

## Country Profile for the 1993 Adoption Convention<sup>1</sup>

### State of origin

COUNTRY NAME: Kenya

PROFILE UPDATED ON: 11/02/2026

#### I Central Authority(ies) designated by [KENYA ]

##### 1. Contact details<sup>2</sup>

Central Authority (Art. 6(1))	
1.1. Name of the office (including acronyms used):	National Council For Children Services( NCCS)
1.2. Address:	Social Security House Block C , 4 <sup>TH</sup> Floor P.O BOX 6446-00100
1.3. Telephone:	+254-2027298011-19
1.4. Fax:	
1.5. Email:	info@nccs.go.ke
1.6. Website:	nccs.www.go.ke
1.7. Contact person 1	Direct contact details Abdinoor Mohamed (CEO) Direct telephone: +254 720 938187 Direct email: abduinoor.mohamed@nccs.go.ke Language(s) of communication: English/Swahili Preferred method of communication: <input type="checkbox"/> Email <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Fax

<sup>1</sup> All HCCH documents on adoption mentioned in this document are available on the HCCH website at [www.hcch.net](http://www.hcch.net) under "Adoption Section".

<sup>2</sup> Please verify whether the contact details on the "Adoption Section" of the HCCH website [www.hcch.net](http://www.hcch.net) under "Central Authorities" are up to date. If not, please e-mail the updated contact information to [secretariat@hcch.net](mailto:secretariat@hcch.net).

	<input type="checkbox"/> Other (please specify):
1.8. Contact person 2 (if applicable)	<p>Direct contact details: Richard Mugata( Director)</p> <p>Direct telephone: richard.mugata@nccs.go.ke</p> <p>Direct email: richard_magata@yahoo.com</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input checked="" type="checkbox"/> Email</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> Other (please specify):</p>
<b>Other designated Central Authority(ies), if applicable (Art. 6(2))<sup>3</sup> N/A</b>	
1.9. Name of the office (including acronyms used)	N/A
1.10. Address:	
1.11. Telephone:	
1.12. Fax:	
1.13. Email:	
1.14. Website:	
1.15. Contact person 1	<p>Direct contact details: N/A</p> <p>Direct telephone:</p> <p>Direct email:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Email</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> Other (please specify):</p>
1.16. Contact person 2 (if applicable)	<p>Direct contact details: N/A</p> <p>Direct telephone:</p> <p>Direct email:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Email</p>

<sup>3</sup> This section will be expandable in order to allow for the inclusion of additional Central Authorities.

	<input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> Other (please specify):
<b>Last Update: [INSERT DATE]<sup>4</sup></b>	

## II Relevant legislation in [Kenya]

### 2. The 1993 Adoption Convention and domestic legislation

<p>2.1. When did the 1993 Adoption Convention enter into force in [name of your State]?</p> <p><i>This information is available on the <a href="#">Status Table</a> for the 1993 Adoption Convention (accessible via the <a href="#">Adoption Section</a> of the HCCH website <a href="http://www.hcch.net">www.hcch.net</a>).</i></p>	<p>Ratification: February 12<sup>th</sup>, 2007 Entry into force: June 1, 2007</p>
<p>2.2. Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Adoption Convention in [KENYA]. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy.</i></p>	<p>-The provisions were domesticated into law notably through Children’s Act 2001 -Adoption regulations 2005 - Repeal of Children Act 2001 and Enactment of children’s Act cap 141, 2022 - Development of Regulations under the Children Act(CA) 2022 in progress</p>
<b>Last Update: [14/02/2026]</b>	

### 3. Other international agreements on intercountry adoption<sup>5</sup>

<p>Is [KENYA] party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p>See Art. 39.</p>	<input type="checkbox"/> Yes: <ul style="list-style-type: none"> <li><input type="checkbox"/> Regional agreements (please specify):</li> <li><input type="checkbox"/> Bilateral agreements (please specify):</li> <li><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <input checked="" type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

<sup>4</sup> This will be done automatically in the electronic format of the Country Profile.

<sup>5</sup> See Art. 39(2) which states: “Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Arts 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention” (emphasis added).

### III The role of authorities and bodies

#### 4. Central Authority(ies)

<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Adoption Convention in [Kenya].</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>Develop adoption regulations and guidelines.</p> <p>Accredit and license duly registered adoption and child protection agencies in order to facilitate domestic and inter-country adoptions..</p> <p>Freeing children for adoption.</p> <p>Maintain data on PAPs and Guardian adlitem.</p> <p>Provide advisories on adoption matters.</p> <p>Issue Certificate of conformity.</p> <p>Provide evaluation reports.</p> <p>Promote post adoptions services support.</p> <p>Facilitate, follow and expedite adoption proceedings.</p>
<p><b>Last Update:</b> [1//02/2026]</p>	

#### 5. Public and competent authorities

<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the inter-country adoption procedure in [Kenya].</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p><b>Directorate Of Children’s service:</b> Provide final court report on adoption case.</p> <p><b>Attorney General’s office:</b> Issue an adoption certificate.</p> <p><b>Registrar of birth:</b> Issue a birth certificate based on the adoption order.</p> <p><b>Courts:</b> Consider and determine the adoption matters.</p> <p><b>Adotion societies:</b> Provision of social enquiry reports, matching and placements of children , counselling services</p> <p><b>Immigartion department:</b> Facilitates issuance of travel documents</p>
<p><b>Last Update:</b> [14/02/2026]</p>	

#### 6. National accredited bodies<sup>6</sup>

<p>6.1. Has [Kenya] accredited its own adoption bodies?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <b>go to Question 7</b></p>
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<sup>6</sup> “National accredited bodies” in this Country Profile means adoption bodies based within your State (State of origin) which have been accredited under the 1993 Adoption Convention by the competent authorities in your State. See further HCCH, *Guide to Good Practice No 2: Accreditation and Adoption Accredited Bodies*, Bristol, Family Law (Jordan Publishing Limited), 2012 ([GGP No 2](#)), Chapters 3.1 et seq.

<p>See Arts 10-11.</p> <p><b>N.B.</b> the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH (see Art. 13).<sup>7</sup></p>	
<p>6.2. Please indicate the number of national accredited bodies in [Kenya], including whether this number is limited and, if so, on what basis.<sup>8</sup></p>	<p>There are no accredited bodies in Kenya currently.</p> <p>In the event of a home study request by a contracting country, NCCS conducts the assessments and forwards reports</p>
<p>6.3. Please briefly describe the role of national accredited bodies in [Kenya].</p>	<p>They can only be accredited when the regulations are gazetted</p>
<p><b>The accreditation procedure (Arts 10-11)</b></p>	
<p>6.4. Which authority / body is responsible for the accreditation of national adoption bodies in [Kenya]?</p>	<p>NCCS- National Council for Children Services</p>
<p>6.5. Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i>.</p>	<p>Application are submitted to the NCCS using the prescribed forms as provided for within children's adoption regulation.</p>
<p>6.6. For how long is accreditation granted in [Kenya]?</p>	<p>The accreditation lasts for one-year renewable.</p>
<p>6.7. Please briefly describe the criteria and the procedure used to determine whether the accreditation of a national adoption body will be <i>renewed</i>.</p>	<p>Submission of the updated and audited books of accounts.</p> <p>Demonstrated track record providing support to adoptive and parents and children.</p>
<p><b>Monitoring of national accredited bodies<sup>9</sup></b></p>	
<p>6.8. Which authority is competent to monitor / supervise national accredited bodies in [Kenya]?</p> <p>See Art. 11(c).</p>	<p>NCCS- National Council for Children Services</p>
<p>6.9. Please briefly describe how national accredited bodies are monitored / supervised in [Kenya] (e.g., if inspections are undertaken, how frequently).</p>	<p>Routine inspections conducted on quarterly by the offices from the complaints department within the DCS according to draft regulations</p>
<p>6.10. Please briefly describe the circumstances in which the accreditation of bodies can be revoked (i.e., withdrawn).</p>	<p>When there is breach of the adoption provisions and malpractices</p>
<p>6.11. If national accredited bodies do not comply with the 1993 Adoption</p>	<p><input checked="" type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of accreditation):</p>

<sup>7</sup> *Ibid.*, Chapter 3.2.1 (para. 111).

<sup>8</sup> *Ibid.*, Chapter 3.4.

<sup>9</sup> *Ibid.*, Chapter 7.4.

Convention, is it possible for sanctions to be applied?	Fine, withdrawal of registration certificate or recommend prosecution. <input type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

## 7. Authorised foreign accredited bodies (Art. 12)<sup>10</sup>

7.1. Has [Kenya] authorised any foreign accredited adoption bodies to work with, or in, [Kenya]?  <i>N.B. the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – <b>go to Question 8</b>
7.2. Please indicate the number of foreign accredited bodies authorised to work with, or in, [Kenya]. If this number is limited in any way, please indicate on what basis [name of your State] limits the number. <sup>11</sup>	
7.3. Please briefly describe the role of authorised foreign accredited bodies in [Kenya].	
7.4. Are there any requirements concerning the way foreign accredited bodies must operate in [Kenya]?  <i>Please tick any which apply.</i>	<input type="checkbox"/> Yes: <ul style="list-style-type: none"> <li><input type="checkbox"/> The foreign accredited body must establish an office in [name of your State] with a representative and professional staff (from the receiving State or from [name of your State] – please specify): <b>OR</b></li> <li><input type="checkbox"/> The foreign accredited body must work with [name of your State] through a representative, acting as an intermediary, but an office is not required: <b>OR</b></li> <li><input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in [name of your State]: <b>OR</b></li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <input type="checkbox"/> No
<b>The authorisation procedure</b>	
7.5. Which authority / body in [Kenya] is responsible for the authorisation of foreign accredited bodies?	National Council for Children’s Services

<sup>10</sup> In relation to authorisation of accredited bodies, *ibid.*, Chapter 4.2.

<sup>11</sup> See [GGP No 2](#), *ibid.*, Chapter 4.4 on “limiting the number of accredited bodies authorised to act in States of origin”.

7.6. Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . <sup>12</sup> If [Kenya] does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	
7.7. For how long is authorisation granted?	
7.8. Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
<b>Monitoring of authorised foreign accredited bodies</b>	
7.9. Does [name of your State] monitor / supervise the activities of authorised foreign accredited bodies? <sup>13</sup>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – <b>go to Question 8</b>
7.10. Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
7.11. Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in [name of your State] (e.g., if inspections are undertaken, how frequently).	
7.12. Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked ( <i>i.e.</i> , withdrawn).	
7.13. If authorised foreign accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of authorisation):  <input type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

## 8. Approved (non-accredited) persons (Art. 22(2))<sup>14</sup>

<p>8.1. Is the involvement of approved (non-accredited) persons <i>from [KENYA]</i> permitted in intercountry adoption procedures in [KENYA]?</p> <p><i>N.B.</i> see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the <a href="#">Status Table</a> for the 1993 Adoption Convention, available on the <a href="#">Adoption Section</a> of the HCCH website.</p>	<input type="checkbox"/> Yes, [name of your State] has made a declaration according to Article 22(2). Please specify the role of these approved (non-accredited) persons in [name of your State]:  <input checked="" type="checkbox"/> No
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<sup>12</sup> In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

<sup>13</sup> *Ibid.*, Chapter 7.4 and, in particular, para. 290.

<sup>14</sup> *Ibid.*, Chapter 13.

<p><i>If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the HCCH should be informed of the names and addresses of these bodies and persons (Art. 22(3)).<sup>15</sup></i></p>	
<p>8.2. Is the involvement of approved (non-accredited) persons <i>from other Contracting States</i> permitted in intercountry adoption procedures in [Kenya]?</p> <p><i>N.B. see Art. 22(4) and check whether your State has made a declaration according to this provision. You can verify this on the <a href="#">Status Table</a> for the 1993 Adoption Convention, available on the <a href="#">Adoption Section</a> of the HCCH website.</i></p>	<p><input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in [name of your State]:</p> <p><input checked="" type="checkbox"/> No, [name of your State] has made a declaration according to Article 22(4).</p>
<p><b>Last Update: [14/02/2026]</b></p>	

## IV The children proposed for intercountry adoption

### 9. The profile of children in need of intercountry adoption

<p>Please briefly describe the general profile of the children usually in need of intercountry adoption in [Kenya ] (e.g., age, sex, state of health).</p>	<p>Ages - six months and above.</p> <p>Any child who is resident within Kenya whether or not the child was a Kenyan citizen or not</p>
<p><b>Last Update: [14/02/2026]</b></p>	

### 10. The adoptability of a child (Art. 4(a))

<p>10.1. Which authority is responsible for establishing that a child is adoptable?</p>	<p>NCCS</p>
<p>10.2. Which criteria are applied to determine whether a child is adoptable?</p>	<p>Eligibility criteria as criteria as provided under the Children Act 2022 section 185 (4) and Children Adoption regulations 2022.</p>
<p>10.3. Please briefly describe the procedures used in [Kenya ] to determine whether a child is adoptable (e.g., search for the child's birth family).</p> <p><i>N.B. the issue of consent is dealt with at Question 12 below.</i></p>	<p>Conducting family tracing for the child by the Directorate of children services( DCS) and Adoption societies</p> <p>if tracing is unsuccessful, the child is recommended for freeing</p>
<p><b>Last Update: [14/02/2026]</b></p>	

### 11. The best interests of the child and subsidiarity (Art. 4(b))

<p>11.1. Please briefly describe how Kenya ] ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (e.g., through the</p>	<p>Through Continuum of care, adoption is resorted to as last option. Preference given to local adoption over intercountry process</p>
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<sup>15</sup> *Ibid.*, Chapter 13.2.2.5.

provision of family support services, the promotion of family reunification and domestic alternative care solutions).	
11.2. Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?	The National Council for children Services .
11.3. Please briefly explain how that decision is reached (e.g., whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.	Done via Committee following the laid down procedure as provided for within the adoption regulations.
<b>Last Update: [INSERT DATE]</b>	

## 12. Counselling and consents (Art. 4(c) and (d))

<p>12.1. According to [Kenya]'s domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios below.</p> <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.</p>	<ul style="list-style-type: none"> <li>(i) Both parents are known; Both Parents</li> <li>(ii) One parent is unknown or deceased; Surviving parent and guardian if available</li> <li>(iii) Both parents are unknown or deceased; guardian. /DCS</li> <li>(iv) One or both parents have been deprived of his / her / their parental responsibilities (<i>i.e.</i>, the rights and responsibilities which attach to being a parent). The consent is discharged</li> </ul>
12.2. Please describe the procedure for:	<ul style="list-style-type: none"> <li>(i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and This is done by a professional counsellor hired by Adoption societies.</li> <li>(ii) obtaining their consent(s) to an adoption.<sup>16</sup> Conducting an interview and swearing an affidavit</li> </ul>
<p>12.3. Does [kenya ] use the model form "Statement of consent of the legal parents or the legal representative of the child to the adoption (Art. 4(c))" developed by the Permanent Bureau of the HCCH?</p> <p>See <a href="#">Recommended Model Forms</a> for use under the 1993 Adoption Convention - Form No 1.<sup>17</sup></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No – please provide (or link to) any form(s) which [name of your State] uses for this purpose:
12.4. Does [name of your State] use the model form "Statement of consent of the child to the intercountry adoption	<input type="checkbox"/> Yes

<sup>16</sup> See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Adoption Convention.

<sup>17</sup> HCCH, *Recommended Model Forms for use under the 1993 Adoption Convention*, 2024 ([Model Forms](#)).

<p>(Art. 4 (d))” developed by the Permanent Bureau of the HCCH? See <a href="#">Recommended Model Forms</a> for use under the 1993 Adoption Convention - Form No 5.</p>	<p><input checked="" type="checkbox"/> No – please provide (or link to) any form(s) which [name of your State] uses for this purpose:</p>
<p>12.5. Having regard to the age and degree of maturity of a child, please briefly describe how [Kenya ] ensures that consideration is given to the child’s wishes and opinions when determining whether an intercountry adoption should proceed.  See Art. 4(d)(2).</p>	<p>The children Act 2022 requires a child of 10 years and above to give assent to being adopted</p>
<p>12.6. Please briefly describe the circumstances in which a child’s <u>consent</u> to an intercountry adoption is required in [Kenya ].  See Art. 4(d)(1).</p>	<p>Child participation is a pillar and therefore any child above 10 years is expected to give assent to any adoptions proceedings and matter adversely affecting them</p>
<p>12.7. Where the child’s consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.  See Art. 4(d)(1).</p>	<p>It is done as guided by the child participation guidelines as influenced by the evolving capacity of the subject child <a href="https://www.nccs.go.ke/node/233">https://www.nccs.go.ke/node/233</a></p>
<p><b>Last Update: [INSERT DATE]</b></p>	

### 13. Children with special needs

<p>13.1. In the context of intercountry adoption, please describe what is meant in [Kenya ] by “children with special needs”.</p>	<p>These are the categories of children requiring tailored care, education and supportt.</p>
<p>13.2. What, if any, procedures does [Kenya] use to expedite the adoption of children with special needs?</p>	<p>PAPS are highly encouraged to put request forward to adopt such children.</p>
<p><b>Last Update: [INSERT DATE]</b></p>	

#### 14. The preparation of children for intercountry adoption

Is there a special procedure in [Kenya] to prepare a child for an intercountry adoption?	<input type="checkbox"/> Yes, please provide details (e.g., the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used): <input checked="" type="checkbox"/> No
Last Update: [14/02/2026]	

#### 15. The nationality of children who are adopted intercountry<sup>18</sup>

Are children who are nationals of [Kenya] and who are adopted intercountry permitted to retain their nationality?	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration (e.g., the nationality of the foreign resident prospective adoptive parents (“PAPs”), whether the child acquires the nationality of the receiving State): Kenya allows for dual citizenship, depending on whether the receiving state allows for dual citizenship, the child may retain Kenyan Nationality. Otherwise No. <input type="checkbox"/> No, the child will never retain this nationality
Last Update: [14/02/2026]	

### V Prospective Adoptive Parents (PAPs)

#### 16. Limits on the acceptance of files

Does [Kenya] place any limit on the number of PAPs’ files which are accepted from receiving States? <sup>19</sup>	<input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: <input checked="" type="checkbox"/> No
Last Update: [14/02/2026]	

#### 17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in [name of your State]<sup>20</sup>

17.1. Do PAPs wishing to undertake an intercountry adoption in [Kenya] have to fulfil any criteria concerning their relationship status(es)?	<input checked="" type="checkbox"/> Yes, the following person(s) may apply in [Kenya] for an intercountry adoption: <input checked="" type="checkbox"/> Married, heterosexual couples:
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<sup>18</sup> Regarding nationality, see further HCCH *Guide to Good Practice No 1: The implementation and Operation of the 1993 Intercountry Adoption Convention* Bristol, Family Law (Jordan Publishing Limited), 2008 (“GGP No 1”), Chapter 8.4.5.

<sup>19</sup> See [GGP No 2](#) (op. cit. note 6), Chapter 3.4.2 and, in particular, para. 121.

<sup>20</sup> I.e., this section refers to the eligibility criteria for PAPs who are habitually resident in *another* Contracting State to the 1993 Convention and who wish to adopt a child who is habitually resident in *your* State: see further Art. 2 of the 1993 Adoption Convention and HCCH, Note on Habitual Residence and *Scope of the 1993 Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption*, 2018 ([Note on Habitual Residence](#)).

<p>Please tick any / all boxes which apply and indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</p>	<p><input type="checkbox"/> Married, same-sex couples:</p> <p><input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership: Only those with kinship ties</p> <p><input type="checkbox"/> Same-sex couples in a legally registered partnership:</p> <p><input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:</p> <p><input checked="" type="checkbox"/> Single men: Must be a relative</p> <p><input checked="" type="checkbox"/> Single women: Must be a relative</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No, there are no relationship status criteria for PAPs.</p>
<p>17.2. Are there any age requirements for PAPs wishing to undertake an intercountry adoption in [Kenya]?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input type="checkbox"/> Minimum age requirements: 25 years</p> <p><input type="checkbox"/> Maximum age requirements: 65years</p> <p><input type="checkbox"/> Difference in years required between the PAPs and the child: 21 years</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No – Only kinship adoption is legally permissible and age is not a limit</p>
<p>17.3. Are there any <i>other</i> eligibility criteria which [Kenya] requires PAPs to fulfil?</p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify):</p> <p><input type="checkbox"/> Couples must supply evidence of infertility:</p> <p><input checked="" type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify): Birth certificates, Consents for 10 years and above children.</p> <p><input checked="" type="checkbox"/> Other (please specify): Fincial disclosure, criminal history, health status</p> <p><input type="checkbox"/> No</p>
<p>Last Update: [14/02/2026]</p>	

## 18. Preparation and counselling of PAPs (Art. 5(b))

<p>Does [Kenya] require that PAPs wishing to undertake an intercountry adoption in [Kenya] receive preparation and / or counselling concerning intercountry adoption <i>in the receiving State</i>?</p>	<p><input checked="" type="checkbox"/> Yes, please explain what kind of preparation is expected: Parenting skill, intercultural dynamics , home adjustments</p> <p><input type="checkbox"/> No</p>
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Last Update: [14/02/2026]

## VI The intercountry adoption procedure

### 19. Applications

<p>19.1. To which authority / body in [Kenya] does the adoption file of PAPs have to be submitted?</p>	<p>National Council for Children Services</p>
<p>19.2. Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</li> <li><input checked="" type="checkbox"/> A statement of “approval to adopt” issued by a competent authority in the receiving State</li> <li><input checked="" type="checkbox"/> A report on the PAPs including the “home study” and other personal assessments (see Art. 15)</li> <li><input checked="" type="checkbox"/> Copies of the PAPs’ passports or other personal identification documents</li> <li><input checked="" type="checkbox"/> Copies of the PAPs’ birth certificates</li> <li><input checked="" type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</li> <li><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances): copy of marriage certificates - for married couples, divorce certificate - for divorced individuals ,</li> <li><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required):Requirements for all the PAPS</li> <li><input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): information regarding the economic capability for the PAPs</li> <li><input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): is it self/employed or</li> <li><input checked="" type="checkbox"/> Proof of no criminal record</li> <li><input type="checkbox"/> Other(s): please explain</li> </ul>
<p>19.3. Is it compulsory in [Kenya] for an accredited body to be involved in an intercountry adoption procedure?<sup>21</sup></p>	<p><input checked="" type="checkbox"/> Yes, please specify whether it must be a <i>national</i> accredited body, a <i>foreign authorised</i> accredited body or whether it</p>

<sup>21</sup> See [GGP No 1](#) (*op. cit.* note 18), paras 4.2.6 and 8.6.6: “independent” and “private” adoptions are not consistent with the system of safeguards established under the 1993 Adoption Convention.

	<p>may be either of these accredited bodies.<sup>22</sup> Please also specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to [Kenya], for all stages of the procedure): Any accredited adoption body. This is responsible for initiating the process in the receiving state to ensure required authorizations and and commitments to the process, and preparation of home study reports on the PAPs.</p> <p><input type="checkbox"/> No</p>
<p>19.4. Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a written document provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption):</p> <p><input checked="" type="checkbox"/> A contract signed by the accredited body and the PAPs:</p> <p><input checked="" type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>19.5. Please specify the language(s) in which any documents must be submitted:</p>	<p>English</p>
<p>19.6. Do any of the required documents need to be legalised or apostilled?</p>	<p><input checked="" type="checkbox"/> Yes, please specify which documents:</p> <p><input type="checkbox"/> No – <b>go to Question 20</b></p>
<p>19.7. Is [Kenya] party to the HCCH <i>Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Apostille Convention)?</p> <p><i>This information is available on the <a href="#">Status Table for the Apostille Convention</a> (see the <a href="#">Apostille Section</a> of the HCCH website).</i></p>	<p><input type="checkbox"/> Yes, please specify the date of the entry into force of the Apostille Convention in [name of your State]:</p> <p><input checked="" type="checkbox"/> No</p>
<p><b>Last Update: [14/02/2026]</b></p>	

<sup>22</sup> See the definitions provided at notes 6 and 10 above.

## 20. The report on the child (Art. 16(1)(a))

20.1. Who is responsible for preparing the report on the child?	Accredited local adoption society/ agency The National Council for Children’s Services
20.2. Is a “standard form” used for the report on the child?	<input type="checkbox"/> Yes, please provide a link to the form or attach a copy: <input checked="" type="checkbox"/> No. Please indicate whether [kenya ] has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it: Regulations provide for the criteria
20.3. Does [kenya ] use the model forms “ <a href="#">Medical report on the child (Art. 16)</a> ” and “ <a href="#">Report concerning the psychological and social circumstances of the small child (Art. 16)</a> ” developed by the Permanent Bureau of the HCCH?  <i>See Recommended <a href="#">Model Forms</a> for use under the 1993 Adoption Convention - Forms No 3 and 4.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

## 21. The report on the PAPs (Art. 15(2))

21.1. For how long is the report on the PAPs valid in [Kenya]?	2 Years.However the Children Adoption regulations have not been gazetted
21.2. Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. <i>E.g., does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</i>	Communication made by the local accredited instituiton to foreign accredited societies to update the report
<b>Last Update: [14/02/2026]</b>	

## 22. Matching of the child and the PAPs (Art. 16(1)(d) and (2))

The authorities and the matching procedure	
22.1. Who is responsible for the matching of the child and the PAPs in [name of your State]?	Accredited adoption society
22.2. What measures are taken to ensure that the matching process is	There are institutions registered and mandated to conduct matching.

performed by an independent, duly qualified authority?	
22.3. What methodology is used for the matching in [Kenya]?	Relies on the assessment criteria developed and embedded within the SOP on Implementation of Alternative family care
22.4. Is any preference given to PAPs who have a close connection with [kenya (e.g., nationals of [name of your State] who have emigrated to a receiving State)?	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No
22.5. Who is responsible for notifying the receiving State of the matching?	NCCS
22.6. How does [kenya ] ensure that the prohibition on contact in Article 29 is respected?	By making use of guidelines which guides the process and respect the requirements of the Hague convention
<b>Acceptance of the match</b>	
22.7. Does [kenya ] require that the matching be approved by the relevant authorities / bodies of the receiving State?	<input checked="" type="checkbox"/> Yes, please provide details of the required procedure: Adoption cannot proceed unless the receiving state gives the authorization <input type="checkbox"/> No
22.8. How much time is the receiving State given to decide whether to accept a match?	
22.9. If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in [Kenya]?	Matching is considered unsuccessful and the process may begin afresh
<b>Information following acceptance of the match</b>	
22.10. Once the match has been accepted, do PAPs receive information regularly concerning the child and his / her development (i.e., during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input checked="" type="checkbox"/> Yes, please specify who is responsible for providing this information: Accredited Society <input type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

### 23. Agreement under Article 17(c)

23.1. Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	NCCS
23.2. At what point in the adoption procedure is the Article 17(c) agreement given in [Kenya]?	<input checked="" type="checkbox"/> Kenya ] sends the Article 17(c) agreement to the receiving State with the proposed match; <b>OR</b> <input type="checkbox"/> The receiving State must accept the match first and then [Kenya ] will provide its Article 17(c) agreement; OR

	<input type="checkbox"/> Other (please specify):
<b>Last Update: [14/02/2026]</b>	

## 24. Travel of the PAPs to [name of your State]<sup>23</sup>

<p>24.1. In order to undertake an intercountry adoption in kenya ], is it mandatory for PAPs to travel to [kenya] at any point?</p>	<p><input checked="" type="checkbox"/> Yes, in which case please specify:</p> <ul style="list-style-type: none"> <li>- At what stage(s) in the intercountry adoption procedure the PAPs must travel to [kenya ]: During the initial stages especially during application and bonding</li> <li>- How many trips are required to complete the intercountry adoption procedure: varies depending on need arises basis</li> <li>- How long the PAPs need to stay for each trip:</li> <li>- Any other conditions:</li> </ul> <p><input type="checkbox"/> No</p>
<p>24.2. Does [kenya ] permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?</p>	<p><input type="checkbox"/> Yes, please specify in which circumstances:</p> <p><input checked="" type="checkbox"/> No</p>
<b>Last Update: [14/02/2026]</b>	

## 25. Entrustment of the child to the PAPs (Art. 17)

<p>After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs?</p> <p>Please include an explanation of the procedures used to prepare the child for entrustment (e.g., counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>Begin bonding sessions</p> <p>counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods</p>
<b>Last Update: [14/02/2026]</b>	

## 26. Transfer of the child to the receiving State (Arts 5(c) and 18))

<p>26.1. Which documents does [Kenya ] require in order for the child to be permitted to leave Kenya] and travel to the receiving State (e.g., passport, visa, exit permit)?</p>	<p>Adoption certificate Certificate of conformity Travel documents- Passport and Visa</p>
<p>26.2. Which of the documents listed in response to Question 26.1 above does [Kenya] issue?</p>	<p>All of the above</p> <p>Adoption certificate- High Court</p>

<sup>23</sup> See [GGP No 1](#) (op. cit. note 18), Chapter 7.4.10.

Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.	Certificate of conformity - NCCS Travel documents- Passport and Visa - Immigration
26.3. Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave [KENYA ] and travel to the receiving State?	<input checked="" type="checkbox"/> Yes, please specify: Provison of the letter of no objection to travel  <input type="checkbox"/> No
<b>Last Update: [14/02/2026]</b>	

## 27. Final adoption decision and the Article 23 certificate

27.1. In intercountry adoption cases, is the final adoption decision made in [KENYA ] or in the receiving State?	<input checked="" type="checkbox"/> In [KENYA ] – <b>go to Question 27.3</b> <input type="checkbox"/> In the receiving State – <b>go to Question 27.2</b>
27.2. Following the making of the final adoption decision in the receiving State:	<p>(i) Are any further steps required in [KENYA] to complete the procedure (e.g., obtaining a copy of the final adoption decision from the receiving State)?</p> <p>(ii) Which authority or body in [KENYA ] should receive a copy of the Article 23 certificate issued by the receiving State?</p> <p><b><u>Go to Question 28</u></b></p>
<p>27.3. If the final adoption decision is made in [KENYA ], which competent authority:</p> <p><i><b>N.B.</b> According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Adoption Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</i></p> <p><i>The answer to (ii) above should therefore be available on the <a href="#">Status Table</a> for the 1993 Adoption Convention (under “Authorities”), available on the <a href="#">Adoption Section</a> of the HCCH website.</i></p>	<p>(i) Makes the adoption decision; and High Court. The Court issues an adoption order.</p> <p>(ii) Issues the certificate under Article 23 of the 1993 Convention?</p>
<p>27.4. Does [KENYA ] use the “Recommended model form – Certificate of conformity of intercountry adoption”?</p> <p><i>See Recommended <a href="#">Model Forms</a> for use under the 1993 Adoption Convention - Form No 9.<sup>24</sup></i></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<sup>24</sup> [Model Forms](#) (op. cit. note 17).

<p>27.5. Please briefly describe the procedure for issuing the Article 23 certificate. E.g., how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</p>	
<p>Last Update: [14/02/2026]</p>	

## 28. Duration of the intercountry adoption procedure

<p>Where possible, please indicate the average time which it takes to:</p>	<ul style="list-style-type: none"> <li>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption; 3months</li> <li>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable; 3months</li> <li>(iii) Match a final adoption decision following the entrustment of a child to PAPs (if applicable in [KENYA ]: <i>i.e.</i>, if the final adoption decision is made in [name of your State] and not in the receiving State).</li> </ul>
<p>Last Update: [14/02/2026]</p>	

## VII Intra-family intercountry adoptions

### 29. Procedure for the intercountry adoption of a child who is a relative of the PAPs (intra-family intercountry adoption)

<p>29.1. Please explain the circumstances in which an intercountry adoption will be classified as an “<i>intra-family</i> intercountry adoption” in [KENYA]. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a “relative” of those PAPs.</p>	<p>When it involves a kinship adoption for the purpose of adoption, a mother, father, brother or half brother, sister or half-sister, maternal or paternal uncle or aunt or grandparent or step-parent of a child</p>
<p>29.2. Does [KENYA ] apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions?</p> <p><i>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993 Adoption Convention, <b>the Convention is applicable</b>, irrespective of the fact that the child and PAPs are related: see further <a href="#">GGP No 1</a> at para. 8.6.4.</i></p>	<p><input checked="" type="checkbox"/> Yes – <b>go to Question 30</b></p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify, then proceed to <b>Question 30</b>:</p> <p><input type="checkbox"/> No – <b>go to Question 29.3</b></p>

<p>29.3. If [KENYA] does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p>	<p>(i) The counselling and preparations which PAPs must undergo in the receiving State;  (ii) The preparation of the child for the adoption;  (iii) The report on the PAPs; and  (iv) The report on the child.</p>
<p>Last Update: [14/02/2026]</p>	

## VIII Simple and full adoption<sup>25</sup>

### 30. Simple and full adoption

<p>30.1. Is “full” adoption permitted in [KENYA ]?   See <a href="#">GGP No 1</a> at Chapter 8.8.8 and note 25 below.</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  <input type="checkbox"/> In certain circumstances only – please specify:  <input type="checkbox"/> Other (please explain):</p>
<p>30.2. Is “simple” adoption permitted in [KENYA ]?   See <a href="#">GGP No 1</a> at Chapter 8.8.8 and note 25 below.</p>	<p><input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No – <b>go to Question 31</b>  <input type="checkbox"/> In certain circumstances only (e.g., for intra-family adoptions only) – please specify:  <input type="checkbox"/> Other (please explain):</p>
<p>30.3. If a “simple” adoption is to be undertaken in [name of your State] in an intercountry adoption case, does [name of your State] nonetheless usually seek the birth mother / family’s consent(s)<sup>26</sup> to a “full” adoption where this is in the child’s best interests (<i>i.e.</i>, so that a “conversion” of the adoption may be undertaken in the receiving State if the other conditions in Art. 27(1) are fulfilled)?   See Art. 27(1)(b) and Art. 4 (c) and (d).</p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:  <input type="checkbox"/> No</p>
<p>30.4. How does [KENYA ] respond to requests from receiving States to obtain the consent(s) of a child’s birth mother / family<sup>27</sup> to the conversion of a “simple” adoption into a “full” adoption (in accordance with Art. 27) when the request is made many years after the original adoption?</p>	

<sup>25</sup> According to the 1993 Adoption Convention, a **simple** adoption is one in which the legal parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his / her adoptive parents is established. A **full** adoption is one in which the pre-existing legal parent-child relationship is terminated. See further Arts 26 and 27 and [GGP No 1](#) (*op. cit.* note 18), Chapter 8.8.8.

<sup>26</sup> Or other person(s) whose consent to the adoption is required under Art. 4 (c) and (d) of the 1993 Adoption Convention.

<sup>27</sup> *Ibid.*

Last Update: [14/02/2026]

## IX Post-adoption matters

### 31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child

<p>31.1. Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?</p>	<p>Registrar general</p>
<p>31.2. For how long is the information concerning the child's origins preserved?</p>	<p>As long as it is appropriate</p>
<p>31.3. Does [Kenya ] permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child:</p> <ul style="list-style-type: none"> <li>- the adoptee and / or his / her representative(s);</li> <li>- the adoptive parents;</li> <li>- the birth family; and / or</li> <li>- any other persons?</li> </ul> <p>If so, are there any criteria which must be met for access to be granted (e.g., age of the adopted child, consent of the birth family to the release of information concerning the child's origins, consent of the adoptive parents to the release of information concerning the adoption)?</p> <p><i>See Art. 9(a) and (c) and Art. 30.</i></p>	<ul style="list-style-type: none"> <li>- The adoptee and / or his / her representative(s): <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes – please explain any criteria: by making an request to the High Court</li> <li><input type="checkbox"/> No</li> </ul> </li> <li>- The adoptive parents: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes – please explain any criteria: through the Court process</li> <li><input type="checkbox"/> No</li> </ul> </li> <li>- The birth family: <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes – please explain any criteria:</li> <li><input type="checkbox"/> No</li> </ul> </li> <li>- Any other persons: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes – please explain any criteria: Any information required about the adoption must be sanctioned by the High court.</li> <li><input type="checkbox"/> No</li> </ul> </li> </ul>
<p>31.4. Where access to such information is provided, is any counselling or other guidance / support given in [kenya</p>	<p><input checked="" type="checkbox"/> Yes – please specify: the court to determine the need</p> <p><input type="checkbox"/> No</p>
<p>31.5. Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (e.g., regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p>
<p>Last Update: [14/02/2026]</p>	

## 32. Post-adoption reports<sup>28</sup>

<p>32.1. Is there a model form which is used by [kenya] for post-adoption reports?</p>	<p><input checked="" type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (e.g., provide a link or attach a copy):</p> <p><input checked="" type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (e.g., medical information, information about the child’s development, schooling): Generally looks at the following issues : medical information, information about the child’s development, schooling</p>
<p>32.2. What are the requirements of [kenya] in relation to post-adoption reports? Please indicate:</p>	<p>(i) How frequently such reports should be submitted (e.g., every year, every two years); <b>yearly.</b></p> <p>(ii) For how long (e.g., until the child is a certain age); For 3 yeras</p> <p>(iii) The language in which the report must be submitted; <b>English</b></p> <p>(iv) Who should write the reports; and <b>accredited bodies in the receiving states- report to be done by NCCS</b></p> <p>(v) Any other requirements.</p>
<p>32.3. What, if any, are the consequences in [kenya ] if post-adoption reports are either:</p>	<p>(i) Not submitted at all; <b>The Court may summon the PAP to give an explanation for the failure to submit the report.</b></p> <p>(ii) Submitted, but not in accordance with your requirements? <b>There should be a report filed in the High court explaining the reasons for noncompliance.</b></p>
<p>32.4. What does [kenya ] do with post-adoption reports? (i.e., to what use are they put?)</p>	<p><b>For checking the progress of the children within adopted families and for decision making and policy direction.</b></p>
<p><b>Last Update: [Kenya]</b></p>	

## X The financial aspects of intercountry adoption<sup>29</sup>

States of origin are also kindly requested to complete the [“Tables on the costs associated with intercountry adoption”](#).

### 33.The costs<sup>30</sup> of intercountry adoption

<p>33.1. Are the costs of intercountry adoption regulated by law in [kenya</p>	<p><input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (e.g.,</p>
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<sup>28</sup> See [Model Forms](#) (op. cit. note 17). Form No 6.

<sup>29</sup> See HCCH, *Toolkit for preventing and addressing illicit practices in intercountry adoption*, 2023 ([Toolkit against Illicit Practices](#)), Glossary and Fact Sheet 3 “Improper Financial and other Gain” and the HCCH tools on [Financial aspects](#) of intercountry adoption.

<sup>30</sup> See the definition of “costs” provided in the [Toolkit against Illicit Practices](#), *ibid.*, Glossary.

	<p>link to a website or attach a copy). Please also briefly explain the legal framework: Kenya has both developed rules and regulations to govern adaption</p> <p><input type="checkbox"/> No</p>
33.2. Does [Kenya ] monitor the payment of the costs of intercountry adoption?	<p><input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken:</p> <p><input type="checkbox"/> No</p>
33.3. Are the costs of intercountry adoption which must be paid in [Kenya ] paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19.3 above) or directly by the PAPs themselves?	<p><input checked="" type="checkbox"/> Through the accredited body:</p> <p><input type="checkbox"/> Directly by the PAPs:</p> <p><input type="checkbox"/> Other (please explain):</p>
See <a href="#">Toolkit against Illicit Practices</a> , <sup>31</sup> Fact Sheet 3, line 28.	
33.4. Are the costs of intercountry adoption which must be paid in [kenya paid in cash or only by bank transfer?	<p><input checked="" type="checkbox"/> Only by bank transfer:</p> <p><input type="checkbox"/> In cash:</p> <p><input type="checkbox"/> Other (please explain):</p>
See <a href="#">Toolkit against Illicit Practices</a> , Fact Sheet 3, line 26	
33.5. Which body / authority in [kenya ] receives the payments?	<p>Adoption society</p> <p>Legal service providers</p>
33.6. Does [kenya] provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)?	<p><input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed:</p> <p><input type="checkbox"/> No</p>
<i>N.B.</i> Please also ensure that your State has completed the “ <a href="#">Tables on the costs associated with intercountry adoption</a> ” (see above).	
<b>Last Update: [14/02/2026]</b>	

#### 34. Contributions, cooperation projects and donations<sup>32</sup>

34.1. Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution <sup>33</sup> to [name of your	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> <li>• What type of contribution is required:</li> </ul>
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<sup>31</sup> *Op. cit.* note 29.

<sup>32</sup> See the definitions of these terms provided in the Glossary of the [Toolkit against Illicit Practices](#) (*op. cit.* note 29).

<sup>33</sup> *Ibid.*, the Glossary of the [Toolkit against Illicit Practices](#), states that there are two types of contributions: (1) contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. The amount is set by the State of origin. These contributions are managed by the authorities or others appropriately authorised in the State of origin which decide how the funds will be used; (2) contributions demanded by the accredited body from PAPs. These contributions may be for particular children’s institutions (e.g., for maintenance costs for the child) or for the co-operation projects of the accredited body in the State of origin. The co-operation projects may be a condition of the authorisation of that body to work in the State of origin. The amount is set by the accredited body or its partners. The payment may not be a statutory obligation and accredited bodies may present the demand in terms of “highly recommended contribution”, but in practice it is “mandatory” for the PAPs in the sense that their application will not proceed if the payment is not made.

<p>State] if it wishes to engage in intercountry adoption in [name of your State]?</p> <p>See <a href="#">Toolkit against Illicit Practices</a>, Fact Sheet 3</p>	<ul style="list-style-type: none"> <li>• Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body):</li> <li>• How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input checked="" type="checkbox"/> No</p>
<p>34.2. Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in [name of your State]?</p>	<p><input type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> <li>• What type of co-operation projects are permitted:</li> <li>• Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies):</li> <li>• Whether such projects are monitored by an authority / body in [name of your State]:</li> <li>• How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input checked="" type="checkbox"/> No</p>
<p>34.3. Does [name of your State] permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in [name of your State]?</p> <p><i>N.B. This is <u>not</u> recommended as a good practice: see further <a href="#">Toolkit against Illicit Practices</a>, Fact Sheet 3</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> <li>• To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families):</li> <li>• What donations are used for:</li> <li>• Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs):</li> <li>• At what stage of the intercountry adoption procedure donations are permitted to be paid:</li> <li>• How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input type="checkbox"/> No</p>
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### 35. Improper financial or other gain (Arts 8 and 32)

35.1. Which authority is responsible for preventing improper financial or other gain in [kenya as required by the Convention?	Financial reporting centre, central of Kenya and asset recovery agency, directorate of criminal investigation, office of the directorate of public prosecution .
35.2. What measures have been taken in [KENYA] to prevent improper financial or other gain?	Enforcement of the existing laws to curb corruption International cooperation- Eastern and South Africa anti- money laundering group.
35.3. Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Prosecution for the suspects
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## XI Illicit practices<sup>34</sup>

### 36. Response to illicit practices in general

Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. <sup>35</sup>	carry out investigations and prosecutions
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### 37. The abduction, sale of and traffic in children

37.1. Please indicate which laws in [kenya ] seek to prevent the abduction, sale of and traffic in children in the context of [name of your State]'s intercountry adoption programmes.  Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).	The Anti- Trafficking in Persons ACT 2010, The Kenya Immigration, the Kenya Constitution 2010, penal and criminal procedure laws, sexual offences act
37.2. Please explain how [kenya ] monitors respect for the above laws.	through the National Security Councils and regulators boards
37.3. If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	subjected to court processes , reparations, engage through intercountry diplomacy
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<sup>34</sup> "Illicit practices" in this Country Profile refers to 'practices leading to situations where a child has been, or is to be, adopted without respect for the rights of the child or for the safeguards of the 1993 Adoption Convention' ([Toolkit against Illicit Practices](#) (op. cit. note 29).

<sup>35</sup> *Ibid.*

## 38. Private and / or independent adoptions

<p>Are private and / or independent adoptions permitted in [kenya] ?</p> <p><i>N.B. "Independent" and "private" adoptions are <u>not</u> consistent with the system of safeguards established under the 1993 Adoption Convention: see further <a href="#">GGP No 1</a> at Chapters 4.2.6 and 8.6.6. , and the <a href="#">Toolkit against Illicit Practices</a>, Glossary, Fact Sheet 2 (line 3) and Fact Sheet 10 (line 7).</i></p> <p>Please tick all which apply.</p>	<p><input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in [name of your State]:</p> <p><input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in [name of your State]:</p> <p><input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted</p>
<p><b>Last Update: [14/02/2026]</b></p>	

## XII International mobility<sup>36</sup>

### 39. The scope of the 1993 Adoption Convention (Art. 2)

<p>39.1. If foreign national PAPs, habitually resident in [kenya ], wish to adopt a child habitually resident in [kenya ], are they permitted to do so under the law of [kenya]?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in [name of your State]<sup>37</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>
<p>39.2. If foreign national PAPs, habitually resident in [kenya ], wish to adopt a child from another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of [kenya]?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in India.</i></p>	<p><input checked="" type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: the Central of the origin communicates to the central authority in Kenya to facilitate home study report on the PAPs. The final adoption process is finalised in the state of origin</p> <p><input type="checkbox"/> No</p>
<p>39.3. If nationals of [KENYA], habitually resident in another Contracting State to the 1993 Adoption Convention, wish to adopt a child habitually resident in [KENYA], are they permitted to do so under the law of [KENYA]?</p> <p><i>Example: Guinean national PAPs are habitually resident in Germany and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in [KENYA]<sup>38</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: The children's act allows intercountry adoptions only for relatives. intercountry adoptions should be conducted under the terms of the Hague convention.</p> <p><input type="checkbox"/> No</p>

<sup>36</sup> See further the [Note on Habitual Residence](#) (op. cit. note 20).

<sup>37</sup> According to the 1993 Adoption Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, [Note on Habitual Residence](#) case example 1.b (op. cit. note 20).

<sup>38</sup> According to the 1993 Adoption Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAPs and the child (despite their common nationality). The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, [Note on Habitual Residence](#) case example 1.a (op. cit. note 20).

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### XIII Selection of partners for intercountry adoption<sup>39</sup>

#### 40. Selection of partners

40.1. With which receiving States does [kenya] currently partner on intercountry adoption?	None. Any Country may engage, within the framework of the Hague Convention.
40.2. How does [Kenya] determine with which receiving States it will partner?  In particular, please specify whether [Kenya] only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.  <i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the <a href="#">Status Table</a> for the 1993 Adoption Convention (accessible via the <a href="#">Adoption Section</a> of the HCCH website <a href="http://www.hcch.net">www.hcch.net</a>).</i>	There is no partnership arrangements with other Nations. The law expects all intercountry adoptions be conducted under the terms of the Hagues convention
40.3. If [Kenya] also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the 1993 Adoption Convention are complied with in these cases. <sup>40</sup>	<input checked="" type="checkbox"/> Not applicable: [name of your State] only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.
40.4. Are any formalities required in order to commence intercountry adoptions with a particular receiving State (e.g., the conclusion of a formal agreement <sup>41</sup> with that receiving State)?	<input type="checkbox"/> Yes – please explain the content of any agreements or other formalities: <sup>42</sup> <input checked="" type="checkbox"/> No. <b>Once accreditation processes are done, adoption may proceed according to procedures and law in place</b>
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<sup>39</sup> In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further [GGP No 2](#) (*op. cit.* note 6), Chapter 3.5.

<sup>40</sup> See [GGP No 1](#) (*op. cit.* note 18), Chapter 10.3 regarding the fact that “[i]t is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions”.

<sup>41</sup> See note 5 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Adoption Convention.

<sup>42</sup> *Ibid.*