to have an ignorance of lactose intolerance, and in some cases were found to not give medication to seriously ill children.

Analysis

It is part of PEAR's mission that prospective adoptive parents should be provided a choice of agencies that operate legally, ethically, responsibly, and in the interest of the adults and children they serve.

Ethiopia law requires agencies to be registered to conduct adoptions in Ethiopia.

We believe it is unethical for adoption service providers to operate programs in countries where the government has established a system of licensing, registration, accreditation or permit unless the agency is licensed, accredited, registered, or permitted to operate. We believe that lack of respect for a country's processes indicates a willingness to compromise on ethics in order to achieve greater financial gain for the adoption service provider. There is no other reason for one adoption service provider to sponsor or partner with an unauthorized adoption service provider other than to provide financial gain for each. Partnering, umbrella-ing, or illegally operating in a country increases risks that members of the triad will be exposed to unethical and illegal practices. It also lowers the ability for clients to be able to seek legal or administrative recourse.

Aside from questions of legality, prospective adoptive parents should question why any unauthorized partner adoption service provider is not welcome in the country or is not competent enough to perform directly with the country, especially in the cases of countries like Ethiopia that are not party to the Hague International Adoption Treaty.

In addition, prospective adoptive parents pay for the care of the children in the transition home yet problems with basic care are occurring and there is no entity overseeing that appropriate care is being given.

Finally, adoptive parents mentioned that the changes in tuberculosis screening that occurred were not communicated to them in a timely manner; they often could only get information from other adoptive parents and not their adoption service provider.

³ Ibid.

Recommendations

In order to best protect the rights and interests of the adoption triad, we recommend the following:

1. Registered adoption service providers should cease the practice of allowing unregistered adoption service providers to partner or umbrella for the purpose of adoptions from Ethiopia.
2. Unregistered adoption service providers should cease offering Ethiopian adoptions to new clients.
3. Prospective adoptive parents who are currently in the process of adopting via an unregistered adoption service provider or partner/umbrella program should be permitted to continue with their adoption as full clients of the sponsoring adoption service provider without the payment of additional fees. In the instance of an unregistered adoption service provider operating without the assistance of a registered adoption service provider, we recommend that their clients be offered the opportunity to transfer their cases to a registered adoption service provider with any transfer fees being refunded to the family by the unregistered adoption service provider.
4. Prospective adoptive parents who have not chosen an adoption service provider should demonstrate respect for the sending country and refuse to work with unregistered agencies.
5. The Ethiopian Ministry of Women's Affairs should strictly enforce the registration requirements and refuse to allow adoptions by partnering or unregistered adoption service provider.
6. The USCIS should demonstrate respect for the laws of the sending country and review adoption dossiers to ensure that the agency used is registered to conduct adoptions in Ethiopia.
7. Transition home care needs to be overseen by an Ethiopian authority.
8. Adoption service providers should have knowledge of immigration procedures and communicate changes to adoptive parents in a timely manner.

Section Three: Ethical Program

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to an ethical and economical adoption program. Prospective adoptive parents have the right to expect honest and complete program information, full fee disclosure, and fee amounts proportional to the complexity of the services provided. Prospective adoptive parents have the right to expect that all actions and payments required by the consumer and provider are legal and ethical in the United States and any other jurisdiction in which the payment or action is required.

Results

Only 68 percent of respondents recall seeing a copy of the contract prior to sending in an application. Approximately 25 percent were charged extra fees during the process.

Analysis

Though many of them could be reasonably explained by the adoptive parents, there were cases in which fees continued to progress throughout the adoption process. Disturbingly, some prospective adoptive parents were asked to pay additional fees if they wanted to see copies of their own court documents. Other serious issues included allegations of the following:

1. Adoption service providers processing relinquished children as abandoned to circumvent normal process.
2. Children telling their adoptive parents that they were lied to about what adoption meant (for example, educational opportunities).
3. Adoptive parents being given false birthfamily information (verified by meeting birthparents after adoption was finalized).
4. Having thousands of dollars extorted by adoption service providers by raising or adding fees after referral, right before travel, or while in country.
5. Adoptive parents being given false medical information that led to disruption/dissolution.
6. Adoptive parents being told by the adoption service provider that the orphanage their children were in did NOT have physical or sexual abuse going on, when it did, as manifested by children's behavior and what they told their adoptive parents.
7. Lack of assistance by adoption service provider when adoptive parents approached them with issues such as sexual abuse.
8. Lack of explanation by adoption service provider when adoptive parents found out the orphanage that their referred child was in was under investigation.
9. Adoption service provider threats to those who sought birthfamily contact.
10. Adoption service provider threats to take referral away if prospective adoptive parents didn't comply with questionable directives.
11. No medical checks until after the child's adoption was finalized.
12. Adoption service provider gave preferential treatment, faster referrals, and better service in-country to those that paid donations to orphanages.
13. Even though adoptive parents chose to adopt special needs children, they were told after healthy child referral that they don't process special needs children due to too much paperwork.

Recommendations

1. Pre-adoption education of prospective parents should include understanding that contracts should be evaluated PRIOR to sending in applications as any agreement with an agency is a business transaction.
2. Full fee disclosure by agencies should be enforced. Fee increases should require new contract addenda without threat to take away referrals.
3. Full disclosure of program details prior to fees being paid.
4. Adherence to a professional standard of diligence in obtaining correct birthfamily and medical information from business partners in Ethiopia.
5. Honesty with the children being placed.
6. Transparency in communication with adoptive parents.
7. Assistance to adoptive parents post adoption.
8. Lying and threats throughout the process are unacceptable. Agencies should be shut down permanently and blacklisted from ever being able to open other child welfare businesses in any state.

Section Four: Respect and Nondiscrimination

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to considerate, respectful treatment and communication from all members of the adoption system at all times and under all circumstances. An environment of mutual respect is essential to maintain quality adoption services. In the event that the adoption service provider challenges the competence of the prospective adoptive parent after a homestudy has been approved, a detailed, written statement regarding the challenge will be referred to the homestudy evaluator and a copy will be given to the clients. Prospective adoptive parents have the right to be free from threats of removing referrals during a challenge. They have the right to be treated in a professional manner throughout the challenge process.

Results:

Nineteen percent of respondents experienced problems in Ethiopia with respect and threat issues.

Analysis

PEAR is pleased to see the majority of respondents reported being treated with respect during the process. However, there were some serious issues brought to light including allegations of the following:

1. Adoption service providers intimidating adoptive parents.
2. Adoption service providers threatening adoptive parents when they brought forward information that showed their children were really relinquished by birthfamilies instead of being abandoned as stated in the children's adoption applications.
3. Adoptive parent's confidentiality compromised by an adoption service provider by discussing families on a yahoo group.
4. Terminated services for adoptive parents and their referral cancelled (believed to have been done without due process).
5. Adoption service provider threats to those who sought birthfamily contact.
6. Adoption service provider threats to take referral away if prospective adoptive parents didn't comply with questionable directives.
7. Threats by in-country representatives for extra fees.

Recommendations

1. Adoption service providers have a responsibility to maintain a high degree of professionalism and ethics throughout the adoption process. The above mentioned allegations are completely unacceptable for any agency or agency professional.
2. Adoption service providers who find themselves in unethical situations within their programs must remedy those immediately to protect children and families.

Section Five: Adoption Service Disclosure

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to receive accurate and clear information about their adoption plans, professional services, adoption options, risks and benefits, and cost implications to make an informed choice of services. Prospective adoptive parents also have a right to know how to reach adoptive agency personnel and other necessary in-country service providers during and after business. In domestic adoption placements, prospective adoptive parents have the right to clearly stated financial risks in case of denial of Medicaid or insurance for the placing mother's medical bills. They have the right to know at the time of contract signing if delays or denial of finalization are tied to payment of after-the-fact denials of medical coverage.

Results

Thirteen percent of respondents were provided with a copy of the Ethiopian law on adoption prior to adopting while 22 percent were unsure if they were provided a copy. Forty-one percent of respondents were provided with US immigration law prior to adopting while 20 percent were unsure if they were provided a copy. Sixty-nine percent were given medical and legal risk information.

Analysis

Understanding risks and benefits starts with knowing the legal implications of the process. Clearly stated information about foreign law, US law, and medical and legal risk is woefully inadequate. Additionally, the following allegations related to professional services were reported:

1. Lies about adoption service provider role in relinquishments.
2. Lies about ability to place special needs children.
3. Lies about where the children were coming from, including that nannies at the transition homes were placing their own children for international adoption.

Recommendations

1. Adoptive parents should have any questions about foreign law, US law, and medical and legal risk explained to them by the adoption service provider.
2. Program details need to be clearly stated so adoptive parents can make appropriate decisions.

Section Six: Comprehensive Adoption Preparation

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to comprehensive pre-adoption education. Adoptive families need to understand the psychological, developmental, behavioral, emotional, and medical challenges that adopted children may experience. This information is integral in making a fully informed decision about adoption, developing appropriate expectations, recognizing issues, and finding appropriate resources to address the needs of the adopted child.

Results

While PEAR was pleased that 70 percent reported thorough training by the agency, there were 21 percent that only received basic worksheets or information on minor issues like scabies. Unacceptably, 9 percent were given no information by agency about the typical issues that a child adopted from Ethiopia would have at time of adoption or beyond.

Recommendations

1. All adoptive parents should demand and adoption service providers should provide training on basic medical issues of children in institutions as well as psychological, developmental, behavioral, emotional, and medical challenges that adopted children may experience prior to referral. Long-term developmental, educational, and behavioral challenges need to be thoroughly discussed.
2. Training needs to be more comprehensive than a mere handing out of worksheets on minor conditions like scabies.
3. Post-adoption resources should be given.

Section Seven: Broad-Based Consultations

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to consult adoption specialists, physicians, attorneys, adoption advocates, consumer advocates, and others to help them better understand the process and their options. Prospective adoptive parents also have the right, without fear of retribution or retaliatory actions from adoption service providers, to discuss their adoption plans and process with family, friends, consumer advocates, adoption advocates, physicians, attorneys, and governmental institutions through any communicative means as long as such disclosure does not violate the law or the privacy rights of a referred child.

Results

Six percent of respondents reported that their contract had a gag clause. Twenty-nine percent reported that they did not know if their contract had a gag clause provision. Ten percent of adoptive parents had their agency shut down their questions or conversation about their personal situation. Specifics included being thrown out of adoptive parent discussion groups and being threatened by the agency.

Analysis

Prospective adoptive parents need to be informed to look at their contract for gag clause provisions. In the event of a bad outcome of their adoption, their ability to inform other parents will be removed, creating a new cycle of victims.

Recommendations

1. Adoption service providers should remove gag clause provisions from their contracts.
2. Prospective adoptive parents should be aware that some contracts have gag clauses. They should consult with an attorney before signing a contract with a gag clause.
3. Adoptive parents need every resource available, including talking with other parents in process to help them make the right decisions for their family.

Section Eight: Confidentiality of Information

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to communicate with adoption service providers in confidence and to have the confidentiality of their individually identifiable information protected. Information should not be transferred, sold, or otherwise utilized without express written consent of the prospective adoptive parent. Prospective adoptive parents also have the right to review and copy their own records, request amendments, and transfer their records and information to other adoption service providers and governmental institutions as necessary to efficiently complete the adoption process as allowed by all jurisdictions involved. In the case of termination of the adoption service provider contract, the adoption service provider shall agree to return or destroy the confidential information and all copies, if so requested by the prospective adoptive parent, unless prohibited by state law

Results:

The PEAR survey responses indicate no prospective adoptive parents reported that their documents were not returned by their adoption service provider. However, two respondents who used the same agency said that their agency spoke to other clients about them, thus violating their confidentiality.

Recommendations

1. Violations of confidentiality were coupled with agency threats. We believe this behavior should be grounds to shut down an agency and blacklist them from future adoptions in any state.

Section Nine: Fair Appeal and Grievance Process

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to a fair and efficient process for resolving differences with their adoption service providers and the institutions that serve them, including a rigorous system of internal review and an independent system of external review. Prospective adoptive parents have the right to receive information prior to entering the service agreement/contract about the methods they can use to submit complaints or grievances regarding provision of services to their adoption service providers, the provider's regulatory board, and any professional association. Prospective adoptive parents also have the right to be provided information about the procedures they can use to appeal decisions made through the adoption service providers' internal grievance process. Prospective adoptive parents have a right to a fair and impartial external appeal process.

Results

Nineteen percent of adoptive parents stated they had problems in Ethiopia that they brought to the attention of their agency. While several said their adoption service providers were quick to help and resolve these issues, many of the responses regarding how the adoption service providers handled these problems were disturbing. Some of the responses stated that prospective adoptive parents were "treated poorly," "rude, unhelpful," "told not to question things," "disrespectful," and a few stated that the agency listened but took no action regarding their concerns.

Forty-three percent were given a copy of the adoption service provider's grievance policy. An additional 38 percent did not know.

Four percent of respondents used their adoption service provider's grievance policies. Details included the following:

1. One adoptive parent was told the grievance policy was stated in the contract but they could not find it. The agency refused to tell the adoptive parents how to contact the Board of the nonprofit and instead required them to write a letter and that the director they were in conflict with would deliver it to the board.
2. One adoptive parent had a group of adoptive parents write letters which went unanswered and the internal web discussion board was shut down.
3. A direct quote from a respondent: "We didn't have a policy so filed the complaint with the director, as did at least 14 other parents in the cohort who adopted about when I did. We were all discredited and called liars - even threatened that we are Satanic!"

Recommendations

1. Prospective adoptive parents need to be aware of the grievance policy of the agency prior to signing a contract.
2. Adoption service providers need to provide a fair and external appeal process and conduct themselves professionally when dealing with complaints.

Section Ten: Provider Accountability

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to expect that adoption service providers may be held accountable and liable to prospective adoptive parents for any injury caused by negligence or gross incompetence on the part of the adoption service provider and any of its subcontractors, associates, and agents.

Results

Twenty-nine percent of respondents said their agency's contract included a release of liability clause. An additional 62 percent did not know if this was in their contract. Only 9 percent said there was no such release in their contract.

Additionally, 16 percent were required by their contract to use mandated arbitration for dispute resolution. Seventy percent did not know if this was required or not.

Some serious allegations of gross incompetence include the following:

1. Transition home not recognizing lactose intolerance in a child in their care.
2. Transition home not having access to running water. The children collected rainwater in barrels.
3. Child beaten and abused while in care of transition home.
4. Donated supplies not going to children in the orphanage, but staff.
5. Adoption service provider placing a child that experienced sexual abuse in agency-run orphanage after telling the adoptive parent that the orphanage their children were in did NOT have physical or sexual abuse going on. Parent suffers PTSD due to the adoptive placement.

Recommendations

1. There is a serious lack of oversight in the care of children that are in transition homes that needs to be addressed at a country level.
2. Lack of knowing arbitration clauses in the contract shows a need for prospective adoptive parents to review and understand contracts before they sign them.

Section Eleven: Complete Child Information

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to full and accurate information regarding the health, social, and familial history of any child referred to them to adopt.

Results

Ten percent of respondents said they rejected a referral. One referral was determined to have severe medical special needs by an IA doctor, but the agency understated the child's issues.

The majority of responses indicate prospective adoptive parents were provided general information about what kinds of issues a child adopted from ET might have. However, there was less information provided about specific referrals.

Sixty-two percent stated they received medical, social history, photos, and video information at the time a referral was made. However in written responses, many adoptive parents stated the information they received was minimal and/or brief. Several indicated the information they received was determined to be false.

The vast majority of adoptive parents stated their child had blood testing done prior to the adoption. The most common tests done were for HIV, hepatitis A, B, and C, and tuberculosis. In terms of any developmental or cognitive testing done, many adoptive parents stated they "don't know," "minimal," or "none." A few had developmental assessments done.

Eighty-eight percent of adoptive parents stated the referral information matched the child they adopted, while 12 percent said it did not. Of the 12 percent, 20 percent discovered this while in Ethiopia, 27 percent after leaving Ethiopia, and 53 percent had other circumstances (such as the child was escorted or they learned information from other parents before their court date). Seventy percent of these adoptive parents reported this to their adoption service providers. Almost all said the agency did not accept any responsibility and did not offer support.

Twenty-three percent said they were permitted to investigate their referral's background independently prior to completing an adoption. Fifty-four percent did not know if this was allowed or not.

The majority, 53 percent, were provided assistance by their adoption service provider in evaluating their referral.

Serious allegations about child information coming from multiple different Adoption Service Providers include the following:

1. Paperwork that contradicted itself.
2. Paperwork claimed birthparents were ill or dead when adoptive parents later discovered and confirmed that they were alive and well.
3. Agency unwilling to confirm if birthparent letters reached them.
4. Children being told they are being adopted for educational opportunities.
5. Seven-year-old child confirming false paperwork on social history after adoption.
6. Eleven-year-old child confirming false paperwork after adoption.
7. Older child telling adoptive parent that the “aunt” they met in Ethiopia really was the biological mother.
8. Child had two living birthparents and many relatives (questioning why the child is being placed with that type of support system still in place).
9. Grandfather relinquishing child when birthmother still alive.
10. Serious illnesses not disclosed prior to finalizing adoptions.
11. Adoption Service Providers assisting with potential birthmother relinquishments.
12. Child beaten and abused while in care of transition home.
13. Social history given that child was poor and without education, but adoptive parent learned after adoption finalized that child had plenty of food and was educated.
14. Agency failure to get correct tuberculosis testing.
15. Wrong information about siblings.
16. Declared abandoned when agency brought children in from Western Ethiopia to be processed for adoption.
17. Birthmother did not have to present ID when relinquished or at initial hearing.
18. Agency lied about birthmother being raped by a stranger as reason for placement (adoptive parent later learned from meeting that she was not raped and that she knew the birthfather).

Recommendations

There is ***no excuse*** for the social and medical paperwork inaccuracies. Child information is at best sorely lacking. Information gathering about potential adoptees needs to be greatly improved.

Section Twelve: Legally Available Children

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to expect that the referred child was not made available for adoption through coercion, fraud, kidnapping, trafficking, or other unethical practices from the family of origin or any third party to the adoption.

Results

The vast majority of responses indicated adoptive parents had no idea what kind of oversight their agency provides in orphanages/foster homes/NGOs to ensure that they are acting ethically and children are being kept safe and healthy.

Twenty-five percent said they were aware of their adoption service providers counseling prospective birthmothers as to options other than adoption, but the majority (69 percent) had no idea. The majority did not know if their adoption service provider assists birthmothers in the relinquishing process.

Seventy percent said they were not given birth family contact info by their adoption service provider. Of the 30 percent who were, many are in contact with birth family or are considering making contact. When in Ethiopia to complete the adoption, 50 percent were allowed to meet with any known birthfamily and 10 percent were not permitted.

Thirty-three percent were not aware that ET permits birthfamily contact until taking the PEAR survey.

Serious allegations include the following:

1. Agency–assisted birthmother relinquishments.
2. Child never in orphanage that is stated on paperwork (also known as “paper orphanage”).
3. Child transferred to several orphanages without proper paperwork from NGO.
4. Agency-provided videos of children with their families before relinquishment.
5. Children telling their adoptive parents that they were lied to about what adoption meant (for example, educational opportunities).
6. Lies about where the children were coming from, including that nannies at the transition homes were placing their own children for international adoption.
7. Birthfamily discrepancies (parent(s) alive; aunt really mother; grandfather relinquished when birthmother alive).
8. Money being exchanged for children.
9. Head nanny going to private homes multiple times prior to relinquishment.
10. Relinquishment direct to agency.
11. Declared abandoned when agency brought children in from Western Ethiopia to be processed for adoption.
12. Birthmother did not have to present ID when relinquished or at initial hearing.

Recommendations

The coercive relinquishment process described by respondents is inexcusable and must be dealt with for Ethiopia to remain open.

Section Thirteen: Lawful Process

The Prospective Adoptive Parent Bill of Rights states that prospective adoptive parents have the right to expect that the process of adoption is in conformance with all applicable local, state, federal, and international laws, including those of the child's native jurisdiction. Respect for the family of origin and the laws of all involved jurisdictions are necessary for the integrity of adoption.

Results

Sixty-five percent of families responded they did not receive information from their adoption service provider about Ethiopian adoption laws. Another 22 percent said they didn't know. Only 13 percent received this information from their adoption service provider.

With regard to immigration law, only 41 percent affirmatively responded that their adoption service provider provided them with a copy of US immigration law as it pertains to adoptions from Ethiopia.

Twenty-three percent said they experienced problems in Ethiopia that made them concerned about ethics or legalities in the program. Eighteen percent discussed their problems with the US Embassy. Some APs said the Embassy was not responsive or did not seem concerned.

Further, 66 percent said they have not been able to resolve their legal or ethical issues and an additional 14 percent are in the process of doing so.

The majority of adoptive parents reported their legality concerns to their adoption service providers, 1 to COA, 3 to Department of State, 5 to JCICS, 3 to the state licensing board for their adoption service providers, 4 to an advocacy organization, 1 to an attorney general, 1 to the FBI, 3 to the US Embassy, 4 to the media, 2 to an attorney. Others have reported to the Better Business Bureau, partnering adoption service provider, or other organizations.

Refer to allegations in *Section Twelve: Legally Available Children* section on previous page.

Recommendations

1. Adoption service providers should provide copies of the applicable Ethiopian laws, regulations, and guidelines as well as copies of the US immigration laws to all prospective adoptive parents.
2. Adoption service providers should make it clear to adoptive parents that it will be the **adoptive parent's burden** to prove their child's orphan status for immigration purposes

Summary of Survey-taker Suggestions

PEAR would like to show that adoptive parents suggested **many** ideas on strengthening the Ethiopia program. One part of PEAR's mission is to have official representation before the bodies that govern and oversee adoption service providers. We believe that these fine suggestions show that adoptive parents do want to improve the current system. Our voice needs to be heard by those that make laws and regulate adoption systems. It is notable that **the largest number of suggestions had to do with increasing birthfamily contact.**

PEAR has categorized them as follows:

Overall Process

- A centralized Ethiopian authority, such as MOWA, should declare a child legally adoptable before referrals are allowed.
- Referrals should come directly from the Ethiopian government.
- Child information in referral to have a standardized form, such as a uniform questionnaire that orphanages complete.
- Transparency in where the money from fees are disbursed in Ethiopia.
- Ethiopia should sign and ratify the Hague Adoption Convention.
- Ethiopian government should apply higher standards to adoption service providers.
- More checks should be put in place for abandoned children to ensure they are truly abandoned.
- Escorting should only be allowed in very special cases.
- US should only allow international adoptions with Hague-compliant countries.
- Find families for children not children for families.
- Independent investigative oversight agency needed.
- Waiting list should made by Ethiopian government for older children and those with medical needs.
- Open line of communication between Ethiopian government and adoptive parents (without agency).
- Ethiopia should publish a list of licensed orphanages, which NGOs and Adoption Service Providers work with them, and where their funding comes from.
- Continue to tweak process with steps such as required court appearance by adoptive parents.
- US needs to install rules for adoption service provider advertising practices.
- US needs to have greater oversight of adoption service providers.
- No family should be allowed to adopt unrelated children at the same time.
- PEAR Prospective Adoptive Parent Bill of Rights should be the standard <http://www.pear-now.org/PAPBillofRights.pdf>

Adoption Service Providers

- Removal of problem adoption service providers from Ethiopia.
- Adoption service providers to be immediately suspended from operation during investigation of unethical activities.
- No agency should be allowed to partner or umbrella.
- Restitution to adoptive families--payment of medical expenses from Adoption Service Providers removed due to misrepresenting health of children.
- Adoption service providers should not be allowed to run maternity homes.
- Adoption service providers should not fund or own orphanages.

Birthfamily

- Mandatory, documented birth family counseling by independent person for alternatives to relinquishment.
- Zero contact between the placing agency and the birth family prior to relinquishment or as part of the relinquishment process.
- Require birthfamily visits and ongoing contact.
- Translation by independent translator to ensure that the birthfamily understands adoption process and the permanency and that adoptive family understands the child's full history.
- Allow videotaping and audiotaping of birthfamily meetings.
- Standardize rules for birthfamily contact.

Adoptive Parents

- Better screening of adoptive parents –no more rubberstamping of homestudies.
- More pre-adoption education on health risks, risks that children have been abused, Ethiopian law and process, and parent preparation.
- Independent education for prospective adoptive parents on how to choose an agency, what to ask, what to demand.
- Care centers to be accessible to adoptive families between referral and gaining custody with a secured way of corresponding with video, photos, and online communications.

Other

- Adoption Service Providers to care for those that don't get adopted.
- DNA testing to ensure that children are not swapped or kidnapped.
- Every adoption service provider should be required to provide prospective adoptive parents with the agency's answers to the questions in this survey.