

■ ■ ■ **INTERNATIONAL ADOPTION**

- ■ ■ Two spouses who are not Kenyans and who are not residing in Kenya may conduct an international adoption of a child, provided that legal requirements are met. The government office responsible for international adoptions in Kenya is the Department of Children's Services. It provides a list of currently registered Kenyan adoption societies which start the adoption procedure on behalf of the prospective adopters or a foreign adoption society. It can be contacted at:

Department of Children Services

P.O. Box 46205-00100

Nairobi, Kenya

Tel: +254-20-2228411

e-mail: childrens@homeaffairs.go.ke

■ ■ ■ **Main steps of international adoption procedure:**

- ■ Assessment of prospective adoptive parents by an adoption society;
- ■ Declaration of a child proposed as "free for adoption" by an adoption society;
- ■ Placement of child with applicants;
- ■ Three months mandatory bonding period within Kenya of the prospective adoptive parents and the child to be adopted, prior to filing the adoption before court.
- ■ The court process involves:
 - appointment of guardian ad litem;
 - hearing;
 - assessment reports;
 - final adoption orders;
 - issuance of adoption certificate by Registrar General

■ ■ ■ **Eligibility requirements for adoptive parents:**

- ■ One of the applicants must be more than 25 years old but less than 65 years old, and must be more than 21 years older than the child. The applicant can be a relative.
- ■ Adoption orders will not be granted:
 - To a single foreign applicant;
 - If one or both applicants is not of sound mind, as defined by the Kenyan Mental Health Act;
 - To an applicant who has been charged and convicted by a court of competent jurisdiction for any offence against children under Kenyan laws;
 - To gay and lesbian individuals or couples;
 - To joint applicants not married to each other.

■■■ **Consent required:**

- From parents, guardians or any person having parental responsibility over a child to be adopted;
- For people not resident in Kenya, the consent of their courts or competent government authority;
- The consent of a child who has attained the age of 14.

■■■ **Information and certified copies of documents required from the adopter:**

- Passports;
- Full-size colour photographs;
- Full-size colour photographs of his/her child(ren) (if any);
- Religion;
- Occupation;
- Birth certificate;
- Birth certificate of his/her child(ren) (if any);
- Marriage certificate;
- Medical certificate(s), including information on the adopter's fertility, certified by a medical practitioner (*form to be downloaded from this website*);
- Social enquiry report from an official agency, detailing preferences of the child to be adopted;
- Two (2) references from responsible persons, preferably a local religious leader, Commissioner for Oaths, notary public or relevant government department;
- Affidavit from (a) reliable person(s) to take charge of the child in case of accident or death of the adoptive parents;
- Report on financial means, supported by official documents;
- Report on fixed assets;
- Record of convictions (if any);
- Certificate of good conduct;
- Consent from competent court or government authority, permitting the adopter to adopt a foreign child;
- Undertaking by foreign adopter, duly completed (*form to be downloaded from this website*);
- Undertaking by foreign adoption society, duly completed (*form to be downloaded from this website*).

- It is illegal to advertise that a child is offered for adoption or that a person wishes to adopt a child.