

Afghanistan Eligibility Requirements



In addition to U.S. immigration requirements, you must also meet the following requirements in order to adopt a child from Afghanistan:

- **Residency:** Afghan law does not clearly state any residency requirements for prospective guardians.
- **Age of Adopting Parents:** Afghan law does not clearly state any age requirements for prospective guardians.
- **Marriage:** Afghan law does not clearly state any marriage requirements for prospective guardians.
- **Income:** Prospective guardians must demonstrate to the Family Court that they have sufficient resources to educate and raise the child.
- **Other:** Per Afghan laws, prospective parents who are non-Muslims may not be appointed as guardians of Muslim children. Prospective parents must demonstrate to the satisfaction of the Afghan Family Court judge that they intend to raise the child in accordance with Islamic tradition and norms.

In order to be eligible as a guardian, Afghan Civil Code states that the guardian must be righteous, meet all eligibility requirements, and be able to support the child. A person who has been convicted of crimes against public morality or chastity, has a bad reputation, does not have legitimate income, previously lost guardianship of the child by order of the court, has been denied guardianship in writing by the father or paternal grandfather of the child, or has any judicial dispute with the child's family, may not be appointed guardian.

<https://travel.state.gov/content/travel/en/Intercountry-Adoption/Intercountry-Adoption-Country-Information/Afghanistan.html>

Additionally, children eligible for adoption and immigration to the US must meet the following definition of an orphan as provided by USCIS which states under U.S. immigration law, an orphan is a foreign-born child who:

- does not have any parents because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents

OR

- has a sole or surviving parent who is unable to care for the child, consistent with the local standards of the foreign sending country, and who has, in writing, irrevocably released the child for emigration and adoption

You must file an orphan petition before the child's 16th birthday, or before the child's 18th birthday if the child is a birth sibling of another child whom you have also adopted and who immigrated (or will immigrate).

<https://www.uscis.gov/adoption/immigration-through-adoption/orphan-process>