

Embassy of the United States of America  
Nairobi, Kenya  
March 5, 2008

## **NEW INFORMATION ABOUT THE HAGUE ADOPTION CONVENTION**

The Hague Adoption Convention is a treaty, which enters into force with respect to the United States on April 1, 2008. This Convention strengthens protections for children, birthparents and prospective adoptive parent(s), and establishes internationally agreed upon rules and procedures for adoptions between countries that have a treaty relationship under the Hague Adoption Convention. Kenya is one of 75 convention countries. Regionally, Burundi is also a convention country. Hague ultimately provides a framework for member countries to work together to ensure that children are provided with permanent, loving homes, that adoptions take place in the best interests of a child, and that the abduction, sale or traffic in children is prevented.

Prospective adoptive parent(s) who file Form I-600A or Form I-600 **prior to April 1, 2008**, may continue to process their adoptions under the current orphan regulations, if the laws of the country of the child's origin allow for continuation under the orphan regulations. The Kenyan Children's Department is aware of our intent to process all adoptions filed by March 31, 2008 as orphan petitions. **Parents who do not file adoption paperwork with USCIS until after March 31, 2008 will be processed as Hague Adoptions.**

Among the changes brought by the Hague Convention are new forms and procedures to include centralized processing by the USCIS National Benefits Center (NBC) in Missouri. The *Application for Determination of Suitability to Adopt a Child from a Convention Country* (Form I-800A) MUST be filed with a home study before a child is matched with Prospective Adoptive Parents (PAP). Kenya's Central Authority will be notified of the PAP's approval as adoptive parents. Once the Central Authority matches a child for placement, and BEFORE PLACEMENT OCCURS, a *Petition to Classify a Convention Adoptee as an Immediate Relative* (Form I-800) will be filed with the NBC to provisionally approve the placement of that particular child with the PAP. After that provisional approval occurs, the child may be placed.

**IMPORTANT:** The Hague Convention dictates there be **NO** interaction between a PAP and the child's parents, care-giver, or legal custodian **PRIOR** to the Provisional Approval of the I-800, unless the adoption is within a family. Final approval of the I-800 will rest with the Consular Section at time of visa issuance, after the adoption is finalized. More information on the Hague Adoption Convention may be found at [www.travel.state.gov](http://www.travel.state.gov) or [www.uscis.gov](http://www.uscis.gov).

The U.S Embassy is located on United Nations Avenue, Gigiri, Nairobi, Kenya; telephone (254) (20) 363-6000; fax (254)(20) 363-6410. In the event of an after-hours emergency, the Embassy duty officer may be contacted at (254) (20) 363-6170. The Embassy's international mailing address is P.O. Box 606, Village Market 00621, Nairobi, Kenya. Mail using U.S. domestic postage may be addressed to Unit 64100, APO AE 09831. The Embassy home page is <http://kenya.usembassy.gov>.