

Supreme Court Orders Final U.S. Adoptions Carried Out

By [Jonathan Earle](#)

January 22, 2013

The  Moscow Times

The Supreme Court has instructed lower courts to allow orphans adopted by Americans to be permitted to join their new families in cases where the legal adoption process was completed before Jan. 1, according to a document posted on the court's website Tuesday.

Media reports saying that local authorities have blocked such adoptions despite promises from senior officials have added confusion and bitterness to Russia's decision to ban U.S. adoptions as of the beginning of the year, with families and orphans finding themselves in legal limbo.

An exact count of how many such orphans are still in Russia is being determined, children's ombudsman Pavel Astakhov said Tuesday.

The approximately 52 orphans whose adoptive families have completed the process are leaving Russia day by day, including four in the past week, he said, adding that 22 have left

the Leningrad region and seven have departed from St. Petersburg.

While the court's decision appeared to bring some clarity, other details about how adoption links between Russia and the United States will be severed remained unclear.

Astakhov and U.S. Ambassador Michael McFaul sent contradictory signals Tuesday about how Russia would monitor its citizens among the 45,000 Russian children who have been adopted by Americans since 1999.

"Under the earlier agreement, Russia could track what happens to them. But now that [Russia] has renounced the agreement, there's no such possibility," McFaul tweeted Tuesday.

But Astakhov told Interfax that Russian consular officials could continue to track the children as long as Russia and the United States have official ties, under the 1961 Vienna Convention on Diplomatic Relations. "McFaul has apparently decided to cancel [the convention]," he said.

The orphans give up Russian citizenship when they reach legal adulthood, Astakhov told Interfax.

Adding further confusion, Astakhov told Kommersant FM on Monday that U.S. and Russian diplomats had yet to say whether the current adoptions agreement, which includes a monitoring regime, will remain in force until the end of the year or be discarded immediately.

Earlier, President Vladimir Putin's spokesman said that the agreement, which went into force Nov. 1, would remain in effect until Jan. 1 of next year.

Between 500 and 1,000 children are at various stages in the adoptions process, the State Department has said, and the Obama administration is trying to convince Russia to allow those adoptions to go through, McFaul tweeted Tuesday.

But Astakhov argued that the families wanting to adopt those orphans were not far enough along in the process to justify allowing the adoptions.

"I don't understand who we're talking about," he said, referring to orphans whose adoption was still pending. "Russian parents are standing alongside the American adoptions agencies, waiting in line to adopt an orphan."

Astakhov also said it was "meaningless" whether the prospective parents had met the child. "The children are in an orphanage, and they perceive every adult who arrives as a potential mother or father," he said, adding that the children did not know they were being singled out for possible adoption.

Related articles:

- [Russia's Crocodile Tears For Its Spurned Children](#)
- ['Dima Yakovlev' Blacklist of U.S. Officials Reaches 60](#)
- [Kremlin Running Out of Options as Protests Grow](#)

Original url:

<https://www.themoscowtimes.com/2013/01/22/supreme-court-orders-final-us-adoptions-carried-out-a20843>