

GUIDELINES ON INTERNATIONAL ADOPTION

Given the Constitution of the Republic of Rwanda of 4th June, 2003, as amended to date, especially in its Articles 27, 28 and 42;

Given the International Convention on the Rights of the Child of 20th November, 1989, as ratified by the Presidential Order N° 773/16 of 19/09/1990, especially in its Articles 3, 5, 9, 11, 19, 20, 21, 27, 34 and 35;

Given the Law relating to rights and protection of the child against violence, especially in its Articles 2 and 9;

After examining the need to set up relevant instructions in order to avoid trafficking of children through inter-country adoption, the Minister of Gender and Family Promotion hereby sets the following guidelines regarding the procedure of concluding inter-country adoption in Rwanda:

- I. The orphanages that are allowed to present children for Inter-country adoption are designated by the Ministry of Gender and Family Promotion
- II. These orphanages will have to have files of adoptable children indicating for each child the following information:
 - ✓ Identifying details (name, date and place of birth, name of parents if known);
 - ✓ Child recent photograph;
 - ✓ Placement history (chronological, with dates and reasons);
 - ✓ Antecedents of family of origin (biological parents);
 - ✓ Medical history (health);
 - ✓ Emotional, intellectual status;
 - ✓ Present environmental care (relationships, behaviour, habits, in the orphanage);
 - ✓ Opinion of child having regard to his/her age and degree of maturity.
- III. Other adoptable children from the community will be determined by the Sector Authorities in collaboration with Districts and MIGEPROF. The information on these children will also be compiled and kept in files with the same details as above.
- IV. The prospective adoptive parents (PAPs) will write a letter of "Application" to the Ministry of Gender and Family Promotion indicating their names,

date and place of birth, nationality and full permanent residence address and stating the reason for adopting a child from Rwanda and the description of the desired child.

- V. The prospective adoptive parents will submit the following information as annexes:
1. Marital status of the prospective adoptive parents (married or single, or widow) with a Copy of Marriage Certificate (where applicable);
 2. Family composition with own children and their ages;
 3. Background criminal record;
 4. Copy of birth Certificate
 5. Copies of other current Identity papers;
 6. Proof of income;
 7. Consent of spouses;
 8. Consent of own grown up children (if applicable);
 9. Latest medical record (not more than 3 months old);
 10. A home study report by State authority or an approved Agency;
 11. If the applicants are from a country that has ratified the Hague Convention, they shall present an adoption approval from their home country's Central Authority;
 12. A Letter of "Recommendation" from the Rwandan Embassy accredited in the applicant's home country;
 13. A letter of consent by the would-be guardian in the event of the death of both adoptive parents.

All the foregoing documents should be authenticated by a Notary of the applicant's home country and certified by the Rwanda Embassy accredited in that country.

VI. After the assessment of the application and in case of approval the Ministry of Gender and Family Promotion will issue a letter of "**Non objection**" for the prospective adoptive parents.

VII. The Department /Officer in charge of inter-country adoption within the Ministry of Gender and Family Promotion will liaise with the approved



orphanages submitting the PAP's application for the selection of the prospective adoptees' matching files.

- VIII. The Department /Officer in charge of inter-country adoption within the Ministry of Gender and Family Promotion will then submit the matching files to the body that has compiled the PAPs home study that will help the PAPs to identify the adoptee of their choice.
- IX. The PAPs will inform MIGEPROF of their choice in writing.
- X. The Department /Officer in charge of inter-country adoption within the Ministry of Gender and Family Promotion will facilitate the matching between PAPs and the child.
- XI. The Sector of residence of the child, upon request by the PAPs, will establish and issue the "**Adoption Act**" as expeditiously as possible.
- XII. After the legally established procedure of adoption, especially Art. 340 and 341 of the Law N° 42/1988 of 27/10/1988 instituting the preliminary title and the first book of the Civil Code of Rwanda, O. G. 1989, has been followed and completed, MIGEPROF shall issue a clearance letter of legally approved adoption under the title "**To whom it may concern**". This document shall entail the following details:
- Name of the adoptee;
 - Name of the parents of the adoptee (if they are known);
 - Name of the sector where the adoption was initiated and date;
 - Name of the Court where the adoption was approved;
 - Date of approval of adoption
 - Name of the adoptive parents;
 - The home country of the adoptive parents (the receiving state).
- XIII. The body that has compiled the adoption home study for the parents shall provide post-adoption reports to MIGEPROF after six months and an annual progress report for the first two years.



- XIV.** The adoption process is facilitated by the Central Government (Department in charge of Child Protection based in the Ministry of Gender and Family Promotion) and Local Government (sector of residence of the child to be adopted). No adoption Agency (local or international) is allowed to operate in Rwanda.
- XV.** The present instructions come into force on the date of their signature by the Minister of Gender and Family Promotion.

Done in KIGALI on April 23th, 2009



Dr MUJAWAMARIYA Jeanne d'Arc
Minister of Gender and Family Promotion