

**ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES**

**PRACTICE OF INTER- COUNTRY ADOPTION
IN ETHIOPIA**

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**PRACTICE OF INTER-COUNTRY
ADOPTION IN ETHIOPIA**

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**A thesis submitted to the School of Graduate Studies of Addis Ababa
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DECLARATION

This thesis is my original work and has not been presented for a degree in any other university, and that all sources of materials used for this thesis have been acknowledged.

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**ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES**

**PRACTICE OF INTER-COUNTRY ADOPTION
IN ETHIOPIA**

**By
Tenagne Alemu Ayele**

**School of Social Work
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List of Acronyms

HIV	-	Human Immune Virus
AIDS	-	Acquired Immune Deficiency Syndrome
UNICEF	-	United Nations Children Fund
CSA	-	Central Statistics Authority
AU	-	African Union
ECA	-	Economic Commission for Africa
MOLSA	-	Ministry of Labor and Social Affairs
NAIC	-	National Adoption Information Clearinghouse
FGD	-	Focus Group Discussion
FDRE	-	Federal Democratic Republic of Ethiopia
MOJ	-	Ministry of Justice
NGO	-	Non-governmental Organization
OVC	-	Orphans and Vulnerable Children

Abstract

This qualitative study explores and describes the practice of inter-country adoption in Ethiopia. The study sample included 13 key informants, 11 in-depth interviewees, 15 participants in FGDs, and physical observation of the court, agencies and orphanages.

Major findings included that while inter-country adoption serves many children well, inter-country adoption as practice in Ethiopia has various problems that compromise its effectiveness, such as: working relationships among organizations facilitating inter-country adoption, time and cost required to complete the process, reliability of documents presented to the concerned governmental agencies, and the legal structure of the process.

Recommendations include that the Ethiopian government should revise the legal provisions to establish an effective system for inter-country adoption, illegal actors should be legally challenged, and technical provisions and supervisory mechanisms should support the working relationships among all legal actors.

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Tenagne Alemu

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CHAPTER ONE

INTRODUCTION

The aim of this MA thesis, entitled “Practice of Inter-country Adoption in Ethiopia”, is to explore and describe the practice of inter-country adoption in Ethiopia. Specifically, the study examines the actual practices and procedures of inter-country adoption, assesses working relationships of organizations which are involved in facilitating inter-country adoption, and identifies major challenges, problems and follow up mechanisms employed to regulate the practice of inter-country adoption in Ethiopia. The qualitative research paradigm is employed as the main method to explore the practice.

Study participants were recruited from institutions facilitating inter-country adoption, governmental organizations involved in inter-country adoptions, adoptable children in orphanages and young adults who were adopted in the past, but returned back from the United States of America. The thesis comprises five chapters. Chapter 1 sets out the study's background, problem statement, study objectives, significance of the study, study setting and operational and conceptual definitions of key terms in the study. The second chapter presents a review of related literature; while the third chapter discusses research methodology. The next chapter presents and analyzes the data generated. The final chapter deals with the discussion, conclusions, and makes recommendations. Limitations and strengths of the study are also presented.

1.1 Background of the Problem

In most poor countries around the world, man-made and natural calamities, including war, disease, poverty and HIV/AIDS have resulted in millions of children who have lost their parents and remain alone. Most African orphans who have lost their parents due to different calamities,

including HIV/AIDS, suffer severe psychological trauma and great socio- economic challenges. Since many orphans are not properly cared for by the existing social structure, more and more children will likely require care to fulfill their basic needs.

Situations for AIDS orphans have worsened in the urban centers of Ethiopia as the erosion of traditional family patterns have reduced the extended family support. Unlike the previous way of life where extended family structure was recognized, fewer relatives are showing interest in providing care and support for orphaned children mainly due to the existing poverty, fear of HIV infection in the case of those who lost their parents to AIDS and due to the growing value attached to the nuclear family system. Consequently, children are forced to live on the street and reside in miserable conditions (Zelalem, 2005).

According to Philipos (2002) many orphans are living outside of their familial homes and face environmental, physical and social hazards. The children who are unable to sustain their own livelihoods are expelled from their parental residences following the deaths of their parents. However, donor agencies and individual adoptive parents recently have better acknowledged orphaned children in Ethiopia who remain without parental love and guidance. The growing attention to the problem has increased the sense of urgency of finding an effective solution to the orphan crisis. Extended family, formal and informal community networks, adoption, and orphanages are employed in Ethiopia to provide care and protection for disadvantaged children. Nevertheless, all these options often cannot provide reasonable care and protection, which may result in negligence of children (Chalachew, 2005). Although most orphans live with their poor relatives who are often unable to provide them with their physical, educational and health needs, many children are without minimal family support (MOLSA, Italian Cooperation & UNICEF, 2003).

Addis Ababa is the capital city of Ethiopia. It is also the seat of the African Union, the Economic Commission for Africa, and many international and national philanthropic organizations. The national census reported the total population of Addis Ababa to be 2.1 million (Central Statistical Authority (CSA), 1995). The age structure of the city's population is typically that of developing countries. It is dominated by young citizens less than 15 years of age of which 55,000 are orphaned children (MoH, 2005). The census also indicated that most residents were living below the poverty line. As a result, opportunities for children to be cared for by their relatives are very much limited.

In order to provide a better family life for children, the government of Ethiopia allows adopting agencies to facilitate inter-country adoptions, in addition to traditional mechanisms. The Ministry of Labor and Social Affairs (MOLSA) defines the procedures for adoption and the court makes the final decision. However, serious concerns have been raised regarding the structure and implementation of inter-country adoptions in Ethiopia.

According to a report by the Daily Monitor Newspaper (2005, October 7), 40 orphanages in the city of Addis Ababa are providing basic needs for orphans and abandoned children. However, the most concerned government bodies, MOLSA and the Children's Affairs Office of the city government of Addis Ababa was unable to confirm this number. Thirty-nine adoption agencies are legally registered with the government of Ethiopia and actively facilitate inter-country adoptions (MOLSA, Italian Cooperation & UNICEF, 2003). Many studies have been conducted on the practices of adoption at local levels in Ethiopia (Baxter, 1978b; Bartels, 1983; Tadesse, 1988; Shell-Duncan, 1994; Ayalew, 2002). These studies emphasize different aspects of the adoption process such as functions, purposes, practices, and how these practices vary from culture to culture. Different researchers reported various aspects of orphans' problems,

including that of AIDS, psychosocial problems of children in orphanages, (Sisay, 1992; Abdella, 2003) and the impact of the increasing number of orphans on children's development (Philipos, 2002).

However, the practice of international adoption in Ethiopia is under researched. Thus, this study fills an important gap in the literature by describing and exploring the practice of inter-country adoption in Ethiopia.

1.2 Statement of the Problem

The practice of inter-country adoption has a number of facets. The process in countries where inter-country adoption is legally approved is characterized by mountains of paperwork, each piece of which is necessary to accomplish the adoption plan. The first challenge that adoptive parents encounter is making their way through the tangle of rules, regulations, and laws that govern the process. Foreign adoption is enmeshed in, controlled by, and dependent upon the phenomenon we call bureaucracy (Bascom & Mckelvey, 1997).

In Africa, most countries are not allowing children to be adopted by foreign parents. The situation is much worse in most Muslim countries located in this region. Despite the presence of many children orphaned by war, disease and so on, most countries in Africa except Liberia, Sierra Leone, South Africa, and Ethiopia either do not permit international adoption or do not have the structures that would permit adoption agencies to place children in a legal, ethical, and timely manner (Johnson and Tenagne, 2005).

The Ethiopian government has accepted inter-country adoption as an option of last resort to assist children in difficult circumstances. However, the processes to be followed by the international adoptive parents and/or adopting agencies are so long that sometimes, prospective adoptive parents prefer to abandon the formal adoption process and start seeking a child through

informal adoption facilitators. As the government agencies indirectly discourage private adoption, the situation seems more difficult for parents adopting children through the private adoption process. Once the processes have been completed, adoptive parents are legally expected to report to the Ethiopian government. However, it seems that MOLSA does not have effective mechanisms to ensure reporting of adopting parents regarding the status of the adopted children. Even though some adopting parents are sending reports to MOLSA, mechanisms established to determine whether these reports are factual or fictitious seem inefficient (Social & Civil Affairs Bureau, 2006).

The working relationships among organizations involved in inter-country adoption have been clearly defined in the adoption guidelines prepared by MOLSA. However, organizations facilitating inter-country adoption are not working within the required guidelines and the responsible government ministry does not ensure that all activities related to adoption are taking place as required by their own rules and regulations.

According to the Social and Civil Affairs Bureau (2006), an example of how rigorous the practices of some participants in the adoption process have been is that some orphanages have facilitated the adoption of children from well-to-do families by foreign families while representing the children as orphans. This is sometimes done with the knowledge of adopting parents. Another issue is the care of children after consummation of the adoption and prior to receipt of visas and other documents necessary to allow the child to leave the country. This period of time can take up to two months. Orphanages are not responsible to provide support for children after the court has completed their cases, as this is the adopting parents' responsibility. However, as the visa and other processes may take some time, adopting parents may need to make living arrangements for the adopted children. No legal Article has been created to develop or approve

these transitional or interim placements. This seems to add more risk to the children's overall security.

No matter what the type of adoption, the Ethiopian government requires a complete home study for all prospective adoptive parents by trained and certified social workers. No provisions have been made to ensure whether the home studies completed abroad and presented to the Ethiopian government are done properly or not.

The Ethiopian government requires that a complete case study should be conducted by MOLSA to determine health, physical and emotional needs of children before they are adopted and then adopting agencies are required to find adopting families who may respond properly to these needs. This study will provide data as to whether these basic elements of the processes of inter-country adoption are practiced.

Generally, a few available written documents on international adoption in Ethiopia indicate that the practice is accompanied by various problems in applying formal procedures. Working relationships, follow up and supervisory mechanisms are surrounded by problems of one sort or another. As a result, potential international adopters may be discouraged and the fate of many disadvantaged children could be at stake. On the other hand, the fate of many adoptable children could be at greater risk of violation and emotional problems in the new environment. Thus, the proposed study will attempt to answer the following general questions relating to the problem:

- What are the practices and procedures of international adoption in Ethiopia?
- What are the working relationships among institutions facilitating inter-country adoption?

- What are the major problems and challenges of the practices of inter-country adoption in Ethiopia?
- What are the follow up and supervisory mechanisms employed by the government of Ethiopia to regulate the practices of inter-country adoption

1.3 Study Objectives

The general objective of this study is to explore and describe the practice of inter-country adoption in Ethiopia. Specifically, the objectives are:-

- To examine the actual practices and procedures of international adoption in Ethiopia;
- To assess working relationships of organizations involved in facilitating inter-country adoption;
- To explore major challenges and problems of the practices of inter-country adoption
- To assess the follow up and supervisory mechanisms employed by the government of Ethiopia to regulate the practice of inter-country adoption.

1.4 Significance of the Study

This study is the first of its kind in the history of Addis Ababa University at the Masters Thesis level and hence is assumed to serve as a springboard for social work related interventions in the area. Specifically, this study was envisaged as a contribution to bridge gaps in the existing knowledge base regarding international adoption policies and practices. The findings of this study will have paramount importance for policy makers and social work practitioners in the area of international adoption. It will expand the knowledge horizon in social work, and serve as a landmark for further research on the issue under consideration.

1.5 Study Setting

Ethiopia is a republic in eastern Africa, bordered on the north-east by Eritrea and Djibouti, on the east and south-east by Somalia, on the south-west by Kenya, and on the west and north-west by Sudan. The area of the country is 1,133,380 sq km (437,600 sq mi). The capital of Ethiopia is Addis Ababa. Most of the inhabitants of Ethiopia support themselves through agriculture, which is largely of a subsistence nature. The population is concentrated heavily in the central plateau region, where agricultural resources are most developed. The ethnic composition is extremely diverse, because of racial and linguistic integration that began in ancient times (Encarta, 2006).

Ethiopia has a population of 73,053,286 (2005 estimate), yielding an overall density of about 65 people per sq km (169 per sq mi). Ethiopia now consists of 11 semi-autonomous administrative regions, which includes the city regions of Addis Ababa and Dirē Dawa. About half of the total population is Christian, and Christianity is predominant in the Northern provinces. The official language of Ethiopia is Amharic. The country is one of the world's poorest and least developed nations in 2003 giving a per capita income of only 90 \$USD (Encarta, 2006).

1.6 Operational Definitions of Key Terms and Concepts

1. **Transit Home** is a temporary home where adopted children used to stay in their own country during the period of the visa process. It is arranged informally by adopting parents and adoption agency managers for fee.
2. **Adoptable children** are children in age range of 0-18 years.
3. **Abandoned Children** are children who are refused to be cared for by their birth parents and/or extended parents.

4. **Orphanages** are legal humanitarian organizations that provide residential care to children and are involved in the practice of inter-country adoption.
5. **Adoption agencies** are non governmental organizations (NGOs) working as facilitators of inter-country adoption through exchanging information between the Ethiopian government and organizations involved in international adoption and prospective adopting parents.
6. **Inter-country adoption** refers to the practice of adopting Ethiopian children by foreign parents.
7. **Private adoption** refers to the practices of adoption where individual adopting parents process adoption by themselves by signing contractual agreement with orphanages.
8. **Informal facilitators** are individuals involved in facilitating inter-country adoption illegally to get money.
9. **Child traffickers** refers to illegal individuals who are involved in trafficking children for the purpose of Inter-country adoption with out the knowledge of their parents or care givers.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

This section presents a review of literature related to the practice of inter-country adoption. It discusses the history of inter-country adoption, conceptual and theoretical frameworks of adoption, types of and variations in adoption, practices of inter-country adoption and contributing factors for its growth, adoption facilitating agencies, costs related to and current trend of inter-country adoption, follow up mechanisms, problems and challenges and future trends of the practice of inter-country adoption.

2.1 History of inter-country Adoption

Several researchers have asserted that inter-country adoption developed in five time waves (Alstein and Simon, 1991; Bartholet, 1993; Hollingsworth, 2003). The first wave is associated with the Post-World War II period. The second wave is attributed to the Korean War. Wave three is associated with the adoption of children from central and South America. The fourth wave of international adoption began with the fall of the communist government in Romania in 1989 and involved children from countries in Central and Eastern Europe. The recent fifth wave in international adoptions is associated with the adoption of children from China, which is said to be the result of China's one-child-per-family policy.

Most countries in Africa except Liberia, Sierra-Leone and South Africa either do not permit inter-country adoption or do not have the structures that would permit adoption agencies to place children in a legal, ethical, and timely manner. Among other African countries where adoption is legally approved, Ethiopia is the primary African country from which Americans adopt children ([http:// forums.Adoption.com/84721.htm](http://forums.Adoption.com/84721.htm)).

2.2 Conceptual and Theoretical Framework

According to Schneider (1972), adoption not only mirrors biology, but also upholds a cultural interpretation of biological or genealogical kinship. The underlying assumption is that adoption is culturally constructed relationship that reflects blood ties or is a biological connection expressed in a different form. The authors consider adoption as a relationship created by law and adopted children are “as begotten” (biological) offspring.

Goody (1969) attempts to show cross-cultural differences in adoption practices of Eurasia and Africa. The functions of adoption in Western Europe, he says, are to provide homes for orphans, bastards, foundlings and children of impaired families to provide childless couples with social progeny, and to provide individual couples with an heir to their property. Contrary to Eurasian adoption practices, Goody argues that there was no adoption practice in African societies. He says, in Africa differences of status and wealth are small, and the nature of their property relation requires no great pressure to confine the transmission of basic resources. Besides, the lineage provides a long series of potential heirs and in Africa adoption is rare, and providing welfare and giving security for orphaned and abandoned children is as old as mankind.

The philosophy of welfare has deep indigenous roots. Religious followers of both the Islamic and Christian traditions have long provided support to the disadvantaged. However, traditionally all these efforts were less organized and with no formally written procedure. Consequently, the services were not satisfactory; rather they promoted a higher degree of dependency among service beneficiaries (Trugged, 2004).

In the past, the costs of care and services were major obstacles to parents who would otherwise adopt and love children needing homes. Most needy children were not placed for adoption (NAIC, 2004b). Countries in the world have found various ways to deal with their

orphaned and abandoned children. In most developed countries, children are cared for in a system of substitute family care via foster or adoptive families. The primary residences for these children are orphanages or other institutions in developing countries. A number of the developing countries, which recovered from war or disaster, have relied on international adoption since 1945 (Ryan & Groza).

Mondell (1994) assumes that adoption is a culturally constructed relationship that reflects in different forms. Therefore, Schneider's and Mondell's view that adoption is a relationship created by law and adopted children are "as begotten," in earning "biological" offspring status reflects their cultural perspective.

Robert Lowie (1949) considers adoption as one of the means by which artificial bonds of kinship is created in the society and the adopted child acquires all the rights of ordinary progeny. The term adoption is variably defined in sociological and legal contexts. In most legal literature, it is used as a form of contracts between parties to establish relationship of parent and child (Ayalew, 2002).

The emergence of adoption practices is mainly associated with the evolution of individualized family life, private property, distinctive religious and social institutions such as kinship in the society. It is considered as a means by which fictive kinship is formed. The development of these social institutions created the need to ensure continuity of lineage, to provide heirs to property, success or to ancestral worship and support in social life (Shaughnessy, 1994). The adoption of a child provides a social progeny to infertile or childless couples in the society (Goody, 1969). The significances of adoption in providing a labor force in economic activities at ignore the household and community levels were highlighted.

Many children from developing countries are arriving in the countries of their new parents before receiving adequate orientation on psychological readiness and before receiving a full medical examination in their respective home countries. Since most of the records are inadequate, they may not be able to get timely medical services in their new countries. On the other hand there are deliberate falsifications of records to enhance a child's adoptability or to cover up conditions in the sending country, which may further worsen the child's condition in the new country (Bascom & McKelvey, 1997). In addition, the majority of adopting families have found it difficult to parent their new children as they are mostly ill informed, and uninformed before, during and after the adoption process about the adopted child.

2.3 Types of Adoption

Although most countries recognize one or more than one type of adoption, laws regarding specific aspects of adoption vary. There are different types of adoption practices all over the world including: licensed private agency adoption, facilitated/unlicensed agency adoption, foster care adoption, independent adoption, infant adoption and open and closed adoption.

2.4 Open and Closed Adoption

International adoption is particularly attractive to some families because of the low risk of birth parent interference after the adoption. Open adoption can also be practiced in inter-country adoption. Unlike closed adoption, open adoption may give adopted children access to reliable information about their origins and the reasons for the adoption plan and biological parents do not have to lose touch with their children. Adoptive parents can have more confidence as their parental right is accepted and appreciated by biological parents. Some facilitators have

mechanisms that the birth and adoptive parents sign a pre-adoption agreement outlining their understanding of the arrangement (Melina & Roszia, 1993).

Openness policies in domestic adoption in the USA emerged from awareness of losses experienced by adopted children and birth parents who had relinquished their children for adoption. Findings of a study conducted in Romania with sample of adopting parents show that some adoptive parents correspond with the biological mothers to keep them informed of their children's lives. However, over time, adoptive parents tend to lose motivation to adhere to openness agreements (Goldberg cited in Hollingsworth, 2003).

2.5 Variation in Adoption

Countries impose their own restrictions on the practices of adoption. Duncan (2001) argued that some acts, which are not seen as a problem in facilitating adoption, might be one of the most critical issues that may affect the practice of adoption. For example, some countries may have age restrictions, others may give due emphasis for marital status, etc. Some countries permit single persons to adopt, and some require that only spouses (couples) can adopt. Some countries, like Panama, for instance, do not allow homosexuals to adopt children, Philippines and Taiwan expressly requires that adopters should be Catholic and Christian respectively. Brazil, Czech Republic and Ukraine do not permit private agencies to conduct adoption business in their territory at all.

The practice of inter-country adoption may also vary from country to country in terms of cost incurred, age of prospective adopting parents, length of marriage contract of adopting parents, religion, annual income of adopting parents, number of children adopting parents have, sex preference, health conditions of the new family, etc. Korea is a case in point among Asian countries. Inter-country adoption in Korea costs a total of \$ 9,400.00, with annual income of at

least \$25,000; marriage-minimum three years; religion must accept conventional: usually no more than four children already in family; and parents must not be smokers. In Mali, for instance, adoptable children are required to test for HIV, TB, and hepatitis B and Syphilis over several months. In the same country, single women are entitled to adopt a child while single men are not, and adopting parents shall be thirty years or older and preferably infertile (Bascom & McKelvey, 1997).

2.6 Practices of inter-country Adoption

Goody (1969) attempts to show cross-cultural differences in adoption practices of Europe and Africa. The functions of adoption in Western Europe, he says are to provide homes for orphans, bastards, foundlings and children of impaired families; to provide childless couples with social progeny, and to provide individual couples with an heir to their property. Contrary to European adoption practices, Goody argues that there was no adoption practice in African societies. He says, in Africa, differences of status and wealth are small, and the nature of their property relation requires no great pressure to confine the transmission of basic resources. Besides, the lineage provides a long series of potential heirs and in Africa adoption is rare, and fostering which involves no permanent change of identify is rather common.

In Romania, inter-country adoption was practiced as per the legal provision which dates back to 1956 to give opportunity for the abandoned and the orphaned children. However, it was illegal to place a child with adopting parents who may not report back and the practice was openly selling children and send them outside of their country. After the 1989 revolution, Law No. 11/1990 was enacted to regulate the practice in Romanian and was effective between July 31, 1990 and June 1, 1991. In Romania the adoption law clearly stipulates that institutions are to be the source of adoptable Romanian children (Johnson, Edwards & Puwak, 1993).

In the case of Eritrea, children who have both parents can automatically become members of the new family. However, the indigenous practice is no more function due to the country's economic and political problems. Re-unification of orphans and other unaccompanied children with their extended family was given due emphasis through tracing the extended families. As this system failed to function properly for various reasons, group home support has been given due emphasis to provide support for orphaned and/or abandoned children.

2.7 Contributing Factors for the growth of Adoption

Social contexts that frequently surround international adoption are severe poverty and the disenfranchisements of the adopted child's biological family; the disenfranchisement of certain children because of their lower social status; gender oppression and discrimination-against female children. The international adoption of children by families in the United States continues to present a desirable alternative to the limitations associated with domestic adoption and infertility treatment (Ayalew, 2002).

2.8 Practices of Adoption in Ethiopia

Adoption in general and inter-country adoption in particular increases from time to time. Before 1961/62 adoption took place in Ethiopia without a written law, policies or guidelines. Follow up mechanisms were not designed and nobody was sure whether children adopted were growing in a conducive environment. Records of MOLSA show that, the number of prospective adopting parents demanding Ethiopian children for adoption is increasing since 2000 (MOLSA, 2001).

There are different factors that are contributing to the growth of inter-country adoption. The rapidly increasing number of parents infected and dead out of AIDS, declining of the previous way of traditional family support system (extended family support), the prevailing

poverty in the country, the rapid growth of the size of the population, etc can be mentioned as a cause for the growth in the number of children adopted by international adopting parents (MOLSA, 2001).

Unlike most other African countries, the Government of Ethiopia ratified the issue of Adoption in its constitution under Article 26. The Revised Family Code Articles enacted adoption (Articles 180-196 that shows the rules and regulations to be implemented in the practice of adoption (FDRE, 2000). The Ministry of Labor and Social Affairs (MOLSA) is given the power to handle the case of children's affairs in general and that of inter-country adoption in particular and has developed guidelines that are currently used by all parties involved in the practice of inter-country adoption in Ethiopia.

All actors including adopting parents have access to the procedures of adoption. The Ethiopia government gives due attention for the practice of adoption. Even though inter-country adoption is not taken as a first choice to provide support for children due attention has been given to the practice in terms of producing documents that are not, of course, enforced properly. Theoretically, all prospective adopting parents can get full information regarding the practice of adoption to help them to decide to adopt or not to adopt children. All these and other related factors help to attract the attention of prospective adopting parents to present their questions to the Ethiopian government and hence inter-country adoption is increasing (MOLSA, 2001).

2.9 Organizations facilitating Inter-country Adoption

To facilitate the practices of adoption, different countries have set up different institutions to take responsibilities of facilitating adoption as an alternative substitute care for a child deprived of his/her biological parents and couldn't be carried for with in his/her respective community.

Ethiopia prepared guidelines on alternative childcare programs in order to respond to the problems of disadvantaged children and that clearly shows actors to be involved in the practice of inter-country adoption. Adopting agencies, private and government orphanages, the court, MOLSA, Ministry of Foreign Affairs, Respected Embassies, Municipalities, the Immigration Authority, Ministry of Justice, the Police Commission and local government officials are directly and/or indirectly involved in facilitating inter-country adoption.

2.9.1 Adopting Agencies

Adoption agencies are non-profit organizations registered under the Federal Ministry of Justice (MOJ) and are supervised by MOLSA. Adoption agencies are required to provide a link between individual adopting parents and respective government institutions in each respective country and the different actors involved in facilitating adoption in Ethiopia (MOLSA, 2001). Currently, adoption agencies in Ethiopia are obliged to involve themselves in other development activities within six months time from registration in addition to their major role (MOJ, 2005).

2.9.2 Orphanages

Orphanages in the Ethiopian context are institutions formally established in the country to give social welfare services to children who are disadvantaged due to man made and natural calamities. Children orphaned by different reasons, those abandoned by their parents, or children from conflicting families and unable to grow in their environment are among others growing in an institutional set up in orphanages (MOLSA, 2001).

2.9.3 The Court

According to the Revised Family Code of the FDRE, 2000, (Article 194 (1,2,3(a-e) and 4), the court is the highest decision making body to approves an agreement of adoption and give the final decision of inter-country adoption. The court shall take in to consideration the opinion of the child about the adoption, that of the guardian or tutor of the child if he/she has not previously given his consent, the capability of the adopter to raise and take care of the child, the absence of access to raise the child in Ethiopia where the adopter is a foreigner.

2.9.4 MOLSA

The Ministry of Labor and Social Affairs is given legal authority to regulate, supervise, follow up and take all appropriate legal action regarding the practice of inter-country adoption. All documents and applications shall be approved and recommended by the Ministry office for adoption to proceed to the next step. It is also the Ministry's office responsibility to insure the well being of children in their new country.

2.10 Cost and time required to facilitate inter-country adoption

The types of adoption, length of the process required to get final decision by the court, the presence or absence of adopting agencies, the information adopting parents had about adoption in general and the actual practice in the respected country's of the child may cause variation of adoption costs and time. In Ethiopia, cost of adoption and time required stated in legal documents seems reasonable, but adoptive parents are paying much for various informal procedures and are forced to spend more time to facilitate the practice (Social and Civil Affairs Bureau, 2006).

2.11 Future Trend of inter-country Adoption

Ethiopia is one of the countries in Africa, which has been the primary sender for international adoption. The crisis of HIV/AIDS, migration, war with neighboring countries, poverty, etc has resulted in a number of orphans. Adoption has been employed as one of the least option to provide services for children. In response to such challenges, about 39 adopting agencies have taken the lead in placing Ethiopian children in adopting families.

To date, little but anecdotal information is available about what is happening to the adopted children due to the failure of MOLSA to employ proper supervisory strategies (Social and Civil Affairs Bureau, 2006). On the other hand, the same source indicated that, data is not also available regarding how sending children abroad through adoption affects biological parents and other extended family members (Ethiopian). However, Tsegaye (1992) investigated some challenges that parents are facing, including: emotional issues, grief and loss of emotional relationships with their own children, depression and confusion.

In theoretical debates, the study of adoption as one of the basic components of fictive kinship that goes back to the second half of the nineteenth century. Referring to the practices of ancient Greece, Rome, Teutonic associations, Slavonic, Russia, and Poles; the fiction of adoption permitted the family thus to be artificially created and enabled the society to take first steps towards civilization. Adoption permitted the incorporation of strangers as kin and progressed from an emphasis on bond of kinship to the ties of contiguity as the basis for common political action (Duressa, 2002)

A family system model views families as a system of resources and stressors; it is not culture-specific and can be adapted across nations. In this model, adoptive family difficulties are connected to normal developmental processes and to the task of integrating the child born from

another family into the family that will raise him or her. Integration is not a one-time event, but an ongoing life-long process (Groze, 1994).

2.12 Problems and Challenges of inter-country adoption

Adoption is a process that does not end when the final decree is issued. An alarming number of foreign adoptee experience problems attaching to their new families, and this represents the largest obstacle to any successful adoption. Most of these problems are treatable or respond to guidance and early intervention programs. Many problems can be prevented when adopting parents are armed with appropriate information and guidance (Bascom & McKelevy, 1997).

2.13 Trafficking, Abduction, or Sale of Children

The widespread availability of children for adoption internationally has at times been the result of unscrupulous practice by adoption intermediaries. Practices have included manipulating or pressuring mothers who are poor and illiterate into giving up their babies; taking babies forcibly or by deceit and having other women say they had given birth to them. In Ethiopia, problems are mainly linked to poor follow up and supervision, lack of detailed legal provisions, lack of attention to the practices at large. Due emphasis is not given to help children to grow in their family (*UN-Convention on the Rights of the Child, Article 20(3)*). Because of such practices, some children lost their rights to be raised by their biological parents, and birth parents lose their rights to raise their biological children.

To conclude, inter-country adoption has been developed in five time waves. It is employed by many countries globally to serve as one of the child welfare system to give better environment for orphans and other vulnerable children. The practice of inter-country adoption is

growing from time to time due to the increasing of man made and natural calamities that are widening the gap between the poor and the rich.

Most countries in Africa except Liberia, Sierra-Leone, Ethiopia and South Africa either do not permit inter-country adoption or do not have the structures that would permit adoption agencies to place children in a legal, ethical, and timely manner. There are different types of adoption practices in different countries. Most countries recognize one or more than one types of adoption and countries' laws regarding specific aspects of adoption vary.

Even though inter-country adoption is considered as a last resort by the Ethiopian government to support children, records of MOLSA show that, the number of children in need of adopting parents is increasing. The Ethiopian government established mechanisms and ratified legal provisions to facilitate inter-country adoption. Legal documents, including the Constitution, the Revised Family Code of the country and guideline of inter-country adoption are all prepared by the government of Ethiopia to facilitate inter-country adoption. The government of Ethiopia allows both private and agency based adoption practices.

To facilitate the practice of inter-country adoption, there are different government and non-government organizations with defined roles and responsibilities. The government body given power to play the leading role in facilitating inter-country adoption is MOLSA, while the court is making the final decision on the adoptable status of children. Each organization working in the practice of adoption has working relationships among themselves. However, there are different problems in the practice of inter-country adoption. Inter-country adoption costs adopting parents and some times, the cost may vary even in the same country depending on the types of adoption practices chosen and the time required to complete the practice of inter-country adoption.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter discusses research methodology utilized in the study. It presents and describes research methods and/or techniques used in the process of data collection and analysis.

3.1 Research Methods

This study utilizes qualitative methods. A qualitative design was selected because the study is exploratory with the intent of understanding the issues from the participants' frame of reference, and utilizing a holistic approach.

Actual fieldwork was made by collecting information on the people, settings, and aspects of the overall activities in the study organizations, preparing interview guides in which there are list of research questions and observation checklists. Finally, obtained letter(s) of introduction from the Graduate School of Social Work, Addis Ababa University, bought research supplies and commenced the study on January 2006.

Data were collected in three phases from 1st January through 13th March 2006. In the first few days of actual fieldwork, I obtained formal permission from officials at different organizations which were assumed to be potential research sites for the issues under investigation, learned about social networks of the organizations, and acquainted myself with the general characteristics of those institutions by touring the areas, and by writing my observations. I also held casual conversations with some people in the settings in order to have overall picture of the study organizations.

Purposive sampling methods were then used to recruit participants into the study from each stakeholder in the adoption process. Study participants, who served as key informants were

drawn from adoption agencies, MOLSA, the Federal High Court and the Federal First Instance Court, orphanages, adoptive parents, the Social and Civil Affairs Bureau of the City Government Administration of Addis Ababa, adopted orphans returned from the USA, adopted orphans who were successful in their new country, and orphans waiting for adoptive parents. Parents and/or caregivers of adoptable children were not involved in the study. This is mainly because the starting point for the processes of inter country adoption is orphanages in which case locating parents/care givers who may facilitate the case of their children for Inter- country adoption was impossible with the given short period of time to conduct this research. Written informed consent was obtained from each organization that participated in the study and informed consent was obtained from each key informant.

After formal access had been obtained, data was collected on various issues in the process of inter-country adoption using the following methods of data collection:

Description of informants involved in the study

No	Description of Organizations/individuals involved in the study	Types of interview	No of participants/ Organizations	Average interview time	Remark
1	MOLSA	Key informant interview	2	90-100 minutes	
2	The Federal High Court	Key informant interview	1	90 minutes	
3	The Federal First Instant Court	Key informant interview	1	100 minutes	
4	Adoption Agencies (Italian center for children Aid Pacdia (childhood), Ray of Hope and ----)	Key informant interview	3	90-100 minutes	
5	Orphanages (Kidane Mihret children's Home, Missionaries of clarity, Birhane Hiwot and Kibebbe Tschay Children's Home)	Key informant interview	4	90-100 minutes	
6	Civil and NGOs Affairs office	Key informant interview	2	90-100 minutes	
7	Adoptive Parents	Individual in-depth interview	3	2 hrs average	
8	Orphans returned from USA due to failure of their relation with adoptive parents	Individual in-depth interview	2	2 hrs average	
9	A woman who were adopted at children hood and successful in her life who is currently providing voluntary services to an orphanage.	Individual in-depth interview	1	1hr and 90 minutes	
10	Orphans waiting for adoptive parents at orphanages	Individual in-depth interview	3	2 hrs average	
11	Different community and organization members	FGD	15	100 minutes (2 sessions)	
12	Non interview recording	Observation	4	Not exactly known	

(1) Key Informants Interviews

Key informants were identified with the help of officials in those organizations and with my own efforts that relied on the social networks of the practitioners. The informants were chosen on the basis of their sex, knowledge, beliefs, attitudes, educational background and other relevant criteria of selection, and also on their ability to shed light on the practice of inter-country adoption. The key informants who often had a special ability to provide insights into the practice of inter-country adoption were potential practitioners of the practice. Through semi-structured interviews with 14 knowledgeable key informants (7 Females and 7 Males) who were purposively selected from adoption agencies, orphanages, the Federal High Court and the Federal First Instant Court, MOLSA, Social and Civil Affairs Bureau of the City Government Administration of Addis Ababa; data were collected on the informants' background, practices at adoption agencies, orphanages, the courts, and MOLSA, etc. There was no overlap among key informants, individual in-depth interviewees, and focus group discussants. Generally, these interviews occurred after getting informed consent of the informants who were assured of confidentiality, and took approximately 90-100 minutes each.

(2) Individual in-depth interviews

Regarding individual in-depth interviews, a total of nine individual cases (5 males and 4 females) consisting of 3 orphans who were ready for adoption, 2 orphans returned to Ethiopia because they were returned by their adoptive parents, 1 successfully adopted orphan, 2 adoptive parents (spouses) who are under the process of adoption and 1 parent who had completed the adoption of an Ethiopia child. They were identified by my own efforts and with the help of some key informants in the study, and interviewed intensively about their personal history, knowledge of the process of adoption, problems and challenges related to the practice of inter-country adoption,

and so on. After the investigator had got informed consent of the case informants, the individual in-depth interviews were conducted by asking general and specific questions to build a profile and narratives concerning the experiences and conceptions of the overall process of the practice under investigation. These informants were similarly assured of confidentiality and the right to raise any objections regarding the conduct of interviews. In fact, no individual took up the opportunity to do so. Each session of individual in-depth interview lasted two hours on the average.

(3) Focus group discussions (FGDs)

Like other informants, focus group participants were located with my own efforts and with the help of other people involved in the practices of inter-country adoption. The informants were selected depending on their social capital and their direct and/or indirect involvement in activities related to inter-country adoption. A total of two focus group discussions (8 in one group composed of 3 females & 5 males; and 7 in the other group consisting of 4 females and 3 males as discussants) were conducted with fifteen participants representing different members of the community in the practice. In the discussion, as a moderator, I asked a series of open-ended questions. At the beginning of the discussions, some time was spent to establish a comfortable and secured environment for discussions at a chosen convenient venue and to develop rapport with them. During the focus group discussions, where possible, I tried to keep track of who was speaking about certain topic(s), facilitated interaction among participants, and encouraged all discussants to share their views and even to challenge each other's views. On my part, I was quick to probe some unexplored issues under consideration. Generally, all sessions were recorded in notebooks and elapsed about 100 minutes.

(4) Observations

After the student researcher had generally visited some of the promising organizations for the study, observation checklists were prepared. Using these checklists, I anonymously observed two court cases, the living conditions of children in four orphanages, and offices and working situations of adoption agencies in order to gain insights and validate the information through triangulation.

3.2 Data Analysis

This study employed qualitative analytic tools such as thematic analysis and content analysis to answer the research questions.

Data collected from all informants were categorized in to different folders under the four major research questions. In order to identify themes, issues raised in each interview session were grouped under similar folders based on their relationships and relevance to respond the research questions. Under each folder where similar information filed, thematic issues were identified and analyzed accordingly. Content analysis is also employed to examine the interpretations of the information from the documents, observation reports and interview discussions.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

This chapter presents and analyzes the fieldwork findings of the study. It contains detailed extracts from key informants, interview held with individual informants, and FGD participants.

Findings of the study are organized and presented in four central research questions: practices and procedures, working relationships among organizations involved in inter-country adoption, major problems and challenges related to the practices and follow up mechanisms employed by the government. Under each research questions, themes have been identified and findings of the study have been presented under each theme.

Direct quotations are taken from the raw data of the study to illustrate the themes. Before the data presentation and analysis, brief profiles of the orphanages and adoption agencies involved in the study have been presented. Profiles of other government institutions (MOLSA and the Court) are not included assuming that they are well known.

4.1 Adoption Agencies

This study focused on three international adoption agencies that could typically reflect the practice and roles of adoption agencies in facilitating inter-country adoption in Ethiopia. The agencies are the Italian Center for children Aid, Pacdia (Childhood), and Ray of Hope.

The Italian Center for Children Aid was established in 1986. The agency's major objective is to create conducive environment for disadvantaged children. The organization is actively involved in facilitating inter-country adoption, a sponsorship program, and in providing shelter care services for street children. In the shelter food, clothing, medical care, etc. are

provided to disadvantaged children. They are also involved in capacity building of orphanages working on international adoption through providing training, building schools for the orphans, etc.

Pacdia (Childhood) was established in 1990 by a French humanitarian Catholic sister. The objective of the agency is to create better environments for orphaned and abandoned children through inter-country adoption.

Ray of Hope was established by individual volunteers in Belgium 12 years ago. The objective of the agency is making a difference in the lives of orphans and vulnerable children through facilitating inter-country adoption. In addition, the agency is involved in sponsorship and social support activities for children living in orphanages.

Adoption Advocates International is a US based adoption agency established in Ethiopia in 1996. It is currently involve in facilitating inter-country adoption, sponsorship and rehabilitation of children infected by HIV/AIDS.

4.2 Orphanages

The study considers four orphanages, including: Kidane Mihret Children's Home, Missionaries of Charity, Birhane Hiwot Orphanage, and a government orphanage called Kibebe Tsehay Children's Home

Kidane Mihret Children's Home was established in 1993 by a French Catholic sister. Its objective is to offer better environment for orphaned and abandoned children. Currently, the Home is providing food, educational, shelter as well as health care services to disadvantaged children. It is also involved in facilitating inter-country adoption.

The Missionaries of Charity is an international religious congregation founded by Mother Teresa, MC in Calcutta/India in 1950. The organization started its humanitarian services

in Ethiopia in November 1973. It is involved in providing services for all human beings in different age categories. It provides services for children including educational, psychosocial, medical, recreational, and adoption services.

Birhane Hiwot was established in 2003 by an Ethiopian volunteer to give a better chance for children who have lost their parents through institutional care and by providing community based care for those living either with their poor parents and/or care givers. The orphanage is also involved in facilitating inter-country -adoption for those who have no body to take care of them.

Kibebe Tsehay Children's Home was established by the wife of the late Addis Alemayehu, the well known Ethiopian artist and given to the government of Ethiopia in 1956 to be used only to provide care and support for children who have lost their parents. It is currently administered by the government and provides educational, social, psychological and medical supports for children in the orphanage. To further create better environments for children the orphanage is also involved in facilitating inter-country adoption.

4.3 Practices and Procedures of inter-country adoption

In order to communicate what the actual practices and procedures of inter country adoption in Ethiopia, the data collected were categorized in to the following major themes: complexity of process, exclusion of most needy children due to health concerns, discrimination against children based on sex and skin color, lack of consistency in preparation of adoptive families, lack of mechanisms to verify reliability of documents, open vs closed adoption practice, lack of mechanisms to care adoptable children between the conclusions of adoption and the visa process and adoption as a lucrative endeavor. Information collected related to the practices and procedures are therefore reported under each thematic issue.

Complexity of Process

Inter-country adoption practice in Ethiopia is governed by provisions in a number of legal documents: the United Nations Convention on the Rights of the Child of which Ethiopia is a signatory, Article 26 of the Constitution of the Federal Democratic Republic of Ethiopia, Articles 180-196, 2000 of the Revised Family Law of the FDRE, and the Guideline for Alternative Child care published by MOLSA. The above legal provisions and guidelines provide mandates and responsibilities for governmental organizations and philanthropic organizations to facilitate inter-country adoption. In this regard, the court, MOLSA, the adoption agencies, and orphanages are the major actors involved in the practice of inter-country adoption.

In addition to the requirements of Ethiopia, the country of the adopting parents will also have its own requirements that must be satisfied in the adoption process. The 49-year-old key informant at MOLSA on the other hand, stated that each agency in respective countries or in different parts of the world and individual prospective adoptive parents in each country has different requirements. “In Australia, for instance, Ethiopian children living with HIV/AIDS got adopted. However, there are also cases where adopting parents from the same country refused to adopt children living with the virus,” as strongly confirmed by key informants from the adoption agencies as well as at the Ministry of Labor and Social Affairs.

The key informant at MOLSA explained that the practice of inter-country adoption can be completed within short period of time. There is a clear guideline to facilitate adoption. It also gives more chance for children who don't have better options. It is also done with the best interest of the child as the focus. The key informant from the court also supplemented this idea. Those who situated themselves at the other side of the continuum boldly argued that the practice on the part of the governmental organizations has been carrying out inter-country adoption in contrary to

what have been written as legal procedures at their disposal. For the key informant at the US adoption agency, the problem is associated with inefficiency of implementation of plans on the side of the government.

There is no litigation at the lawsuit in adoptive case. The court approves the charge based on all evidence presented to it. However, there may be opponent(s) of the adoption. These individual(s) would argue against the adoption decision. This appeal may be presented in either written or verbal form and can be seen again by the same court. On the other hand, the key informant in the Federal high court expressed, “any body who may have complaints on the decision of the Federal First Instant court can appeal to the High Court and the decision can be reverted”. The key informant from the Federal First Instant court has supplemented this idea, but the informant boldly commented the law that there is no system to share the case between the two courts to learn from each other. The same informant explained that the court shall disapprove revoke of the adoption where the child will be abused or hurt and to investigate all application documents of adoptive parents.

Regarding the time required to complete the process of adoption, key informants from the four orphanages narrated that the time is short. One of the key informants at the court responded the question on time required affirmatively. In contrast, prospective adoptive parents who were processing adoption during the time of this study sadly responded that the process requires much longer time than they heard and read on the WebPages of the Ethiopian government.

They anonymously expressed that adoption process is too long. They added, “After the practice of regarding time elapsed to process inter-country adoption, it would take adoptive parents more than one year to process and adopt an Ethiopian child. The two informants stated, “In order to process the two cases, it took us more than one year, and we spent longer time in

Ethiopia.” The Ethiopian government allows private adoption with major steps in the process of adoption similar to that of adoption facilitated by adoption agencies. Those adoptive parents who preferred to facilitate the adoption privately to agency facilitated one, contacted orphanages directly and sign a filiations. Afterwards, the overall process is more or less the same except that they themselves or a legal representative/s shall follow the case.

The Ministry of Labor and Social Affairs has some roles after the process of adoption has been completed. MOLSA, according to the expert on inter-country adoption, facilitates the traveling process by writing letters to the immigration authority for passport, and letter for municipality to get birth certificate in the new name of the child. The certificate is similar to that of the previous birth certificate, but one should expect the change on the father’s name of the child. MOLSA is also responsible to write a letter to Embassies and send it attached to the decision of the court for visa purpose.

After the court concludes adoption, adopted children spent mush time in transit homes as the process in Embassies of prospective countries may demand extra time.

Exclusion of most needy children due to health concerns

Generally, all key informants explained that countries that legally allow individual citizens to adopt children from Ethiopia require the following medical diagnosis: results from a recognized medical institutions: HIV test result, DVRL (Syphilis) test and Hepatitis B. The results of the test may cause change the adoption plans on the part of adoptive parents. Even though parents may be willing to adopt children with positive result of any of the above tests, the Law of individual respective countries may not allow such children to cross their boundaries. On the other hand, even if the laws of prospective countries allow individuals with positive result of one or more of the above test results, individual adopting parents could refuse to adopt these children. In

addition, adoption agencies are also required to produce general clinical checkups of the children that may help parents prepare themselves in terms of medical expenses, time and psychological readiness.

Discrimination against children based on sex and skin color

Another important issue identified by the study is the rights of adopting parents. The findings of the study documented that prospective adopting parents could select children based on their preference in terms sex and skin color. However, all informants from adopting agencies, MOLSA and the Federal First Instance Court anonymously reported that “adoptive parents do not have the right to select children based on their ethnic backgrounds and religious affiliations.”

Within the same framework of facilitating the inter-country adoption, one may find two options to adopt children, i.e., through adoption agencies and through private adoption. Prospective adoptive parents who facilitate their case through agencies do not have the chance to choose children based on their preference in terms of skin color and sex. Adoptive parents of Ethiopian children through agencies see the children for the first time after all the major processes have been completed. However, those who adopt through individual adoption practice have the chance to visit orphanages physically and choose a child of their preference before the actual practice.

Lack of consistency in preparation of adoptive family

Adoption agencies are expected to conduct orientation to prospective adoptive parents of the expected costs, challenges in the practices, legal requirements, cultural situations of the respective country of adoptable children, time required to complete the practice of adoption, etc. They also provide complete pieces of written and unwritten information for prospective adopting parents to

help them make informed decision on the inter-country adoption. Regardless of variation in the content and duration of the orientation, all agencies involved in the study provide relevant information on the practice of inter-country adoption specific to prospective countries of the adoptable child. However, orientations are not consistent in all adoption agencies. For example, according to the informant at the Belgian adoption agency, prospective adopting parents are given orientation that may last 18 to 24 months that may help them to reconsider their adoption plans and reach to final decision. Some of the agencies go to the extent of organizing formal training on management of post-placement crisis that would happen in their family as a result of the new family member, while others may provide simple orientation. The types of orientations could also vary depending on the interest of prospective adoptive families. Individuals planning to adopt children privately may not have the chance to get all sorts of orientations given by agencies, however, parents involved in such a practice explained that they have tried to know the situation in Ethiopia from web pages.

Lack of mechanisms to verify reliability of documents

Against the backdrop of legal procedures and requirements stated in different adoption related documents, all key informants at MOLSA, the court orphanages and majority of the FGD participant strongly argued that there are no well established mechanisms to verify the reliability of different documents of prospective adopting parents presented to the government of Ethiopia through adopting agencies.

The major sources of children for inter-country adoption are both private and governmental orphanages. However, the informants at the Social and Civil Affairs Bureau, which is under the auspice of the city government administration of Addis Ababa, reported their suspicions that agencies and orphanages are also indirectly involved in searching for adoptable

children through child traffickers in exchange for big lump sum of money. The key informant at MOLSA substantiated, “Informally, our ears have been entertaining these issues for years, but we have no evidence that is written in black on white sheets of paper. Hence, we are not in a position to take appropriate action according to the rules and the regulations of the government.”

Once orphanages received complete documents either from adoptive agencies or private adopters, they sign an agreement with them and appear at the court to show their agreement and to issue charges to start facilitating adoption legally. Orphanages are formally responsible to present all the necessary profiles and to assure its reliability. Needless to say, they are not competent enough to present complete and reliable documents on the profile of adoptable children. One of the key informants at the orphanages stated, “The failure of the orphanages to provide complete and reliable data on the profile of adoptable children resulted in post placement problems of various kinds.” In addition, adoption agencies and the returned children from the USA are in the same position.

Inter-country adoption might be practiced informally. Almost all participants in the FGD and the two informants from the Social and Civil Affairs Bureau of Addis Ababa argued that private adoption agencies could facilitate illegal adoption by pretending fictitious grounds, for children (fictitious documents and fictitious parents). The key informant who is in his late 40's at MOLSA adduced that the Office has been entertaining such pieces of information for years. Nevertheless, the Ministry Office has not got any tangible evidence. The Official added, "In order to get ourselves convinced about the presence of the facilitation of inter-country adoption informally in Ethiopia, we must primarily observe the practice with our naked eyes and in our physical presence."

Ethiopia requires a complete home study report of adoptive parents. According to the key informant at MOLSA, documents should be authenticated and submitted by the applicants from their permanent domicile should include: economic status from a recognized source, police clearance of applicant(s); medical certificate from recognized hospitals or clinics, etc.; birth and marriage certificates; the agency who does the psycho-social study and recommendations on applicant(s) must be accepted by the concerned government body of the respective country; a short statement as to why an Ethiopian child is preferred for the adoption; two passport-size photographs of the prospective adoptive parents(s); obligation of adoption or Social Welfare Agency form must be forwarded together with the psycho-social study; verification by the adoption agency an qualification for naturalization under the natural law of the applicant(s). All the aforementioned documents should be authenticated by the near by Ethiopian Embassy or consulate and submitted or forwarded directly by the concerned persons(s) or agency to the Ministry of Labor and Social Affairs (MOLSA). Given all these long list of requirements, however, FGD participants and the key informant from the city administration's Social and Civil Affairs Bureau argued that, there are no mechanisms to ensure reliability of such documents.

Key informant from the Addis Ababa Social and Civil Affairs Bureau boldly argued "the law remains beautiful only in a white sheet of paper or it is facade in that, children who have parents are even given to adopting parents with illegal negotiations made between individuals.

On the contrary, the Revised Family Code does not say any thing to empower the Court to further investigate application documents to ensure whether they are fictitious or not. Informants from the orphanages and the agencies equally expressed that, they were not asked by the court to present any proof or evidence regarding documents they presented to the court. They coldly

voiced, “The Federal First Instance Court does not have any mechanism to directly appear in the right place and at the right time and check reliability of documents.”

The two key informants from MOLSA explained that the court could reject all the suggestions and recommendations given by experts from MOLSA whenever it assumes that documents are not reliable. As a result there is a negativistic attitude towards such decisions made by the Court.

Open Vs closed Adoption Practice

There is no practice of open adoption in Ethiopia. According to the interviewee, at MOLSA there is no practice where both the biological and the adoptive family members openly agreed legally on the process of the adoption. He said the principle in Ethiopia is not to establish a relationship between the biological and adopting families; rather it is to establish a relationship between the child and the new family. He added that, we don't encourage it for the fact that, it may have complicated post placement problems. Children who were focus group discussants came up with different arguments and counter arguments, when they strongly argued: “ Adoption could be considered as practiced in the best interest of the child if and only if it could have rooms that can accommodate both the interest of the birth parents, adoptive parents and adoptable children.”

Lack of mechanism to care adopted children between conclusion of adoption and the visa process

Adopted children need appropriate provision of care between the time the adoption is finalized and the child has permission to leave the country. After the process of inter-country adoption has completed, adoptive parents and the adoption agencies devise their own respective mechanisms to accommodate adopted children till the visa and related processes get completed. Unlike the other

legal arrangements, some adoptive parents resorted to get solace at Transit Homes, in which prevailing conditions may put them at risk. This phenomenon is unique not only to Ethiopia, but also unknown by most government bodies like the court which is the final decision making body of the government and the issue is not included in the legal provision of the country.

The key informant at the US adoption agency, however argued that transit homes are vital and the government should give due emphasis than closing eyes. For the informant, children may have the chance to adjust themselves with people of different skin color, food types and other unique issues that they may face in the new environment. He added that, the transit home under his agency is serving children, for instance as an adjustment period and as it is funded and controlled by adoptive parents, the quality of services given to children are better than that of the orphanages. He was not clear why the government is not encouraging it.

Unlike the above argument, children returned from the US due to failure of their case were against the facility in transit home and the key informant in one of the adoption agency were against its existence as agency heads may not use the money sent from adoptive parents for this purpose properly. The returned children from the USA ironically expressed that the so-called transit home arrangement seems creating favorable context in which children get traumatized psychologically.

The key informants at The Civil and NGOs Affairs office argued that there is no legal ground to protect the human rights of children at transit homes as they are totally under the control of agencies where most of the concerned government bodies do not have awareness of the existence and the legal arrangement and approval of the home itself. It is true that if the children would be trafficked from the transit homes and sold to others for any purpose, the court may not charge the managers of the transit homes, as there is no any legal relationship between the

adopting agency manager and the prospective adopting parents. In addition, evidence may not be available to insure what could happen on the children, as they have no body to know where they are.

To continue along the same perspective, in some occasions, adoptive parents went back to their country after they have a legal status to be an adoptive parent of the child. They usually arrange a living for the children with agency managers or with other people. In between this period, whatever violations could happen to the children, there is not system established to protect violence and/or other harms. The two informants returned from the USA openly voiced,

“The two months time we spent in the transit home was extremely difficult to communicate with the new family members as the family culture was so different from our experience both in our home before our parents died and in the orphanage. There was no any attempt to help us integrate with the new family members and we were not sure whether we would be taken to the USA or not. No body turned faces and gave ears to listen our feelings and ideas. It was much better to stay in the orphanages with people we know than the new environment. We were told that we would be physically punished if we try to escape or show any kind of attempt to tell for others.

Adoption as a lucrative endeavor

In principle, orphanages are not legally allowed to receive money from adoptive parents. In situations where the adoption request comes from private adoptive parents, most orphanages are making big lump sum of money out of the process. This statement is substantiated by one of the key informants at the Social and Civil Affairs Bureau of the City government, by the majority of the participants in the FGD and two of the private adoptive parents. In some orphanages where

adoption is used as means of generating income, the money paid by prospective adoptive parents may not be deposited in to the account of the orphanages. Rather heads of the orphanages could use it luxuriously. The two key informants in the Social and Civil Affairs Bureau ironically aired, “ there are cases where head of the orphanage appeared at the low suit for making the practice major means of income. The adopting parents usually pay a cost for facilitating the adoption. One of the key informants from MOLSA witnessed, “ Two Danish adopters' reported they paid a gross amount of 30,000.00 Denmark.” In this case, the exchange rate of 1 Denmark's money ranged from Eth. Birr 1.45 to Eth. Birr 1.50.

In private adoption, amount money paid to process the inter-country adoption seems expensive. The two parents confirmed the amount of money paid for this purpose, as they stated: "We paid 7,500 \$USD each for the private adoption to take place." A key informant at the US adoption agency reflected that, private adoptive parents usually contact illegal facilitators and as they may not know the situation, they could pay big lump sum of money to illegal individuals. Generally, the cost encored to facilitate inter-country adoption is camouflaged by mixed as well as deliberate withholding of vital information.

To summarize adoption can be facilitated either privately or through adoption agencies in Ethiopia. There are thirty-nine international adopting agencies get involved in the practice of inter-country adoption. The major sources of adoptable children for these agencies are orphanages. To practice inter-country adoption, the Ethiopian government established various legal provisions, however, there are situations where the actual practices vary from what is written on paper. The practice of inter-country adoption has various problems in terms of the demand for high cost and time.

The practice of inter-country adoption is surrounded by a heap of general requirements. The participants in the process of adoption held mixed views on the time and cost required to complete the practice of inter-country adoption.

4.4 Working Relationships

In order to respond the research question on working relationships established among different stakeholders involved in facilitating inter-country adoption, data collected from different sources have been categorized under two themes: Formal and Informal Working Relationships.

Formal Working Relationships

To facilitate adoption in Ethiopia there are different governmental and non-governmental organizations with a defined roles where each one of them has working relationships with others. The relationship serves as a means to successfully accomplish roles and responsibilities of individual organizations and to play supplementary roles among each other. The networks could be between adoption agencies and MOLSA, adoptive parents and the adoption agencies, adoptable children and the adoption agencies, MOLSA and orphanage, the court with MOLSA, adoption agencies, orphanages and adoptable children and/or their parents/guardians.

Adopting agencies have formal relationship with MOLSA. These relationships are submission of progressive reports on their activities, communicating the periodic reports prepared and submitted by respective foreign adopting parents and arrange and cover costs of experts from MOLSA for supervision of adopted children in their new countries.

There are clearly defined working relationships between MOLSA and adoption agencies. The Ministry Office is legally facilitating the agencies day-to-day activities or daily routine activities. MOLSA conducts training on inter-country adoption for adoption agencies and

facilitates experience-sharing occasions. Key informants at agencies explained that adoption agencies are also assisting MOLSA in different forms. They argued that, adoption agencies are supporting MOLSA by inviting to attend different occasions both in and outside of the country.

According to the revised NGOs guidelines, agencies must be involved in other development activities like construction of clinics, schools, sponsorship programs etc and MOLSA is responsible to follow up and ensure accomplishments of such activities. However, key informants at MOLSA failed to fully describe what different developmental projects agencies are involved in.

Adoption agencies have also working relationship with adoptive parents and adopted children. Adoptive agencies have a legally defined and time bounded contractual relationships with prospective adoptive parents who need adoptable children. However, they may also have long-term relationships with these people after adoption is concluded in terms of raising funds to support initiatives. The key informants from adoption agencies confirmed that they would get financial, material, and technical supports from prospective adoptive parents in return for the services they are providing in the process of inter-country adoption. However, none of them was interested to give specific data, particularly on financial supports. The other long-term working relationship between adoption agencies and adoptive parents include reporting of the current status of the adopted children as well as in terms of being ambassadors of the agencies by being active participants in organizing and conducting fund raising events in different parts of the world.

The relationship of the orphanage with MOLSA has to do with the documents they present regarding adoptable orphans and annual report submission. MOLSA organizes training

on rights of the child and invite officials from different orphanages throughout the country. In addition, the ministry office provides technical supports for orphanages.

Orphanages also have working relationship with the court in that, they must give full information about the adoptable children and conform their agreement for the process of the adoption. In addition, orphanages are also expected to provide oral response to questions that may be raised by the Judge.

There are relationships among the court and other adoption facilitating agencies. Since the practice of inter-country adoption is a joint effort, the court shall request MOLSA in writing to recommend legibility of the adoption requests. However, investigation result may not be accurate as it solely depends on document reviews.

In the practice of inter-country adoption, the court has also relationships with adoptable children, their families as well as with the adoptive parents. The court, in its relationship, shall ask the willingness of families of the adopted child in situations where the children may have parents. The court shall take the opinions of the child about the adoption such as his/her awareness of the adoption process and willingness. The court shall check whether the child to be adopted is less than eighteen years of age or not. Here, key informants in orphanages and adoption agencies explained that the majority of the adopted children are the children of the poor whose birth date is not known and hence, adoptable age may be subject to assumptions made by orphanages in the document presented to the court.

Generally, the court, in collaboration with MOLSA usually investigates all documents presented to the lawsuit and approves the adoption accordingly. In contrast, study participants in the Social and Civil Affairs Bureau and majority of the FGD participants expressed that, the Court doesn't use legal methods and techniques to ensure reliability of

documents. They boldly said, “due to the weakness of the court system, many children who were trafficked have been adopted through fictitious documents presented to it.” Not with standing, the court shall not further interrogate the applicants about additional bits of information. The same informant explained that, there are various applications made by parents whose children have been trafficked and adopted by international adopting parents. As to the relationships between the MOJ with the orphanages and MOLSA, the Ministry of Justice of the Federal Democratic Government of Ethiopia, for instance, gives legal license for all of them to operate at NGO status and approved benefits, such as duty free import of project equipments and materials. Orphanages and MOLSA on the other hand, are required to submit annual report to the MOJ.

Informal Working Relationships

The practice of inter-country adoption can be carried out in different ways or means in Ethiopia. One of these routes is through establishing informal relationships. Concerning such contacts, a female key informant in an adoptive agency has this to say, adoptive agencies do not have contact with informal facilitators in Ethiopia. These institutions are legally established to process inter-country adoption both in their respective countries and in Ethiopia. According to the views of key informants at agencies, they have negativistic attitude towards facilitating adoption informally as that is believed to abuse the rights of children. Therefore, there is no frequent contact between the agencies and the informal facilitators.

On the contrary, the interviewee at the city government of Addis Ababa Social and Civil Affairs Bureau failed to accept the aforementioned discourses on the non-existence of relationships between the agencies and the informal adoption facilitators. The same informant shared their experience, as they argued that adoption agencies facilitate child trafficking by

investing huge amount of money to add momentum, encourage and establish partnership with child traffickers and orphanage managers at the expenses of adoptive parents. At times, one of the key informants at the Social and Civil Affairs Bureau of the city added: “ there are also times when prospective adoptive parents are also lending helping hands with hard currency.”

In general, there exists direct and/or indirect forms of working relationships among the following organizations: orphanages, the Ministry of Labor and Social Affairs (MOLSA), the Federal First Instance Court, the Ministry of Justice, Ministry of Foreign Affairs, the respective police commission offices at different levels, Immigration authority, the Municipality, Kebele Administration offices and the children to be adopted. Nevertheless, the informant at the Social and Civil Affairs Bureau in Addis Ababa stated, “The agencies and orphanages have informal relationships with illegal facilitators, particularly to child traffickers to get adoptable children.”

This working relationship serves each one of them to accomplish their objectives. However, the working relationships have problems as some actors failed to execute their responsibilities as per the assumed legal provisions.

4.5 Major problems and Challenges of inter-country Adoption

Under this major research questions the following themes were identified and data have been organized accordingly. Themes include lack of information on the number of orphanages and orphans in orphanages, challenges and problems at court level, challenges and problems associated with private adoption, public misconception and lower awareness on inter-country adoption, problems related to capacity of practitioners at MOLSA, absence of mechanisms to share accurate pieces of information on the process of adoption with adoptable children, cost and time to conclude inter-country adoption, post placement challenges and problems, practices of inter-country adoption using fictitious documents, lack of background information on adoptable

children, lack of psychological support to children at orphanages, refusal of children to follow their adoptive parents and adoption as a lucrative endeavor .

Lack of Information on the number of orphans and orphanages involved in

Inter-country adoption

Attempts were made to generate data on the number of orphanages and total number of orphans under institutional support. Even though the student researcher left no stone unturned, both the Federal Ministry of Labor and Social Affairs and the City Government Administration of Addis Ababa Social and Civil Affairs Bureau who are primarily responsible to collect, record and make available these vital data for use failed to execute their major duty. As a result this study documents nothing regarding the issues under investigation. Concerning the number of children waiting for adoptive parents in the orphanages, all informants at the government side anonymously expressed that the number varies even with a difference of one day.

Challenges and problems at court levels

According to the informant, the court doesn't have any relationship with the adopting agencies and orphanages, except that agencies and orphanages appear in the court to facilitate the process of adoption. The key informants in the Federal High Court and the Federal First Instance courts explained that, the court does not establish mechanisms to ensure the factuality of documents presented by different parties. As a result, it may not be able to ensure the reliability of documents presented by the two institutions and the court's decisions will simply be based on written documentary evidences that may be fictitious. The Judge also witnessed carelessness in

the side of orphanages regarding availing all vital information and this contributes much to the usual delay in the final approval or disapproval of the case.

The other major problem raised by almost all study participants that remain challenging is that the law lacks detail and there is nothing included in it that shows what measures shall be taken in case of some problems created on adoptable children in the new environment. The key informants from the Federal First Instance Court and one of the informants from the agencies argued that the Revised Family Code of Ethiopia allows Ethiopians living in the Diaspora to adopt children without fulfilling most of the criteria. They can sign the contract in Ethiopia and then they took children aboard where they are living. As human beings obviously, they may have some problems that affect the children's life. The informant in the federal High Court supplemented the idea and expressed that Ethiopians living abroad must fulfill all the requirement of foreign adopters so that the best interest of the child could be maintained.

Challenges and problems associated with private adoption

On the other hand, there are no detail provisions in the law and it doesn't prevent some potential problem areas like problems accompanied by private adoption. Regarding private adoptive parents, the experienced officials at MOLSA stated that the practice is accompanied by various problems. First and foremost the government may not have mechanisms to employ follow up systems and all forms of abuses on adopted children will not be subject to legal interventions.

On the other hand, the key informants in the Social and Civil Affairs Bureau and agency representatives mentioned that private adopters are also creating some problems as they are contacting directly orphanages and illegal individual facilitators in exchange for money. On the other hand they argued that, there is no mechanism to ensure the well being of children after adoption take place.

Public misconception and lower awareness on inter- country adoption

The government media have a great role in helping concerned parties to introduce inter-country adoption as an option to support unfortunate children and to create awareness of the practice in Ethiopia on the part of the public at large. In short, the case informants at agencies, orphanages, MOLSA and the court responded this question in negation. The concerned organizations are not allowed to use the media (i.e., newspaper, magazines, books, movies, radio, television, video games and the Internet) to introduce the practice of inter-country adoption as one of the available options to support the unfortunate children in general and to create awareness of the practice to the public at large in Ethiopia. The government is not able to create awareness among the public and hence, inter-country adoption is considered as trading of children by most people.

Problems related to the capacity limitations of staff at MOLSA

The other challenge reported by key informants at MOLSA shows that even though the Ministry office is receiving reports from adoptive parents, officials assigned to execute the role of taking actions based on such reports failed to do so because of lack of adequate trainings and limited manpower.

Absence of mechanisms to share adoption related information with adoptable children

Lack of pieces of information on the process of adoption is some other problem. Two of the adopted informants returned from the USA have experience of not getting informed about the process of inter-country adoption before they left for the states. They stated, we were not informed about the process of the adoption and it was not in our primary list of means of living. They were not even aware of what inter-country adoption means. They were told that they would be adopted

by a US citizen adoptive parent after all the processes of adoption completed. Once the process was completed, they were unwillingly taken to the transit home where they stayed for 2 months. In the new home, though they have got the chance to eat properly, they were psychologically affected and in a depressed situation. The informants further argued that, they were not informed about the new country and who their adoptive families could be. According to the informant, their parents were not able to come to Ethiopia to take them, they rather came before the process and finally it is decided that the head of the adopting agency took the children.

Another theme of discussion is lack of information on adoptive parents. Key informants at the Social and Civil Affairs Bureau and FGD participant stated that adoptable children are not in most cases well informed about the socioeconomic characteristics of adoptive parents. The two returned children from the USA were not informed about what types of information were given to adoptive parents and whether that pieces of information were true or not. The informants were not able to read the home study document they were not part of any of the process of adoption.

One of the informants returned from the USA further stated;

Primarily, I was not even happy to go but when people told me that I will get all the privileges that I lose due to the death of my parents, I was thinking that my adoptive parents will see me like their children and I was not informed that I would be discriminated by my skin color. I also assumed that my parents in the new country would try their best to make me comfortable.

Case One: Denmark

A few years ago, Danish/Dan adoptive parents processed inter-country adoption through adopting an agency. After they had issued a charge at the court and the case got approved, adoptive parents went to the orphanage to take him to Denmark. The adopted child kept out of their sight by hiding himself, under the bed. Moreover, the child refrained from approaching his adoptive parents. In this case, the child was seven years old and he was not informed of the adoption process. Therefore, the adoptive parents left for their native place because they believed that the adopted child would get sick severely.

Case Two: AMERO

American parents came from the USA. They processed the inter-country adoption and got approval of the adoptive filiations agreement by the court in Ethiopia. Then, the adopted child was taken to the states. After some time, the adopted father did not get much sleep and this condition drive the father mad. The government of his country thus decided to conduct home study of this household again through professionals and the findings were contradictory to the first home study report. After the government had completed the study, it was decided to cancel the parental rights of the family. The case was examined again in the court in favor of the child. A concerned body in this country tried its best to locate other adoptive parents in the same country for the sake of the adopted child. This was a special case. All documents were referred to the Ministry of Labor and Social Affairs of the Federal Democratic Republic of Ethiopia for suggestions. The Office presents the documents to the Federal First Instant court for legal suggestions and the child was able to get another family.

Concerning accessibility of the findings of the home study documents on prospective adoptive parents, the study shows that the Ethiopian biological parents and even the adopted children have no access to see the study reports. On the other hand, Informants from MOLSA and the court also expressed their concern that home study documents do not include homosexuality, and lesbianism status of adoptive parents that may have various forms of violations of the rights of the child.

Cost and time to conclude Inter-country Adoption.

The process of inter-country adoption is accompanied by problems and challenges. The private adopters encountered the following problems: a huge amount of financial expenses, and longer time it took. At times, the process may take longer period of time beyond the expectation of the adoptive parents and which, in turn, compelled them cancel the already started process of adoption. During the blood test, one of the informants strongly added, "You may lose a child whom you love too much due to his/her HIV status."

In some orphanages, where adoption agencies recruit children, orphanage managers are not interested to give full information about the children. They do not want to tell the special needs of the child, their behavior and habits as well as their special problems to prospective adopters in fear of change in adoption plan of prospective adoptive parents.

Post Placement Challenges and Problems

TINOLD and NODDY who were 20 and 22 years of age reached at 10th grade and at preparatory educational levels. They lived in the United States of America for the last couple of years. The two informants have this to say regarding multifaceted problems at orphanages as they recapped texts in their mind: "Primarily, we lost our family members because of

HIV/AIDS and we were taken care of by a guardian who was not our relative, but a neighbor who knew our parents. He then contacted an orphanage that created link with an agency that was called Americans for Africans (AFA) to facilitate the case of our adoption. The Agency facilitated the process of adoption and American parents adopted us."

They continued,

We lived for five years with our adoptive family since they refused to care for my sister and myself. As we were not allowed to continue living there, the head office of the agency that facilitated our adoption took us to other foster parents where we stayed for 4 months. In the foster care, houses a couple were providing care for 16 fostered children including my sister and myself. In that foster care arrangement, there were various violations. We were bitten and frightened by older children fostered by the same family. The foster parents were abusing drugs and they were not supervising us. Given all such challenges and violations in that arrangement depression fear, and anger were common but psychological support was not provided. As a result the problem is fresh to our mind to date.

There are also some post placement problems in the practice of inter-country adoption. These problems are of different in their nature. A 20 –years- old returned Ethiopian lady has this to say about one of such traumatic problems as repercussions of the practice.

She reminded,

Once I join my family in the new country, all my hopes went down and things were totally against my expectation. My sister and I have been abused physically, verbally and psychologically. For each minor mistake, we were beaten by our adoptive mother and were harassed regularly. My adoptive mother has also adopted another white child and has her own biological child. She favored the two white children (the adopted and biological) and discriminate us. Even when we go to the supermarkets she forced us to stay inside the car and took her biological child and the white adopted child.

The two informants returned from the USA reported that in a country where children are valued more than adults, we were treated harshly due to the absence of follow up and supervision from the Ethiopian government.

According to the interviewee in their five years stay, their adoptive mother was buying clothes based on her own choice and when they showed any opposition or comment her choice, they were not accepted.

Practices of Adoption using fictitious documents

In the case of children who came from rich families and those children trafficked by illegal individuals, for adoption, fictitious documents are presented from the police, kebele and other concerned legal authorities. Orphanages do not have mechanisms and legal rights to go further and investigate the recommendations for example given by the police. They rather accept the children and facilitate adoption. However, there are situations where children themselves tell the

reality to their adopting parents after they go and sometimes, there are also cases where children tell their secret to other orphans in the orphanage.

The respondents in the orphanages expressed that, some parents, bring their own children and told them that the children's' parents are died and they are relatives and unable to support the children. According to the key informants from orphanages and agencies some of these parents warn the child not to tell it for anyone and most children who came in such ways are traumatized and depressed. On the other hand, it was reported that, there are also parents who are trying to bribe people in the orphanage and try to create some illegal connection with adopting agencies in order to send own children to abroad through adoption. In this case, according to the informants from two of the adoption agencies, most children who have been adopted in such arrangements create post-placement challenges in the new family.

Lack of background information on adoptable children

The respondent was asked to describe major problems or challenges related to the practice of adoption through international adoption agencies. A woman psychologist who is key informant at an agency encountered general problems in the agency. For her, the children whom they receive from orphanages don't have background information that may create delay and disapproval of the case by prospective adoptive parents. If the backgrounds of the orphans will not be given to the new family, identity crisis will happen on the child, as he/she grows older and older. This can also be considered as violation of human rights.

The practice of inter-country adoption has been entertaining a number of comments (constructive and disruption) regarding the adoption. Even, few informants confirmed that there were some hidden issues on health problems, special needs, and background on the child to be

adopted. The informant at adopting agencies explained, "Most common comments they received from adopting parents include; complaining on new health problems and special needs that were not included in the child's documents. Some parents took children with special needs and they were not ready for the expense related to it. As a result, they were in problem and complain on the Agency's head office in each respective countries."

Absence of psychological support for children at orphanages

Within the same vein, consider challenges faced while providing services to children at orphanages. Even though the services are poor in terms of its quality, orphanages are providing, food, shelter, clothing, education and health services. Needless to say, orphanages lack psychosocial services that are very vital for children to adapt themselves with the crisis they may face both before and after they have joined the orphanage. The coordinator in one of the adopting agencies became low-spirited and expressed, "Most orphanages involved in facilitating inter-country adoption failed to employ child counselors. No one is trying to help children adjust with the new environment and then prepare him or her for adoption. They are simply forced to go with their adoptive parents to their new country that may further complicate their psychological problems. The key informants at MOLSA, representatives of adoption agencies, the informant from Social and Civil Affairs Bureau, MOLSA and the two children returned from the USA strongly supported the above-mentioned ideas. In the same framework, participants in the focus group discussion reflected that most orphanages are trying their best to provide food and shelter leaving aside the most important component of human development- psychosocial services.

With in the practice of inter-country adoption; there are failure cases where applications to the court may not be accepted. As reported by the key informants from all orphanages in the

study, there is no system established to provide special therapeutic services for children whose application for adoption is rejected by the court.

Refusal of children to go to their new country

One of the key informants in the adoption agencies argued that, some times adopting parents are forced to spend some additional time out of their plan after all the process is completed due to the refusal of children to go with adoptive parents. The key informant at MOLSA openly voiced, "When the adopted child in one of the orphanages saw his adoptive parents who came to take him, he just went under his bed and expressed his bad feelings by bursting into tears."

Adoption as lucrative endeavor

Some of the case informants strongly associated the practice of inter-country adoption in the country with professional business activity, as it is lucrative endeavor. In the same vein, the presence of only one representative and very few administrative staff in most respective adoption agencies in Ethiopia has already paved the way for establishing and facilitating inter-country adoption informally in order to make money out of the process. Words from SONY's may be considered a case in point. She stated, "The practice of inter-country adoption informally by the representative of the adoption agencies served for him/her as favorable context to establish working relationships with informal adoption facilitators, well-to-do families and to private adopters. In so doing, the interacting parties make a lot of money."

Although the guideline at MOLSA, the convention of child right Article 21(d), and the law prevents adoption agencies, orphanages and other actors involved in facilitating inter-country adoption from making money out of the practice, informants at the Social and Civil Affairs Bureau of Addis Ababa reflected that it is becoming the most common means of accumulating

private property for some individuals who are legally and illegally involved in the practices of inter-country adoption. However, "Since the Ministry Office has no detail, reliable and complete information on such illegal acts, the Officials could not take the case to the court," the case informant at MOLSA remarked.

In conclusion, inter-country adoption is surrounded by various problems that may be of challenging for adoptive parents and to the adopted children. Problems can be raised as a result of the lack of effective working strategies in the country or due to the fact that existing provisions are not followed by all stakeholders from various reasons.

4.6 Follow-up Mechanisms

Under this research question themes including: the role of MOLSA in supervising inter-country adoption and major challenges accompanied follow up and supervisory activities related to the practice under discussion are identified and data have been presented accordingly.

The roles of MOSLA in supervising the practice of inter country adoption.

One could consider follow up mechanisms as part of the practice of adoption in Ethiopia. The Ministry of Labor and Social Affairs (MOLSA) felt obliged to follow up the activities of agencies and organizations that are actually facilitating inter-country adoption in Ethiopia. In the words of a 42-year-old senior officer who is well versed in inter-country adoption in Addis Ababa, "Ideally, the Ministry Office regularly follows what have happened on the lives of all the adopted children in different parts of the world. However, the Office has not yet examined seriously the periodic reports from the respective adoptive parents due to lack of manpower. It would therefore be a futile effort to locate the destiny of children who got adopted through private adopting parents."

Although MOLSA has established mechanisms to ensure overall conditions and well being of the children, in the new environment, it is unable to implement the plan and it remained a simple wish.

As far as the law does not authorize MOLSA to go further to check documents physically, to the informant's mind, there is no need for devising mechanisms to evaluate home study reports and to say one report is conducted properly or not. MOLSA firmly believes however, that legally recognized social workers, and psychologists, or organizations or governmental departments in each country where prospective adoptive parents live must conduct the home study. Generally MOLSA considers whether the study was conducted by legally recognized professionals or adoptive agencies or governmental departments or not.

Existing challenges related to the supervision and follow up of the practice of inter-country adoption

The study found out that there is an ideal practice of tracking and monitoring inter-country adoption in Ethiopia. MOLSA is a responsible government body for tracking and monitoring whether organizations established in Ethiopia are executing their expected roles and ensure efficiency of post placement situations of adopted children. The Ministry office is expected to receive reports, conduct supervisions and provide corrective suggestions in collaboration with regional social affairs offices for each actor. However, the effort is limited and it failed to control various illegal practices. The findings of this study documented assumed roles and responsibilities of the Ministry of Labor and Social Affairs in the practices of inter-country adoption. The roles of the Ministry Office include: checking all documents submitted to the court

and orphanages and provide suggestions or recommendations to the court, provide available information in relation to the practices of inter-country adoption.

The key informant at MOLSA said, “The Ministry office is effectively executing its legally assumed responsibilities, except limited follow-up of periodic reports submitted by adoptive parents in different parts of the world.” However, the key informant at the Social and Civil Affairs Bureau, key informants at the agencies and orphanages failed to accept this discourse. Key informants from the four adoption agencies argued that supervision of adopted children by private adoptive parents is very difficult in terms of ensuring the well being of adopted children and it may depend on the good will of adoptive parents. In conclusion, MOLSA is the authorized government body represented to ensure the effective accomplishment of the process of inter-country adoption towards ensuring the well being of children in their new country to reduce post placement problems. However, follow-up and supervisory activities have been totally failed.

CHAPTER FIVE

DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

This chapter presents a discussion of the study's findings, conclusions and makes recommendations. It is not meant to simply repeat the findings of the study presented in Chapter Four but rather to explicate the findings.

5.1 Discussion

To practice inter-country adoption properly, there is a need for a deeper understanding of the practices and procedures provided by the official governmental documents of Ethiopia. Such an understanding will provide the necessary basis to put in place relevant legal provisions and working guidelines to address the issues identified by analysis of the data. There are legally defined formal relationships as well as informal and close relationships among institutions and individuals who participate in the adoption process, written but impractical follow up and supervisory mechanisms, problems and challenges at different levels in the process and practice of inter-country adoption. The important findings from the study are discussed below.

Inter-country adoption in Ethiopia has shown an upward trend since 1999. Documentary analysis of the reports prepared by MOLSA shows that the number of children who were adopted internationally was 524 in 1999, where as that number was 1312 in 2005. This is mainly related to the rapid increase of parental deaths due to AIDS accompanied by other manmade and natural calamities.

Key informants reported their suspicions of an informal practice of inter-country adoption camouflaged by fictitious biographical documents of adoptable children and supported by respective adoption agencies as well as heads of orphanages. Informal facilitators who are

working with orphanages and private adoptive parents as well as with adoption agency managers are said to be providing inaccurate data to the concerned government officials regarding the background of the children and the court may approve the adoption of the children on such illegal procedures. Key informants denied direct knowledge of these activities while simultaneously reporting their firm belief in the accuracy of these reports. The student researcher was unable to confirm or disconfirm their validity.

There is also a discrepancy regarding the time required to complete the practice of adoption on the part of the governmental bodies on the one and that of the agencies, orphanages and individual adopting parents on the other hand. The former argued that the time required to complete the process of adoption is shorter than other countries. In contrast, the latter stated that the time required is relatively long and run against the stated duration in the web pages of the MOLSA and the guideline on adoption. Although the study documented mixed views on the average time required for facilitating inter-country adoption, this study argued that the time required is relatively longer than stated in the documents prepared by the government.

The practice of inter-country adoption makes necessary the availability of legal procedures and detailed programs and guidelines. This is to regulate and minimize illegal facilitators from abusing the chartered rights of the child. This is also to give rights and assign responsibilities to the actual and legal actors both in the government and nongovernmental offices. This idea fits with the existing knowledge base in the literature.

The Adoption Law of Ethiopia allows the adoptable status of children from all walks of life. There exist gaps in the adoption law regarding detailed provisions to control and supervise activities related to adoption in different organizations implementing the issue under discussion. The legal provisions in the adoption law says no thing about controlling mechanisms supervisory

mechanisms as well as the right to investigate reliability of the documents presented to the court in actual context. In addition, there is only one centralized court to see, examine and approve adoption applications. This study argued that, gaps stated above may have negative effects on the future of the adoptable children.

The practice of inter-country adoption involves multi-faceted requirements on the part of both adoptive parents and adoptable children, but these vary from country to country. In most countries around the world, respective states have already established their own requirements for their citizens to adopt children and to allow other citizens request for adoption of children from their sovereignty. Ethiopia has its own requirements that are necessary to be fulfilled by foreign adoptive parents which are related to economic status, health issues, police clearance, age of adopting parents, and so on that fit into the existing body of knowledge.

The Adoption Law in the Revised Family Code seems skewed towards the Ethiopia adoptive parents who reside in the Diaspora in that they shall not fulfill all requirements of inter-country adoption. The legal provision allows Ethiopians living abroad to adopt children without fulfilling most of the requirements documented in the guideline prepared by MOLSA. The present study has generally made an indent, but only an indent, in to the factors that impinge on unforeseen circumstances the rights of children.

The findings of the study documented that adoptive parents, adopted children and biological parents have legally recognized rights. Adopted children have the right to know their origin and adoptive parents have full parental rights as well as selecting adoptable children based on their sex and age. Biological parents have also the right to give their children for adoption. The issue is supported by the literature in the body of this study.

Even though the number of adopting agencies is well known by the concerned government bodies, the number of orphanages and orphans in the custody of orphanages is not documented. This study shows that responsible bodies failed to accomplish their assumed roles and responsibilities. The study argued that, the Ethiopian government failed to give due attention for the well being of children who are disadvantaged.

Adoption can be closed or open depending the rules and regulations as well as the interest of adopting parents and respective states where adoption could take place (Melina& Roszia, 1993). This study found out that, there is closed adoption in Ethiopia while open adoption is discouraged. This is mainly due to its impact on adopting parents as they may lose their parental status, as adopted children would try to trace back their birth parents and refuse the parental status of their adoptive parents. It seems that, the government of Ethiopia considers the interest of adoptive parents than the children who are voiceless. As their voice will be less listened, the study argued for the importance of promoting open adoption to respect the best interest of adoptable children.

The study documented that there exists two options in Ethiopia to practice inter-country adoption. The first one is through adoption agencies in which prospective adoptive parents do not have the chance to see their would be adopted children till the final appointment of the court. The second option is through private adoption in which prospective adoptive parents are required to come to Ethiopia and facilitate adoption by themselves and/or their legal representatives. These findings of the study fit into the existing literature on the issue. In both case adoptive parents do not have the right to select adoptable children based on religious affiliations and ethnic background.

In order to make inter-country adoption successful, some adoption agencies conduct orientation sessions for prospective adoptive parents of all aspects of inter-country adoption and even some other agencies conduct training on inter-country adoption as part of the practice. To help both the adoptive parents and the adopted children not to encounter with unforeseen circumstances, agencies are responsible to clarify all the challenges and required resources to prospective adopting parents. This is also meant protecting children as psychologically unprepared parents may violate the rights of children.

Organizations involved in facilitating inter-country adoption have different roles and responsibilities in relation to the practice of adoption. However, data in this regard indicated that there are also prohibitions levied against adoption agencies and orphanages that practiced inter-country adoption by the convention on the Rights of the Child.

The major sources of funds for adoption agencies are adoptive parents, adopted children and subsidies from governments of respective countries. The study documented that cost encored in facilitating inter-country adoption in Ethiopia is camouflaged by mixed views as well as deliberate withholding of vital information. However, the cost approximately ranges from Eth. Birr 33,000 to Eth. Birr 70,000. The cost would be even higher if adoption is practiced privately.

Evidence in the literature indicated that, cost of adoption varies from country to country. Inter-country adoption in Korea, for example, costs a total of 9,400.00 \$USD, (Bascom & McKelvey, 1997). Similarly other evidence (NAIC, 2003), also documents that costs of inter-country adoption may on average require \$5,000.00 to more than \$40,000. Concerning the matter, the initial hunch from the literature was that orphanages and other actors involved in the system should not make money out of the practice. Given the finding, one likely explanation for the incongruous out come is that there are people who are making big lamp sum of money through

informal negotiations with adopting parents, child traffickers and adoption agencies – unlike the engraved statements in Convention on the Rights of the Child Article 21 (d), which states that ...the placement of children in adopting parents does not result in improper financial gain for those involved in it (CYFWO, 1992).

There are some legally supported roles that shall be played by the Ministry of Labor and Social Affairs after the court has approved the case on inter-country adoption. These roles include writing of supportive letters attached with the decision of the court for respective Embassies and the Municipality to get visa and new birth certificate for the adopted child respectively. This study argued that there is complete lack of involvement in the following up of the where about of the adopted children during the period of processing visa and other requirements to leave for the new country. Such a loophole served as off shout for an emergence of an informal and illegal arrangement the so-called Transit Home. This arrangement is a threshold at which adopting parents and other individuals, particularly the heads of adoption agencies who get blinded with the big lump sum of money paid by adopting parents. In contrast, such an arrangement may put children in psychological trauma and various forms of violations that may be prolonged in their new country.

Regarding the relationships among governmental organizations and other institutions that facilitate inter-country adoption, there are both formal and informal types of relationships. The relationships are interdependent as one serves the other to achieve its stated objectives. Nevertheless, the informal relationships that are established among orphanages and illegal facilitators and adoptive parents as well as the illegal relationships between adopting agencies and individual facilitators have drawbacks in the practice of inter-country adoption in Ethiopia. The networks of relationships established in the practice of inter-country adoption put aside biological

parents and/or other individuals in the extended family system. Such relationships may have negative impact on the adoptable children and his/her biological and/or extended family members, in all its variegated aspects, has been acknowledged and deplored elsewhere to have the same impact on the adoptive parents.

The study shows that authorized governmental organizations do not have well recorded data on the number of orphanages and that of orphans living under institutional care. Based on this finding, the study argued that MOLSA and the Social and Civil Affairs Bureau in Addis Ababa failed to execute their respective assumed responsibilities.

Even though private adoption is clearly allowed to be practiced in Ethiopia the study found out that the Ministry of Labor and Social Affairs is implicitly discouraging the practice using different delay mechanisms that may create favorable conditions which compel adoptive parents cancel their adoption plans. This study argued that, the government body handling the issue gave no space of attention to it. The legal provision and practice made by individuals vary. This shows that different Ministries working under one country with the same issue are implementing inter-country adoption in different forms. We can also state that working relationships established by different organs of the same country define and see the same issue in different glasses.

Home study documents on the prospective adoptive parents conducted by professionals lack clarity on some important issues, for example these documents usually do not show whether prospective adoptive parents are homosexuals or lesbians. Such a loophole may affect the likelihood of children to be productive and self-supportive citizens.

The sole decision maker (the Federal First Instance Court) merely approves applications of adoption without getting well informed about the reliability of data in the documents presented on

adoptable children and the prospective adoptive parents. Very surprisingly, there were well-documented cases where adoptable children were not located in the orphanages, while the court approved the application documents. The student researcher argued that the court should be in a position to make sure that the documents as well as oral witnesses presented are real and there should be conditions that the court officials make personal investigations of source documents against the reality in orphanages.

The findings of the study indicated that all the major activities in the process of inter-country adoption take place without the knowledge of the adoptable children. It can be argued that the act in general may take place out of the best interest of adoptable children and this may further cause problem of assimilation and integration in all aspects of social life in the new country.

The major responsible governmental body (the Ministry of Labor and Social Affairs) has weak follow up mechanisms. In the first place, although the Ministry Office has been receiving periodic reports from respective adoptive parents who reside in different parts of the world, MOLSA does not give feedback, and allot time to have a look at them so far. These problems are further aggravated by shortage of skilled manpower that is available at the Office.

Generally, the practice of inter-country adoption in Ethiopia seems business-oriented while legal provisions and operational guidelines support it. The relationships among all actors in the practice are defined formally, but there are informal relationships as well. However, the networks of relationships established in the practice of inter-country adoption highly marginalized the children to be adopted and their biological parents and/or other individuals in the extended family system. In the same vein, there are multi faceted problems and challenges that intrude in the practice. Finally, legal provisions stated in the Adoption Law as well as

supervisory and follow up mechanisms paved the way for some concerned officials at different levels in the system to visit countries where Ethiopian children leave without producing standard field reports which may serve concerned bodies to take appropriate action on timely bases. The failure in effectively implementing the supervisory and follow up mechanisms as well as lack of appropriate feed back by MOLSA curtails attempts that could be made to assess the over all practices of inter-country adoption in general and the given legal provisions and procedures in particular. Overall, the findings of the present study have identified the strengths and weaknesses of the practice of inter-country adoption at different levels in Ethiopia. Generally, the major task in handling the adoption weakness in situations of the kind explored in this study is so much its maintenance and nurturing - a task that has not yet been employed by the concerned governmental bodies and benevolent organizations working in Ethiopia nationally.

5.2 Conclusions

There are thirty-nine international adopting agencies get involved in the practice of inter-country adoption. The major sources of adoptable children for these agencies are orphanages. In addition, they have formal working relationships with different government and non-governmental organizations. The practice of inter-country adoption has not given due emphasis by the governmental media except airing out of negativistic aspects of the practices of inter-country adoption from their viewpoints.

The practice of inter-country adoption is surrounded by a heap of general requirements backed by other supplementary positive attitudes. However, there are preferences on the part of the prospective adoptive parents based on sex and skin color of the children, but not based on their religious affiliations and ethnic background. Adoption agencies are required to provide

complete information to prospective adopting parents to help them make informed decision. There are mixed views on the time required and actual cost to complete the practice of inter-country adoption.

All organizations that are facilitating inter-country adoption in Ethiopia, but informal facilitators have formal working relationships among themselves. On the other hand, there are no detail provisions in the law and it doesn't prevent some potential problem areas like private adoption where there is no mechanism to get report on the status of the child.

There are gaps in the practice of inter-country adoption in Ethiopia such as no detailed specification is included in relation to the agreement, if in case one of the couples who took the child disagreed, and the law does not include any possible solution. In addition, the law lacks detail and specific evidence, and there is nothing included in the law that shows what measures shall be taken in case of some problems created on the child.

There are no mechanisms to check whether documents presented to the court and MOLSA are correct or not. So far, there has not been any effective networking among adoption facilitating organizations. Above all, the children are not informed of all the process of adoption.

The extensive practice of inter-country adoption in Ethiopia is not without getting major comments from different experienced personnel. The absence of child counseling by professional counselors to the child to be adopted during the process of pre-inter-country adoption in almost all adoption agencies makes the practice incomplete. Hence, may result in potential psychological problems on the adopted child. At times, the process may take longer period of time beyond the expectation of the adoptive parents and which, in turn, compelled them cancel the already started process of adoption.

The practice of inter-country adoption is associated with professional business activities, as it is lucrative endeavor. In the same vein, the presence of only one representative and very few administrative staff in most respective adoption agencies in Ethiopia has already paved the way for establishing and facilitating inter-country adoption informally in order to make money out of it.

The court does not get authorized to challenge or to further investigate documents presented by the police or local government authority regarding the adoptable children. The study has argued that children living in orphanages could be from better families while the poor and needy are still waiting for prospective adopting parents. This shows that adoption could serve those who may have resources and social capital at their disposal.

There is appreciable working relationships established between the Federal First Instant Court and MOLSA in facilitating inter-country adoption but there is suspicion among themselves regarding the quality and reliability of decisions and recommendations given on each part.

On the other hand, the very uniqueness of transit home arrangements in the practice of inter-country adoption in Ethiopia is not supported by the available literature on the practice of adoption in the world. In Ethiopia transit home is not well known by the concerned government bodies and none of the articles in the articles in the revised Family Code mentioned transit home arrangement, but individuals illegally practice it.

Although the adoption Law of Ethiopia allows the practice of private adoption, most concerned governmental organizations like MOLSA implicitly discourage it by employing various mechanisms. In addition, the Ministry office has not yet established follow-up and supervisory mechanisms regarding the status of children adopted privately.

In conclusion, the practice of inter-country adoption in Ethiopia should take in to account the strengths of the process at all levels and taking actions that can maintain and nurture to improve the system. The formal working relationships that exist among different bodies involved in the practice should be encouraged to be implemented as per the written laws and procedures in the adoption guidelines. The root causes of those problems and challenges documented by this study should be thoroughly examined and addressed by the concerned parties at different levels. Practically, the follow up and supervisory mechanisms established in Ethiopia regarding the overall conditions of children in different parts of the world should aim at assessing existing problems and successes of adoptable children and taking all the necessary contextual decisions in light of the assessment findings.

5.3 Recommendations

Based on the findings of the study the student researcher suggests the following points for improvements in the practice of inter-country adoption.

1. The provisions of the Revised Family Code 2000 to practice inter-country adoption has certain gaps, i.e. it contains no provisions related to transitional care of adopted children. It is therefore recommended that the current adoption law shall be revised and actors involved in the practice should fully participate in the process of revising the existing legal provision. There must be a recognized transitional system to legally accommodate children during such transitional periods and the period should be used as an adjustment time for children to adopt the culture, skin color and food types of their new country.
2. Inter-country adoption has become a lucrative business for unethical individuals in adopting agencies, orphanages and informal facilitators. Therefore, the Ministry of Labor

and Social Affairs that is given full legal authority to regulate and ensure the practice of inter-country adoption and the police commission in collaboration with other organizations involved in the practice of adoption should take immediate legal action to prevent such illegal practices.

3. Most orphanages that are serving as sources of adoptable children for adopting agencies and/or private adopting parents do not have specific strategies to provide psychological support for children waiting for adoption. Thus, it is recommended that adoptable children shall be part and parcel of the whole process and their best interest has to be respected. The court and MOLSA should be able to contact children themselves to know whether they wish to be adopted.
4. Working relationships established between organizations involved in the practice of inter-country adoption depends on document exchanges while all of them are not sure of the factuality of those documents. Thus, all concerned bodies involved in facilitating inter-country adoption should establish mechanisms to ensure the reliability of documents. There should be a forum to share their best experiences and challenges faced in facilitating inter-country adoption
5. MOLSA failed to execute its major responsibilities particularly of the follow up of reports and supervisory activities. It is therefore suggested that the Ministry office should be able to actualize its authorized roles and responsibilities.
6. The Ethiopian Adoption Law allows private adopting parents to adopt children. However, neither the Revised Family Code 2000 nor the adoption guideline prepared by MOLSA mentioned reporting and supervisory mechanisms for privately adopted children. Thus, it

is suggested that the legal provision and the guideline of adoption should be revised to incorporate issues related to the welfare of children adopted by private adoptive parents.

7. The practice of inter-country adoption in Ethiopia is under-researched. Hence, it is recommended that future research should be conducted to address the challenges, weak and strong sides, roles of agencies to support orphanages legal provisions, transit home arrangements, illegal practices of inter-country adoption, financial arrangements, and the findings of the study should be available to be used by, policy makers, researchers, educators and practitioners at all levels.
8. The issue of the practice of inter-country adoption should be included in the curriculum of the school of the Graduate School of Social Work, AAU and further emphasis should be given to the issue of the practices of inter-country adoption during field placement made by the school and research assignments given to students in related courses.
9. The practice of adoption is handled at a team level at MOLSA. There are only few staff members to execute the practice of adoption nationally in the absence of required resources including trained manpower. The issue of adoption needs to be systematically addressed and call for the concerted efforts of the government. It is recommended that a separate body that may have full authority and adequate resources should handle inter-country adoption.

Limitations of the study

This exploratory, qualitative study utilized a purposeful sampling method and a small sample size. Data were collected only from the capital city for various reasons. In addition, due to resource limitations, not all stakeholders, particularly parents or caregivers of adoptable children who may have great roles were included. Thus, the study findings may not be generalizable.

References

- Abdella Muzein. (2003). Psychosocial Issues in Coping with the Challenges of AIV/AIDS: The Experience of AIDS Orphans in Addis Ababa. Unpublished MA Thesis, Department of Educational Psychology, College of Social Sciences, Addis Ababa University.
- Ayalew Duressa. (2002). Guddifachaa: Adoption Practice in Oromo Society with Particular Reference to the Borana Oromo. Unpublished MA Thesis, College of Social Sciences, Addis Ababa University.
- Bascom, B. B. and McKelvey, C. A. (1997). *The Complete Guide to Foreign Adoption*. New York: Pocket Books.
- Baxter, P. T. W. *et al.* (1976b). "Borana Age Sets and Generation Sets; Gada a Puzzle Maze." In P. T. W. and U. Almagor, Eds. *Age Generation and Time: Some Features of East African Age Organization*, London: C-Hurst: 151-182.
- Bartels, L. (1983). *Oromo Religion, Myths and Rites of the Western Oromo of Ethiopia, An Attempt to Understand*. Berlin: Dectrich Reimer Verlag.
- Chalachew Andargie. (2005). Child Welfare Services at Genete Yesus Child Welfare Center. Unpublished. BA Thesis, Department of Sociology and Social Anthropology, College of Social Sciences, Addis Ababa University.
- Children, Youth and Family Welfare Organization. (1992). *Convention on the Rights of the Child*. Addis Ababa: Birhan Selam Printing Enterprise.
- CSA. (1995). *The 1994 Population and Housing Census of Ethiopia: Results for Addis Ababa Region1 (1)*. Addis Ababa: CSA Printing Press.
- Duncan, W. (2001). *Hague Convention Guidelines Information for State Parties Ethiopia* (Encarta). Version 2006 for windows. 1991-2005. USA: Microsoft Corporation.

- FDRE. (2000). *The Revised Family Code. Proclamation of 2000. Federal Negarit Gazette Extraordinary Issue No.1/2000*. Addis Ababa: Birhan and Selam printing Enterprise.
- Fox, R. (1984). *Kinship and Marriage*. Middle Sex England: Penguin Books.
- Goody, J. (1969). Adoption in Cross-Cultural Perspective. *Contemporary Studies in Society and History*, 11(1): 55-77.
- Hollingsworth, L. D. (2003). International Adoption among Families in the United States: Consideration of Social Justice. *Social Work*, 48(2): 209-17.
- (1990). *The Oriental, the Ancient and the Primitive System of Marriage and the Family in the Pre-Industrial Societies of Eurasia*, Cambridge: Cambridge University Press.
- Johnson, A. K., Edwards, R. L. & Puwak, H. (1993). Adoption and Foster Care Policy in Romania: Suggestions for International Intervention. *Child Welfare*, 72(5): 489-506.
- Johnson, A.K., and Tenagne A. (2006). Cross Cultural Perspectives: Africa and Adoption. Research Report (forthcoming).
- Lowie, R .H. (1949). *Social Organization*. New York: Rinehart and Company Publisher.
- Melina, L. R. and Roszia, S. K. (1993). *The Open Adoption Experience*. New York: HarperCollins-Publishers, Inc.
- Microsoft Corporation. (2006). Microsoft Encarta Encyclopedia on Adoption. New York: Microsoft Corporation.
- Ministry of Women. (2005). Internal Procedures of inter-country Adoption (Draft Amharic Version). Unpublished Paper, Addis Ababa.
- MOJ. (2005). *Guidelines on NGOs in Ethiopia*. Addis Ababa: Birhan and Selam Printing Enterprise.
- MOLSA, Italian Cooperation and UNICEF. (2003). *Survey on the Prevalence and Characteristics of AIDS Orphans in Ethiopia*. Addis Ababa: Birhan and Selam Printing Press.
- MOLSA & UNICEF. (2002). *African Charter on the Rights and Welfare of the Child*. Addis Ababa: Bole Printing Press.

- MOLSA. (2005a). Research Report on Children and Family Affairs. BPR (Business Processing Engineering). Addis Ababa: Birhan and Selam Printing Press.
- MOLSA & Office of Women's Affairs. (2005b). Draft Document on Improving Practice of inter-country Adoption in Ethiopia Unpublished Government Document, Addis Ababa, MOLSA and Office of Women's Affairs.
- Mondell, J. (1994). *Kinship with Strangers; Adoption and Interpretations of Kinship in American Culture*, London: University of California Press.
- Muller, U. and Perry, B. (2001b). Adopted Persons' Search for and Contact with their Birth Parents II: Adoptee-Birth Parent Contact. *Adoption Quarterly*, 4 (3), 39-62.
- NAIC. (2003). *Adoption General Information Packet 1: Getting Started*. [Online]. Available on the Internet at: [<http://naic.acf.hhs.gov>]. (July 2003).
- (2004a). *Searching for Birth Relatives: A Fact Sheet for Families*. [Online]. Available on the Internet at: [<http://naic.acf.hhs.gov>]. (June 2004).
- (2004b). *Impact of Adoption on Adopted Persons: A Fact Sheet for Families. Gateways to Information: protecting children and strengthening families*. [Online]. Available on the Internet at: [<http://naic.acf.hhs.gov>]. (September 2004).
- (2004b). *Costs of Adopting: A Fact Sheet for Families Gateways to Information: Protecting Children and Strengthening Families*. Connections, Aldershot: Avebury Ashgate Publishing Ltd. [online]. Available on the Internet at: [<http://naic.acf.gov>]. (November 2003).
- Philipos Petros. (2002). The Impact of AIDS Orphans on Development, the Case of Addis Ababa. Unpublished MA Thesis, Department of Regional and Local Development Studies, Faculty of Business and Economics, Addis Ababa University.
- Ryan, S. D. and Groza, V. (1994). Romanian Adoptees: A Cross-national Comparison. *International Social Work*, 47(1): 53-79.
- Shell-Duncan, B. K. (n.d.). Child Fostering among Nomadic Turkana Pastoralists, Demographic and Health Consequences. In Elliot Fratkin *et al.*, Eds. *African Pastoralist Systems: An Introduction Approach*, New York: Lynne Reinner Publisher Inc.
- Sisay Tsegaye. (1992). Adoption in Ethiopia. Unpublished BA Thesis, College of Social Sciences, Addis Ababa University.
- Social & Civil Affairs Bureau. (2006). Guidelines of Adoption (Draft Amharic Version). Unpublished Guidelines, Addis Ababa.
- Subbararo, K., Mattimore, A. and Plangemann, K. (2001). *Social Protection of Africa's Orphans and Other Vulnerable Children*. New York: Human Development Sector Africa Region World Bank.

- Tadesse Berisso. (1988). Traditional Warfare among The Guji of Southern Ethiopia. Unpublished M.A Thesis, Michigan State University.
- Tesfaye Ayalew. (1998). Child Prostitution in Bahir Dar Town. Unpublished MPH Thesis, Department of Community Health, Faculty of Medicine, Addis Ababa University.
- U. S. Department of State. (2005a). *International Adoption in Ethiopia*. [online]. Available on the Internet at:[[http:// ravel.state.gov/visa/temp/types/types_1263.html](http://ravel.state.gov/visa/temp/types/types_1263.html)]. (June 2005).
- . (2005b). *International Adoption in Ethiopia*. Washington, DC.: U.S. Government Printing Office.[online]. Available on the Internet at:[[http:// travel.state.gov/visa/temp/types/types_1263.html](http://travel.state.gov/visa/temp/types/types_1263.html)].(8 July 2005).
- Van, M. H. and Juffer, F. and Pelhushis, C. W. K. (2005). Adoption and Cognitive Development. A Meta- Analytic Comparison of Adopted and Non-adopted Children's IQ and School performance. *Psychological Bulletin*, 131(2): 301-316.
- Wolf, P. H. (2002). Eritrea: Collective Responsibility for War Orphans. *IK Notes*, 50: 2.
- Zelalem Mengistu. (2005). The Number of Children Adopted Internationally is Increasing. (Amharic). *The Monitor*, 7 October: 1 & 12.

