



STATEMENT

Rev. 4/23/02

Allegations Regarding Cambodian Orphans

The Immigration and Naturalization Service (INS) is concerned about the accuracy of allegations that have been made regarding the health of Cambodian children being considered for adoption by U.S. families. INS officials, working together with U.S. Department of State and Cambodian government officials in a joint task force, have been reviewing the pending orphan petition cases in Cambodia under a special humanitarian initiative. In its review of the cases pending since the suspension of processing on Dec. 21, 2001, the task force has found no case where a child subject to an orphan petition by a U.S. family has died.

INS is concerned about the health and welfare of the children, but also has the moral and legal responsibility to ensure that the children are not victims of human trafficking. U.S. law precludes the granting of an orphan visa to a child who has been bought, sold, or stolen from the child's birth mother. The task force is in Cambodia now, ensuring that none of the children being considered for adoption have been exploited in the adoption process.

The suspension of orphan visa processing in Cambodia was taken for good reason: there are serious deficiencies in the Cambodian legal framework on adoptions, and there are very real human trafficking concerns. Because of the situation that the suspension generated for certain families in the process of adopting in Cambodia, the task force was created to undertake a special humanitarian initiative to review certain adoption cases. The suspension remains in place, and can only be lifted completely when the Cambodian government establishes an adoption process that is consistent with international norms.

The joint task force has made substantial progress in its review of the adoption cases that had received official Cambodian action prior to the Dec. 21, 2001 suspension of orphan petition processing. As of April 23, 2002, the task force has cleared 99 children for final adoption processing in Phnom Penh by 91 U.S. families. By the end of April, the task force expects to complete visits to the Cambodian orphanages and the review of the necessary documentation that would establish that children subject to the special humanitarian initiative are eligible for an orphan visa under U.S. law.