

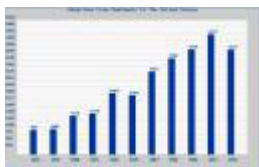
# From Guatemala to Ethiopia: Shifts in Intercountry Adoption Leaves Ethiopia Vulnerable for Child Sales and Other Unethical Practices



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(Photographer:  
Juana Kreßner)

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Since the Millennium, Guatemala has sent over 30,000 adoptees to other nations, primarily destined to the United States (US). Concerns about adoption fraud have been raised and some receiving nations placed the Central American nation on moratorium, including Canada and a number of European countries (Rotabi, Morris & Weil, in press). However, the US which has been called an “adoption nation” (Pertman, 2001) continued to receive Guatemalan children until the country was closed in order to implement the reform requirements of the Hague Convention on Intercountry Adoption (HCIA). Reform steps were developed to prevent child sales and theft and promote the best interests of the child as per the intent of the HCIA (Rotabi, 2008; Rotabi & Gibbons, 2009; for more information see [www.HagueEvaluation.com](http://www.HagueEvaluation.com)).



Source: US Department of State, <http://www.adoption.state.gov/country/guatemala.html>  
Note: 2009 data is very low because these cases were the final ones to be processed as the “old system” was closing and the new Hague-system was being developed. At the peak of this intercountry adoption (ICA) baby boom and prior to HCIA implementation, it was estimated that at least 200 US-based adoption agencies were engaged in the Guatemala largely without regulation related to their in-country or Guatemala-based activities (J. Tecu, personal communication, July, 2008). These adoption agencies ranged from those that have a long standing history with ICA, including the largest and most reputable agencies in the US. Also, a series of small agencies emerged during this time period and many of them were single-source organizations that focused entirely on Guatemalan adoptions. Quality of all the agencies varied and most notably in small agencies there were many individuals involved in the day-to-day critical child welfare and administrative activities whom lacked training in social work. Rather, they were more like small businesses and under these conditions, a number of ethical practice problems emerged and “unscrupulous” entrepreneurs—both Guatemalans as well as foreign nationals—became a known problem and a serious concern for those committed to human rights in the nation.

The problems in Guatemala have been analyzed and discussed in detail elsewhere and in previous issues of Social Work and Society News Magazine, highlighting the problems and requirements for reform under the Hague Convention (<http://www.socmag.net/?tag=adoption>), (other report and analysis include Gresham, Nackerud & Risler, 2003; Rotabi & Morris, 2007; Rotabi, et. al, in press; Bunkers, Groza & Lauer, 2009). A number of problematic practices have been identified. Most notably was the fact that birth mothers did not receive unbiased counseling when they signed legal relinquishment documents. Rather, it is believed that on a routine basis women received financial payments for their signatures to terminate parental rights for very young children (Bunkers, et. al, 2009).

The majority of all children sent overseas were less than two years of age and most were infants. In 2007, it was a frequently mentioned statistic that approximately 1 in 100 newborns would be placed in intercountry adoption (Rotabi, 2007). Not only were these payments unethical by adoption practice standards, but they were illegal and they led to international press claims of baby sales and theft dating back to at least the year 2000 when the United Nations released a provocative and controversial report identifying cases of abuse and core systems reform issues (UN, 2000). Questions about a baby market versus child protection have persisted and one research report in 2007 actually entitled “Adoptions in Guatemala: Protection or Market?” resulted from a collaborative group of Guatemalan professionals (including the Archdiocese Office of Guatemala). Their analysis indicated that of those cases sampled (N=1083), 86% of adopted children were age one year or less, with an additional 5.4 % being aged between 1-2 years old. In other words, the majority of those children sent abroad as adoptees were infants and, as a result, the idea of a “baby market” or “baby trade” has persisted (Adoptions in Guatemala: Protection or Market?; 2007; Kapstein, 2003).

Regardless of these ethical concerns, the demand for young children and infants continued and well over 4,000 US families applied for adoptions annually during the final baby boom years, even in the face of warnings from the US Embassy and other credible sources. Those warnings were related to allegations about different forms of trickery and coercion used by “birth mother recruiters” and Guatemalan attorneys who organized the in-country process (Rotabi & Bunkers, 2008). Additionally, adoption “facilitators” were implicated in allegations of wrong-doing, mainly related to false paperwork and dishonest interactions with families (Rotabi, 2008). Eventually, there were clear child theft allegations and in 2009 legal proceedings, cases of child kidnappings for the adoption industry have been officially alleged; including evidence of DNA-test fraud (see <http://www.socmag.net/?p=540>).

Due to these problems and calls for system reform, Guatemala closed as a sending nation for almost two years from the beginning of 2008 to late 2009. Only recently in the final quarter of 2009 did the nation re-open with new practices consistent with the HCIA. The Guatemalan Central Adoption Authority (referred to as the CNA, its Spanish acronym) announced, at that time, that the system would begin receiving applications from the Central Authorities of other nations that were interested in Guatemalan adoptions. There were ten countries that expressed an interest including Sweden, Israel, Norway, Spain, France, the US, Switzerland, Italy, Austria and Denmark (Dora Alicia Munoz, Personal communication, December, 2010; CNA website). The second part of the process is that the Central Authorities recommend two accredited agencies for consideration. From this pool, the CNA will review documentation and select only four accredited bodies to begin a small number of intercountry adoption placements. The profile of eligible children includes school-age children, sibling groups and children with physical, emotional or developmental disabilities (Dora Alicia Munoz, Personal communication, December, 2010).

This significant decrease in the flow of children for ICA has resulted in a market shift to other nations where young and healthy children are available for intercountry adoption—most notably to Ethiopia which has emerged as the new and even trendy source of children for ICA. This is thanks in large part to famed actress Angelina Jolie’s adoption of Zaraha, as well as its reputation for having expedient procedures and young, relatively healthy infants (Mezmur, 2008). Ethiopia is not party to the Hague Convention although it does have an official system for processing intercountry adoption cases.

### **Why Ethiopia?**

This African nation has become the new “adoption destination,” for the same reasons that Guatemala originally became the popular choice for hopeful families. The system is relatively expedient; the children are typically young as demonstrated in the numerous websites of US

agencies which highlight the fact that “Children from 3 months to 15 years of age are available for adoption. Children will be at least five months old when they come home with their adoptive parents” (All God’s Children International Website, 2010). The majority of the children sent abroad as adoptees are fairly healthy, and national oversight of foreign adoption agency practices is relatively lax thereby making the process user-friendly for families willing to pay approximately \$20,000 USD for their adoption. This number, interestingly, is relatively inexpensive within intercountry adoption programs and agencies even use this as a selling point for potential adoptive families. One US-based agency states on their website that there are “lower costs as compared to other international adoption programs” (Adoption Associates Inc Website, 2010).

As a baby adoption boom begins in Ethiopia, a number of problems are becoming apparent and some of the small agencies which previously focused solely on Guatemala moved or shifted to the African nation. It should be noted that, for some of these agencies, a shift to Ethiopia was the only way for the agency to remain fiscally solvent—in other words, Ethiopia has become the next big country for those agencies that were previously focused primarily on Guatemala. This leads to obvious concerns. Supporting this concern is a note that the US Embassy in Ethiopia has placed a message on their website in the section on adoption. This message politely warns potential adopters that there have been “recent allegations of misconduct in Ethiopian adoptions” and reminds people that the US Consulate is required to investigate whether the adoption is legal and if the child is eligible to immigrate under US immigration law (US Embassy in Ethiopia website, 2010).

As stated previously, Ethiopia has not ratified the Hague Convention and, as a result, agreed upon international monitoring systems preventing child sales and thefts are not implemented. This means that US agencies which are not Hague-accredited may continue to operate in this nation—including those that have actually been denied Hague accreditation due to their failure to demonstrate capacity to engage in Hague-practices (internationally agreed upon child welfare standards). One such agency, the Florida-based Celebrate Children International, was denied accreditation and their practices related to Guatemalan adoptions have been documented in numerous complaints to the child placement licensing authority of the State of Florida (the Department of Family Services [DFS]), indicating serious concerns as about ethics and general practices as voiced by their own consumers/placement families. A recent request of Florida DFS for records related to complaints indicated that there are well over a thousand pages of documents related to complaints and the allegations include alarming recounts of dishonesty. However, the agency now reports having a strong program in Ethiopia including humanitarian aid.

### **Growth in Ethiopian Placements**

When looking at Guatemala and Ethiopia together, one can see the direct link between the closure of ICA in Guatemala in 2007 and the significant increase in the number of children being adopted out of Ethiopia by US families. In 2007, 1,254 Ethiopian children were placed with US Families. In 2008, the number had increased to 1,724 placements. Numbers for 2009 are expected to reach approximately 2,277; almost doubling in a two-year span (US Embassy in Ethiopia, 2010) which coincides with the closure of Guatemalan adoptions. Even more shocking is the comparison of 2006 figures with those of 2009. In a three year period, the number of children adopted by US families increased three-fold from 731 to 2,277 (US Embassy in Ethiopia website, 2010). This is an increase of more than 500 placements per year as illustrated in the table below.



It is important to note that Ethiopia has also become the first or second sending country for France, Spain and Italy. Together, all countries processing intercountry adoption with Ethiopia placed a total of 3,551 children in 2008. France, for example placed 403 children in 2007 (Ethiopia was the top sending country) and in 2008, the number increased to 484 placements (French Central Authority, 2010). Belgium placed 14 children from Ethiopia in 2005 and in 2009, 143 children were placed making Ethiopia the top sending country to Belgium (Belgium Central Authority, 2009). Italy, for example, placed 256 children in 2007 and increased that number to 338 in 2008 (Italian Adoption Commission, 2009); illustrating that Ethiopia has become the so called country du jour for the majority of receiving countries.

### **US Agencies: Not All are Equal**

The US Embassy in Ethiopia website mentions that there are “more than 20 US-based agencies” authorized by the government to provide adoption services. It goes on to recommend that “Americans contemplating adopting in Ethiopia should take great care in selecting the necessary steps to ensure that the selection of an adoption agency” is well researched including references from other adoptive families (US Embassy website, 2010). One could easily infer that this is a very diplomatic way of suggesting that not all agencies are the same and caution should be used in selecting a professional and competent agency. Of the twenty or more US agencies working in Ethiopia, the majority of agencies are not accredited as per Hague Convention guidelines which provide guidance and requirements for child placement standards (Rotabi, 2008).

### **“Eligible” Children**

Given the increasing number of Ethiopian children being placed in intercountry adoption, it is important to note how and from where these children are coming into the adoption process. There are two ways that children can enter the system; through direct relinquishment by the biological family or through abandonment procedures. Interestingly, the situation in Ethiopia is the opposite of Guatemala pre-2007. In Guatemala, most children were directly relinquished by birth mothers, which facilitated a quick adoption process through a notary system which operated with almost no judicial oversight—a process fraught with problems (Rotabi, Morris & Weil, in press; Rotabi & Bunkers, 2008). Children who were declared abandoned or had abandonment cases pending were frequently left out of the adoption process as the court hearing to declare them abandoned and thereby eligible for adoption took years to complete. A study on institutional care completed by Holt International and UNICEF in 2007 demonstrated this trend by showing that out of approximately 6,000 children in residential care, more than 21 % or 1,260 children were there because of “abandonment;” the leading cause of institutionalization according to the report (Perez, 2007).

This is the exact opposite scenario of Ethiopia where direct relinquishment cases tend to require more time for the judicial process and abandonment cases proceed faster; thus presenting another array of issues and concerns regarding unethical practice. The rules concerning relinquishment were recently tightened, regarding more detailed reports from Kebele (local government) offices regarding the family circumstances of the biological family. This resulted in an increase in children declared as “abandoned.” A confidential source states that “In May 2009, as a response to the growing trend of abandonment cases, the First Instance Court suspended approval of all adoptions of children registered as “abandoned” in Addis Ababa. In June 2009, officials from a US adoption agency were arrested while carrying a van load of infants and toddlers from the capital to a city in a

different region. They were in the process of being declared abandoned in Addis Ababa courts when the moratorium took place and were being taken to a different region to be “reprocessed” as abandonment cases as a way to circumvent the court-imposed delay in Addis Ababa.”

### **What is Known: Unethical and Illegal Practices**

The idea that children are “easy” to obtain in Ethiopia was sardonically highlighted in an article published in an Ethiopian online magazine in 2009, “People in Merkato jokingly say that if you go to ‘Bomb Tera’—a name of a place in Merkato- there is nothing you cannot buy, including a child” (Maru, 2009). This comment not only presents commentary on the availability of everything at Africa’s largest outdoor market, but simultaneously portrays the “market” approach to finding children as well as the weakness of the protection system to protect vulnerable children. The same article goes further in presenting a concerning picture of recruitment of children for ICA by noting that an employee of a non-governmental organization (NGO) joked that getting a child for adoption could be facilitated for 2,000 Birr (approximately US\$175) (Maru, 2009). Joking aside, what resonates is children entering ICA might not always be entering via legal and ethical channels.

A fall 2009 documentary television special by ABC news of Australia, entitled “Fly Away Children” highlighted the activities of “Kings Children” and USA-based “Christian World Adoptions” in rural villages. Footage included a representative of “King’s Children” videotaping children in a catalogue fashion to document those children “available” for adoption, including the children’s circumstances of poverty and care needs. The footage showed a blatant disregard for the dignity of those being taped, including family members and the children themselves. This videotaping was being used as a way to photo-list and market children through their partner, “Christian World Adoptions.” The message of the documentary was that children were being treated as an item of merchandise rather than a human services case and this system does not guarantee self determination or integrity of the process. Since that special was aired, the Australian government has closed Ethiopian adoptions to their nation in November, 2009 (State Government of Victoria, Australia).

### **Meeting the Family—Visits to the Village**

Another concerning practice which appears to be emerging is adoption agency travel planning for families, to include visits to villages in order to meet family members. On the surface this may appear harmless, but when outsiders (who are mainly Caucasian and relatively wealthy) visit villages bearing gifts of thank you, this sends a clear message to the entire community. Arriving in high-end vehicles and clearly being people of privilege is, for people living in extreme poverty, an extraordinary and bizarre as well as confusing experience. Celebrating a hand-over of children from a poor family to a relatively wealthy and foreign family is a questionable practice. From an ethical and child welfare point of view, the activity is not only concerning, but exacerbates the already vulnerable situation of the biological family as well as the entire community. The activity itself may well be a mechanism for recruitment of other families and the result may be the identification of children who were, prior to the practice of village visiting, well-cared for in a family system. However, the influence of these meetings and public displays may well send a strong message and in fact capitalize on the vulnerabilities of other families that may be swayed to follow suite, sending their child to a distant and wealthy nation.

### **Conclusion**

Ethiopia is estimated to have one of the largest populations of “orphaned” children in the world. Most recent statistics place that number at approximately five million (Ethiopian Ministry of Health, 2008). Caution must be taken when touting this number, though, as it includes both single and double orphans. This means that a large percentage of children

included in this number actually have one living birth parent, thus placement in intercountry adoption might not be in their best interest, nor even appropriate to consider. In addition, the vast majority of these children are over the age of five and thus less considered less “adoptable” by those preferring an infant or toddler.

Unfortunately, Ethiopia has emerged as one of the most active “sending nations” in the world in 2009-2010 and the nation is not truly prepared. Problems regarding ensuring ethical practice in ICA will require careful consideration in the nation, specifically the prevention of child sales and theft. While there has been discussion about Ethiopia signing the Hague Convention, and in-country deliberations are taking place to assess what legal and systems changes are required for the Hague ratification to be possible, progress to date has been slow. A concern is that publicity about scandalous ICA practices might drive demand for reform rather than a more proactive or positive initiative that can be developed thoughtfully by the Ethiopian government. The question is, how long will it take and how many abuses of children’s rights will occur before appropriate action is taken?

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