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EDITORIAL

Implications of the increase in the number of intercountry adoptions from a region and growing awareness of the needs: The example of Africa

Africa has rapidly become a major region of origin for intercountry adoptions and recent events have drawn the attention of authorities to the implications of such processes.

Recent intercountry adoption statistics of receiving countries reflect the increasing demand for African children. Indeed, Ethiopia has become the first country of origin (417 adoptions in 2007), and Africa the first continent of origin (959 adoptions in 2007, representing 30% of all adoptions), of intercountry adoption in France¹. The statistics provided by the Italian Central Authority also reflect an increase in the number of intercountry adoptions from Africa². Furthermore, in 2006, Ethiopia entered into the top 5 countries of origin in relation to intercountry adoptions to the U.S.A. (1,255 adoptions), and Liberia was not far behind (314 adoptions)³. These numbers reflect a considerable shift towards the African continent in matters of intercountry adoption⁴, which has led to an increasing demand on countries of the region, and subsequently, to concerns in relation to risks of particular illegal practices and the lack of adequate procedures.

National practices and a wave of reactions

On a continent whose social and legal systems strongly combine traditional practices and modern structures, it is often a challenge to ascertain whether adoptions, as known in most receiving countries, are truly acceptable and recognised in society and in law, and

whether the legal and administrative structure relied upon appropriately protects the rights of the children involved. These gaps may jeopardise the genuine meaning of child protection, as has recently been raised by the case of the French organisation *Arche de Zoé* in Chad, whose true objectives still remain unclear, and by illegal practices undertaken by some other adoption bodies active on this Continent.

Indeed, in the wake of these events, a number of African countries have become aware of the negative implications, which intercountry adoptions may have in a context, which lacks a clear legal framework and administrative structure. For example, in November 2007, the government of the Republic of Congo (Brazzaville) announced that intercountry adoption procedures had been suspended and that stricter adoption procedures were required, in accordance with the rules and texts in force⁵ – although it appears that intercountry adoptions have now resumed⁶. Similarly, the U.S. Department of State has informed that the Ministry of Social Welfare of the Republic of Zambia has also suspended the adoption of Zambian children by foreigners, effective as of 22 December 2007⁷. In Liberia, the government has initiated investigations into what it believes were

irregularities in the process of adoption of Liberian children flown to the U.S.A., and which involved two not-formally accredited or licensed adoption bodies⁸. Furthermore, the Ministries of Justice and of Social Action, Promotion of Women, Child Protection and Elderly Persons of Togo also have stated that, by inter-ministerial decree issued on 1 February 2008, child adoption procedures have been suspended across the Togolese territory until further notice⁹. Finally, the Government of Lesotho has established a Commission of Inquiry following the suspension of adoptions of Basotho children by foreigners, effective since June 2007¹⁰.

On the other hand, Spain has also decided to suspend adoptions from Guinea-Bissau, based on recent reports of illegal adoption attempts¹¹. In brief, there is a shift towards greater awareness of the implications of intercountry adoptions for the children across this Continent, as well as of the need to ensure that adequate and ethical procedures are in place.

Recommendations

Despite rapidly growing as a continent of origin in the context of intercountry adoption, and despite a strongly increasing number of applications being received for the adoption of children from Africa, only eight of its countries have ratified, or are currently in the process of ratifying, the 1993 Hague Convention on Intercountry Adoption. The ratification of this instrument, however, often requires important financial and human resources, which may present challenges for some countries of origin. It is therefore essential to support and encourage them to adhere to this strong framework for the development of appropriate legislative provisions for the intercountry adoption of children, and to establish a clear and professional structure to process these adoptions, with a view to progressively implementing its provisions and to ratifying the Convention in the future. In this context, it is undoubtedly strongly recommended that more countries in the region do ratify this Convention. It is hoped that this would subsequently offer more guarantees, stronger cooperation, and a better protection for

adoptable children and for children involved in the process of adoption from Africa.

The ISS/IRC team,

¹ Mission de l'Adoption Internationale (France), *Statistiques* 2007 (http://www.diplomatie.gouv.fr/fr/IMG/pdf/chiffres_adoption_2007.pdf).

² Commissione per le Adozioni Internazionali (Italy), *Coppie e bambini nelle adozioni internazionali* (<http://www.commissioneadozioni.it/FileServices/Download.aspx?ID=353>).

³ U.S. Department of State (U.S.A.), *Immigrant visa statistics, FY 2007* (http://www.travel.state.gov/family/adoption/stats/stats_451.html).

⁴ *Statistics and Global Trends in Intercountry Adoption*, Dr Peter Selman, Newcastle University.

⁵ 'Congo: Suspension des adoptions après les arrestations au Tchad' [Congo: Suspension of adoptions after the arrests in Chad], *IRIN News*, 2 November 2007 (<http://www.irinnews.org/fr/ReportFrench.aspx?ReportId=75133>); see also ISS/IRC Monthly Review N° 1/2008.

⁶ 'Reabren las adopciones en Congo', *Adoptantis - El Periódico de la Adopción* N° 56, Abril 2008.

⁷ U.S. Department of State *Suspension of intercountry adoption in Zambia*, January 2008 (http://travel.state.gov/family/adoption/intercountry/intercountry_3944.html).

⁸ 'Liberia investigates child adoptions by U.S. agency', *Reuters*, 1 February 2008 (<http://www.reuters.com/article/domesticNews/idUSL0111956320080201>).

⁹ Mission de l'Adoption Internationale (France), *Actualités: Togo*, 11 February 2008 (http://www.diplomatie.gouv.fr/fr/les-francais-etranger_1296/conseils-aux-familles_3104/adoption-internationale_2605/actualites_3230/togo-11-02-2008_59379.html).

¹⁰ U.S. Department of State *Suspension of intercountry adoptions in Lesotho*, April 2008 (http://www.travel.state.gov/family/adoption/intercountry/intercountry_4225.html); see also ISS/IRC Monthly Review N° 9/2007.

¹¹ 'Adopción irregular en Guinea Bissau', *Adoptantis - El Periódico de la Adopción* N° 55, March 2008.