

Cambodian Adoptions
Talking Points For Congressional Briefing
Report of INS/State Department Task Force
March 1, 2002

- The Immigration and Naturalization Service (INS), the Department of State (DOS) and the Royal Government of Cambodia (RGC) government have established a joint Task Force to implement a special humanitarian solution for certain pending adoption cases. INS and DOS officials from Washington and Bangkok traveled to Cambodia the week of February 18 and worked with the US Embassy Phnom Penh and the RGC to get the Task Force up and running.
- Two INS officers and two DOS officers will be stationed in Cambodia as US Government (USG) members of the Task Force, which also includes high ranking officials from the Cambodian Ministry of Foreigners and the Ministry of Social Affairs.
- While the overall suspension of adoption processing in Cambodia will remain in effect we understand that many American families and the Cambodian babies they have planned to adopt are caught in a very difficult situation not of their own making. For that reason we have sought a limited, humanitarian solution for this situation.
- During the past two weeks USG members of the Task Force have worked closely with the RGC to identify cases where there is evidence of appropriate official action upon which a case could potentially be processed to conclusion. We are concentrating on those cases in which the prospective adoptive parents and a Cambodian child had been officially matched prior to the December 21, 2001 announcement of a suspension in adoption processing. We have thus far identified over 100 such cases. The joint US-RGC Task Force is examining additional cases to determine if they can also be considered for this special humanitarian initiative.
- Cases will be adjudicated on a case-by-case basis consistent with US law. There is no guarantee, however, that all the cases reviewed by the Task Force will be approved. If the case can be cleared for final processing, parents will be notified individually and invited to travel to Cambodia to formally file their I-600 and have their visa interview. The date for their receiving ceremony will also be prearranged.
- PROSPECTIVE PARENTS ARE ADVISED NOT TO TRAVEL TO CAMBODIA UNTIL THEY RECEIVE NOTICE FROM THE INS TO DO SO. ARRIVING IN CAMBODIA PREMATURELY WILL NOT FURTHER THEIR CAUSE AND MAY COMPLICATE OUR ABILITY TO PROCESS THEIR CASES.
- The Task Force has started visiting orphanages and regional government offices and is reviewing US and Cambodian files. These initial reviews have already proven fruitful in identifying cases in which there is convincing documentation to show that the RGC and/or the orphanages made a reasonable, good faith effort to locate parents of the children in orphanages, as required by Cambodian law. In cases where there is no evidence that an effort was made to locate the birth parents, the Task Force will undertake appropriate action to determine whether the parents can be located or if the case can otherwise be cleared for processing consistent with US law.
- The Task Force will continue to visit orphanages throughout Cambodia during March and April. We anticipate that visa interviews might begin as early as the end of March.
- Final visa interviews will take place in Phnom Penh rather than Bangkok as part of our limited humanitarian response and to avoid inconvenience to the parents. (Embassy Bangkok continues to have overall responsibility for Cambodian immigrant visa processing.)

- If certain cases reveal serious irregularities that cannot be cured by the Task Force, and if Cambodian authorities determine that the child cannot be adopted, USG officials would send a letter to the prospective parents explaining the reasons behind such a decision. USG officials would also suggest that the prospective parents ask that their I-600A be forwarded to another country for processing.
- The Task Force will not consider cases where the I-600A petition was filed after December 21 or cases with approved I-600As but which had not progressed to the point of the Cambodian authorities officially matching a child with prospective parents prior to December 21. While we understand this is not an easy decision, these families have the opportunity to move their application to another country free of charge by June 30, 2002.
- Although we have undertaken this special humanitarian initiative, we are convinced that the overall suspension is the right thing to do and must remain in force. During this special initiative we are taking unusual steps to attempt to clear cases for humanitarian reasons. The suspension can only be lifted completely, however, when the RGC establishes a transparent adoption regime, consistent with international norms.
- We plan to work with the RGC to put in place adoption law and procedures that meet international norms. We have evidence that much preparatory work has already been done to draft appropriate legislation consistent with the Hague Convention.

[Back to Cambodian
Adoptions Page](#)