

STATE OF ORIGIN

COUNTRY NAME: GHANA

PROFILE UPDATED ON: 20/06/2022

PART I: CENTRAL AUTHORITY

1. Contact details ¹	
Name of office:	Ghana Central adoption Authority
Acronyms used:	GCAA
Address:	Starlets 91 Road, Ministries-Accra
Telephone:	+233208163197
Fax:	
E-mail:	dsd.adoption@gmail.com
Website:	www.mogcsp.gov.gh
Contact person(s) and direct contact details (please indicate language(s) of communication):	Stephen Tikai Dombo (English)
<i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i>	

PART II: RELEVANT LEGISLATION

2. The 1993 Adoption Convention and domestic legislation	
a) When did the 1993 Adoption Convention enter into force in your State? <i>This information is available on the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i>	16/9/2016

¹ Please verify whether the contact details on the “Adoption Section” of the HCCH website < www.hcch.net > under “Central Authorities” are up to date. If not, please e-mail the updated contact information to < secretariat@hcch.net >.

<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Adoption Convention in your State. 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. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>Children's (Amendment) ACT, 2016 (ACT 937) which assented on 23/11/2016 and Ghana Adoption Regulation 2018, LI 2360 which came into force on 19/06/2018</p>
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3. Other international agreements on intercountry adoption ²	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input type="checkbox"/> Bilateral agreements (please specify):</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>

PART 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 your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>The Central Authority is responsible for overseeing all adoptions and adoption related issues in Ghana to ensure they conform to laid down rules and regulations</p>

5. Public and competent authorities	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p>High Courts: it is only a High Court in the jurisdiction where the child resides that can issue an Adoption Order</p>

² 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 Articles 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).

6. National accredited bodies ³	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p><i>N.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).⁴</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – go to Question 7</p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.⁵</p>	<p>There are 3 accredited national bodies. this number is not limited</p>
<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	<ol style="list-style-type: none"> 1. Pre-adoption counselling and training of prospective adoption placement 2. Support the Department in the conduct of child study investigation and the preparation of Child Study Report 3. Conduct of home study and the preparation of Home Study Report 4. Preparation of an adoptable child for placement 5. Preparation of a prospective adoptive parent and family for child placement 6. post placement monitoring of an adoptive family 7. post adoption counselling and monitoring of an adoptive family 8. preparation and submission of post adoption monitoring report and evaluation report to the Authority 9. Liaison services between the Central Authorities and adoptive parents
6.1 The accreditation procedure (Arts 10-11)	
<p>a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?</p>	<p>Ghana Central Adoption Authority</p>
<p>b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i>.</p>	<p>To be a state agency you would have to be a local not-for-profit organisation registered in Ghana and subject to submission of relevant documentation</p>

³ “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 *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (“GGP No 2”), available on the **Error! Hyperlink reference not valid.** of the HCCH website < www.hcch.net > at Chapters 3.1 *et seq.*

⁴ *Ibid.*, Chapter 3.2.1 (para. 111).

⁵ *Ibid.*, Chapter 3.4.

c) For how long is accreditation granted in your State?	Accreditation is for 1 year subject to annual renewals
d) 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>A national adoption body may apply for the renewal of its accreditation three months before the expiration of the accreditation. The application shall include: a letter requesting for renewal of accreditation; a report of activities undertaken within the preceding two years with the corresponding accounting documents; prescribed fees; and all relevant information including changes in the activities and staff of the adoption agency.</p> <p>The Authority shall, in deciding on the renewal of the accreditation, take into account the performance of the adoption agency.</p>
6.2 Monitoring of national accredited bodies⁶	
a) Which authority is competent to monitor / supervise national accredited bodies in your State? <i>See Art. 11(c).</i>	The Secretariat of The Central Adoption Authority does the monitoring of Adoptions Agencies
b) Please briefly describe how national accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	The Secretariat does inspections and review the activities of accredited bodies. This is done 2 times each year.
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (<i>i.e.</i> , withdrawn).	<p>The Authority may revoke an accreditation issued to an adoption agency, where</p> <ol style="list-style-type: none"> 1. the adoption agency breaches a condition of the accreditation 2. the adoption agency has provided false information in its application for accreditation 3. the adoption agency refuses to comply with a directive of the Authority to rectify a violation of the conditions of the accreditation 4. the adoption agency has committed an offence under the Act or the Adoption Regulations 5. investigations by the Authority reveal that the adoption agency is no longer able to provide adoption services.
d) If national accredited bodies do not comply with the 1993 Adoption	<input checked="" type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i> , fine, withdrawal of accreditation): There will be a revocation of accreditation if

⁶ *Ibid.*, Chapter 7.4.

Convention, is it possible for sanctions to be applied?	national accredited bodies do not comply with the 1993 Adoption Convention <input type="checkbox"/> No
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7. Authorised foreign accredited bodies⁷ (Art. 12)	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State? <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No – go to Question 8
b) Please indicate the number of foreign accredited bodies authorised to work with, or in, your State. If this number is limited in any way, please indicate on what basis your State limits the number. ⁸	
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	The authorised foreign bodies may 1. Conduct home study and write home study reports 2. post adoption monitoring and writing of post adoption monitoring report 3. Liaison between the Authority of the receiving country and the prospective adoptive parents
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State? <i>Please tick any which apply.</i>	<input type="checkbox"/> Yes: <input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): OR <input checked="" type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR <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 your State: OR <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No

⁷ “Authorised foreign accredited bodies” are adoption bodies based in another Contracting State to the 1993 Adoption Convention (usually a receiving State) which your State has authorised, under Art. 12, to work with, or in, your State on intercountry adoption. See further GGP No 2, *ibid.*, Chapter 4.2.

⁸ See GGP No 2, *ibid.*, Chapter 4.4 on “limiting the number of accredited bodies authorised to act in States of origin”.

7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	Ghana Central Adoption Authority
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . ⁹ If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	
c) For how long is authorisation granted?	Authorisation is valid for 1 year and subject to renewal
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹⁰	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 8
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (<i>i.e.</i> , withdrawn).	
e) 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 (<i>e.g.</i> , fine, withdrawal of authorisation): <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2))¹¹	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i>	<input type="checkbox"/> Yes, our State has made a declaration according to Article 22(2). Please specify

⁹ In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

¹⁰ *Ibid.*, Chapter 7.4 and, in particular, para. 290.

¹¹ *Ibid.*, Chapter 13.

<p>permitted in intercountry adoption procedures in your State?</p> <p><i>N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Adoption Convention, available on the Adoption Section of the HCCH website.</i></p> <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)).¹²</i></p>	<p>the role of these approved (non-accredited) persons in your State:</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) Is the involvement of approved (non-accredited) persons <i>from other Contracting States</i> permitted in intercountry adoption procedures in your State?</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 Status Table for the 1993 Adoption Convention, available on the Adoption Section of the HCCH website.</i></p>	<p><input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State:</p> <p><input type="checkbox"/> No, our State has made a declaration according to Article 22(4).</p>

PART 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 your State (<i>e.g.</i>, age, sex, state of health).</p>	<p>Children below 18 years, Orphan children, HIV positive children, children with special needs, Children being adopted by relatives</p>

10. The adoptability of a child (Art. 4(a))	
<p>a) Which authority is responsible for establishing that a child is adoptable?</p>	<p>The Technical Committee of the Central Adoption Authority</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>A child is adoptable</p> <ol style="list-style-type: none"> 1. if the child is in need of an adoptive family 2. where the parent or guardian is unknown, the Regional Director of the Department where the child habitually resides has consented to the adoption in respect of that child.
<p>c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (<i>e.g.</i>, 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>	<ol style="list-style-type: none"> 1. if a child cannot be kept in or reunited with the family of that child. 2. there is a basis under the Act, for severing the links of the child with the parent, guardian or relatives

¹² *Ibid.*, Chapter 13.2.2.5.

	3. an assessment of the child by the Technical Committee has established that the child will benefit from a family environment and adoption the preferred option of care.
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11. The best interests of the child and subsidiarity (Art. 4(b))	
a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (<i>e.g.</i> , through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).	The principle of subsidiarity is always considered in the adoption process. There is the provision of family support services like psychosocial counselling given to parents and guardian seeking to relinquish their children. There is also the attempt at family reunification which is carried out by the Care Reform Initiative (CRI) of the Department of Social Welfare. There is also the deliberate placement of children domestically and are only considered for intercountry adoptions when such placements fail
b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?	The Technical Committee of the Central Adoption Authority
c) Please briefly explain how that decision is reached (<i>e.g.</i> , whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.	

12. Counselling and consents (Art. 4(c) and (d))	
<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios – where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (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). <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</p>	<ul style="list-style-type: none"> (i) Both parents must consent (ii) The surviving parent as well as the family head of the deceased parent. (iii) The Regional Director of the Department where the child habitually resides. (iv) The deprived parent(s) would have to consent to the adoption.

<p>your answer would be different if any of the known parents had not yet reached the age of majority.</p>	
<p>b) Please describe the procedure for:</p> <p>(i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and</p> <p>(ii) obtaining their consent(s) to an adoption.¹³</p>	<p>(i) The Department shall offer psycho-social services and provide guidance to a parent or guardian who is considering relinquishing rights and responsibility towards a child including measures to ensure that the parent or guardian1. is not coerced into making a commitment to an adoption plan before the birth of the child. 2. is assured of immediate temporary protection for the child by the Department where necessary. 3. is given a minimum period of thirty days after birth of the child to reconsider the decision to relinquish parental rights and responsibilities towards the child. 4. is granted an additional period of thirty days to confirm the decision to relinquish a child for adoption. 5. understands the implications of relinquishment. 6. is provided with counselling and support services after the relinquishment of the child where necessary.</p> <p>(ii) Consents are administered by social workers and its implications are explained to the parents or guardians.</p>
<p>c) Does your State use the model form “Statement of consent to the adoption” developed by the Permanent Bureau of the HCCH?</p> <p><i>The model form is available on the Adoption section of the HCCH website.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child’s wishes and opinions when determining whether an intercountry adoption should proceed.</p> <p><i>See Art. 4(d)(2).</i></p>	<p>This is done by a social worker explaining the implications of the consent. The social worker also has to seek the opinion of the child concerning the adoption.</p>
<p>e) Please briefly describe the circumstances in which a child’s <u>consent</u> to an intercountry adoption is required in your State.</p>	<p>In Ghana, a child who is 14 years or more is required to give his/her consent to an adoption concerning them.</p>

¹³ See also Part VIII below on “Simple and Full Adoption” and Art. 27 of the 1993 Adoption Convention.

<p>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.</p> <p><i>See Art. 4(d)(1).</i></p>	
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13. Children with special needs	
a) In the context of intercountry adoption, please describe what is meant in your State by “children with special needs”.	Children with disabilities. This could be either be physical or mental.
b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	To expedite the procedure for children with special needs, the attempts at matching the children with local applicants is limited unless in the case, where there is an application seeking to adopt such children locally.

14. The preparation of children for intercountry adoption	
Is there a special procedure in your State to prepare a child for an intercountry adoption?	<input checked="" type="checkbox"/> Yes, please provide details (<i>e.g.</i> , the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used): this takes place before the matching is done. It is done by a social worker of the Department. <input type="checkbox"/> No

15. The nationality of children who are adopted intercountry¹⁴	
Are children who are nationals of your State 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 (<i>e.g.</i> , the nationality of the foreign resident prospective adoptive parents (“PAPs”), whether the child acquires the nationality of the receiving State): <input type="checkbox"/> No, the child will never retain this nationality

PART V: PROSPECTIVE ADOPTIVE PARENTS (“PAPs”)

¹⁴ Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (“GGP No 1”), available on the **Error! Hyperlink reference not valid.** of the HCCH website < www.hcch.net >, at Chapter 8.4.5.

16. Limits on the acceptance of files	
Does your State place any limit on the number of PAPs' files which are accepted from receiving States? ¹⁵	<input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: <input checked="" type="checkbox"/> No

17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State ¹⁶	
<p>a) Do PAPs wishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)?</p> <p><i>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).</i></p>	<input type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption: <input checked="" type="checkbox"/> Married, heterosexual couples: <input type="checkbox"/> Married, same-sex couples: <input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership: <input type="checkbox"/> Same-sex couples in a legally registered partnership: <input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship: <input type="checkbox"/> Same-sex couples that have not legally formalised their relationship: <input type="checkbox"/> Single men: <input checked="" type="checkbox"/> Single women: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No, there are no relationship status criteria for PAPs.
<p>b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?</p>	<input checked="" type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Minimum age requirements: 25years <input checked="" type="checkbox"/> Maximum age requirements: 50years <input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: 21years <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
<p>c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<input checked="" type="checkbox"/> Yes: <input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify): <input type="checkbox"/> Couples must supply evidence of infertility: <input checked="" type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):

¹⁵ See GGP No 2 (*op. cit.* note 3), Chapter 3.4.2 and, in particular, para. 121.

¹⁶ *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.

	<p>information on their children. eg. names, ages, schools/work.</p> <p><input checked="" type="checkbox"/> Other (please specify): Proof of employment, police criminal clearance, medical clearance</p> <p><input type="checkbox"/> No</p>
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18. Preparation and counselling of PAPs (Art. 5(b))	
<p>Does your State require that PAPs wishing to undertake an intercountry adoption in your State 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: The PAPs must be prepared on the challenges of caring for a new child who may have a different cultural orientation different from that of the PAPs</p> <p><input type="checkbox"/> No</p>

PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications	
<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	<p>The Secretariat of the Central Adoption Authority</p>
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</p> <p><input checked="" type="checkbox"/> A statement of “approval to adopt” issued by a competent authority in the receiving State</p> <p><input checked="" type="checkbox"/> A report on the PAPs including the “home study” and other personal assessments (see Art. 15)</p> <p><input checked="" type="checkbox"/> Copies of the PAPs’ passports or other personal identification documents</p> <p><input checked="" type="checkbox"/> Copies of the PAPs’ birth certificates</p> <p><input type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</p> <p><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances):</p> <p><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required):</p> <p><input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required):</p>

	<input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Proof of no criminal record <input type="checkbox"/> Other(s): please explain
c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure? ¹⁷	<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 may be either of these accredited bodies. ¹⁸ Please also specify at which stage(s) of the procedure an accredited body must be involved (<i>e.g.</i> , for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure): For all stages of the procedure <input type="checkbox"/> No
d) Are any <i>additional</i> documents required if PAPs apply through an accredited body? <i>Please tick all which apply.</i>	<input checked="" type="checkbox"/> Yes <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): <input type="checkbox"/> A contract signed by the accredited body and the PAPs: <input checked="" type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
e) Please specify the language(s) in which any documents must be submitted:	English
f) Do any of the required documents need to be legalised or apostilled?	<input checked="" type="checkbox"/> Yes, please specify which documents: All documents coming from competent authorities <input type="checkbox"/> No – go to Question 20
g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Apostille Convention)?	<input type="checkbox"/> Yes, please specify the date of the entry into force of the Apostille Convention in your State: <input checked="" type="checkbox"/> No

¹⁷ See GGP No 1 (*op. cit.* note 14), 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.

¹⁸ See the definitions provided at notes 3 and 7 above.

<p><i>This information is available on the Status Table for the Apostille Convention (see the Apostille Section of the HCCH website).</i></p>	
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20. The report on the child (Art. 16(1)(a))	
a) Who is responsible for preparing the report on the child?	The regional office of the Department of social welfare where the child habitually resides or an accredited adoption agency.
b) Is a “standard form” used for the report on the child?	<input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy: <input type="checkbox"/> No. Please indicate whether your State 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:
c) Does your State use the “ <i>Model Form – Medical Report on the Child</i> ” and the “ <i>Supplement to the general medical report on the child</i> ”? <i>See GGP No 1 – Annex 7, available here.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

21. The report on the PAPs (Art. 15(2))	
a) For how long is the report on the PAPs valid in your State?	
b) 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>	There has to be an updated report submitted. The GCAA will communicate with the Adoption Agency upon the expiry of a report.

22. Matching of the child and the PAPs (Art. 16(1)(d) and (2))	
22.1 The authorities and the matching procedure	
a) Who is responsible for the matching of the child and the PAPs in your State?	The Technical Committee of the Central Adoption Authority
b) What measures are taken to ensure that the matching process is performed by	A Technical Committee is appointed by the Minister in charge of issues on Adoption. The members are from different

an independent, duly qualified authority?	professional orientations with different ethnic backgrounds and genders.
c) What methodology is used for the matching in your State?	
d) Is any preference given to PAPs who have a close connection with your State (e.g., nationals of your State who have emigrated to a receiving State)?	<input checked="" type="checkbox"/> Yes, please specify: Ghanaian who have emigrated to other countries are given preference for preservation of the Ghanaian culture. <input type="checkbox"/> No
e) Who is responsible for notifying the receiving State of the matching?	The Secretariat of the Central Adoption Authority notifies the receiving state of matching through the adoption agency.
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	
22.2 Acceptance of the match	
a) Does your State 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: <input type="checkbox"/> No
b) How much time is the receiving State given to decide whether to accept a match?	There is no duration
c) If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in your State?	The match has to be reversed and consideration will be given to a different PAP if available
22.3 Information following acceptance of the match	
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: After matching is accepted the PAPs are expected to come to Ghana to start their bonding with the child. <input type="checkbox"/> No

23. Agreement under Article 17(c)	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	The Central Adoption Authority
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17(c) agreement to the receiving State with the proposed match; OR

	<input checked="" type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17(c) agreement; OR <input type="checkbox"/> Other (please specify):
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24. Travel of the PAPs to your State ¹⁹	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: After the matching is accepted. - How many trips are required to complete the intercountry adoption procedure: There is no specified number of trips as long as the PAPs can complete their 3 months mandatory bonding with the child(ren) - How long the PAPs need to stay for each trip: - Any other conditions: <input type="checkbox"/> No
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<input checked="" type="checkbox"/> Yes, please specify in which circumstances: In the event where the PAPs cannot do so on their own. they may make the necessary arrange for an escort to do that on their behalf. <input type="checkbox"/> No

25. Entrustment of the child to the PAPs (Art. 17)	
After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs? 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).	The child may be physically entrusted to the PAPs after the Adoption Order has been obtained from the High Court. The child may undergo counselling based on the age and requirements of the child. The child may also be in the temporary care of the PAPs for increasing periods.

26. Transfer of the child to the receiving State (Arts 5(c) and 18)	
a) Which documents does your State require in order for the child to be permitted to leave your State and travel	A passport, birth certificate and a visa

¹⁹ See GGP No 1 (*op. cit.* note 14), Chapter 7.4.10.

to the receiving State (e.g., passport, visa, exit permit)?	
<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<p>A passport which is issued by the Ghana Immigration Service</p> <p>Birth Certificate which is issued by the Birth and Death Registry</p>
<p>c) 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 your State and travel to the receiving State?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>

27. Final adoption decision and the Article 23 certificate	
<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<p><input checked="" type="checkbox"/> In our State – go to Question 27 c)</p> <p><input type="checkbox"/> In the receiving State – go to Question 27 b)</p>
<p>b) Following the making of the final adoption decision in the receiving State:</p> <p>(i) Are any further steps required in your State 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 your State should receive a copy of the Article 23 certificate issued by the receiving State?</p>	<p>(i)</p> <p>(ii)</p> <p><u>Go to Question 28</u></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and</p> <p>(ii) Issues the certificate under Article 23 of the 1993 Adoption Convention?</p> <p><i>N.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 Status Table for the 1993 Adoption Convention (under “Authorities”),</i></p>	<p>(i) The High Court</p> <p>(ii) The Secretariat of the Central Adoption Authority</p>

available on the Adoption Section of the HCCH website.	
<p>d) Does your State use the “<i>Recommended model form – Certificate of conformity of intercountry adoption</i>”?</p> <p>See GGP No 1 – Annex 7, available here.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g.</i>, 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>The Article 23 is issued once the Adoption Order is granted. A copy is given to the PAPs</p>

28. Duration of the intercountry adoption procedure	
<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(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;</p> <p>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</p>	<p>(i) (ii) (iii)</p>

PART 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>a) Please explain the circumstances in which an intercountry adoption will be classified as an “<i>intra-family intercountry adoption</i>” in your State. 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>An intercountry adoption may be classified as intra-family if the child and the PAPs are related. The degree of relationship spans till the 5th level of consanguinity.</p>
<p>b) Does your State apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions?</p>	<input checked="" type="checkbox"/> Yes – go to Question 30 <input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-

<p>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993 Adoption Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</p>	<p>family intercountry adoptions – please specify: . Go to Question 30</p> <p><input type="checkbox"/> No – go to Question 29 c)</p>
<p>c) If your State 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;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>

PART VIII: SIMPLE AND FULL ADOPTION²⁰

30. Simple and full adoption	
<p>a) Is “full” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is “simple” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 31</p> <p><input type="checkbox"/> In certain circumstances only (<i>e.g.</i>, for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) If a “simple” adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family’s consent(s)²¹ 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)?</p> <p><i>See Art. 27(1)(b) and Art. 4 (c) and (d).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input type="checkbox"/> No</p>

²⁰ 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 14), Chapter 8.8.8.

²¹ Or other person(s) whose consent to the adoption is required under Art. 4 (c) and (d) of the 1993 Adoption Convention.

d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family ²² 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?	
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PART IX: POST-ADOPTION MATTERS

31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child	
a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?	The Ghana Central Adoption Authority.
b) For how long is the information concerning the child's origins preserved?	The information concerning the child's origins is preserved at all times.
<p>c) Does your State permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child:</p> <p>(i) the adoptee and / or his / her representative(s);</p> <p>(ii) the adoptive parents;</p> <p>(iii) the birth family; and / or</p> <p>(iv) any other persons?</p> <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>	<p>(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: If the child is of age and wants to find his/her biological family. <input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: In the event where the adoptive parents have decided to allow the child to reconnect with his/her biological parents. <input type="checkbox"/> No</p> <p>(iii) <input type="checkbox"/> Yes – please explain any criteria: <input checked="" type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria: <input checked="" type="checkbox"/> No</p>
d) Where access to such information is provided, is any counselling or other guidance / support given in your State?	<input type="checkbox"/> Yes – please specify: <input checked="" type="checkbox"/> No
e) 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)?	<input checked="" type="checkbox"/> Yes – please specify: The adoptee will be referred to the Regional office of the Department of Social Welfare where the biological parents reside <input type="checkbox"/> No

32. Post-adoption reports	
a) Is there a model form which is used by your State for post-adoption reports?	<input type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (<i>e.g.</i> , provide a link or attach a copy): <input checked="" type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (<i>e.g.</i> , medical information, information about the child’s development, schooling): The report has to capture the present medical condition of the child, information on the child's development, schooling information, any challenges being faced by the child. The report will be accompanied by pictures of the Adoptee performing different activities and the PAPs
b) What are the requirements of your State in relation to post-adoption reports? Please indicate: (i) How frequently such reports should be submitted (<i>e.g.</i> , every year, every two years); (ii) For how long (<i>e.g.</i> , until the child is a certain age); (iii) The language in which the report must be submitted; (iv) Who should write the reports; and (v) Any other requirements.	(i) The report has to be submitted twice every year for the first two years and once every year the 3 years after. (ii) First 5 years after the Adoption Order (iii) English. (iv) An accredited adoption agency (v)
c) What, if any, are the consequences in your State if post-adoption reports are either: (i) Not submitted at all; or (ii) Submitted, but not in accordance with your requirements?	(i) The Authority may refuse to work with such an agency (ii) The GCAA will in writing prompt the agency to write the report in accordance with our requirements.
d) What does your State do with post-adoption reports? (<i>i.e.</i> , to what use are they put?)	The GCAA is able to track the wellbeing of adopted children

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²³

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

33. The costs²⁴ of intercountry adoption

²³ See the tools developed by the “Experts’ Group on the Financial Aspects of Intercountry Adoption”, available on the [Adoption Section](#) of the HCCH website: *i.e.*, the *Terminology on the financial aspects of intercountry adoption* (“Terminology”), the *Note on the financial aspects of intercountry adoption* (“Note”), the *Summary list of good practices on the financial aspects of intercountry adoption* and the *Tables on the costs associated with intercountry adoption*.

²⁴ See the definition of “costs” provided in the Terminology, *ibid*.

<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (<i>e.g.</i>, link to a website or attach a copy). Please also briefly explain the legal framework:</p> <p><input type="checkbox"/> No</p>
<p>b) Does your State monitor the payment of the costs of intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: These payments are made into an accounts and a receipts abrought to the GCAA for confirmation.</p> <p><input type="checkbox"/> No</p>
<p>c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c) above) or directly by the PAPs themselves?</p> <p><i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 86.</i></p>	<p><input type="checkbox"/> Through the accredited body:</p> <p><input checked="" type="checkbox"/> Directly by the PAPs:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer?</p> <p><i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 85.</i></p>	<p><input checked="" type="checkbox"/> Only by bank transfer:</p> <p><input checked="" type="checkbox"/> In cash:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</p>	<p>The Ghana Commercial Bank</p>
<p>f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (<i>e.g.</i>, in a brochure or on a website)?</p> <p><i>N.B. Please also ensure that your State has completed the “Tables on the costs associated with intercountry adoption” (see above).</i></p>	<p><input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: This information can be accessed from the Adoption Regulations LI 2360</p> <p><input type="checkbox"/> No</p>

34. Contributions, co-operation projects and donations²⁵

<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁶ to your State if it</p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • What type of contribution is required:
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²⁵ See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 23.

²⁶ See further the Terminology, *supra*, note 23, which 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

<p>wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the “Note on the financial aspects of intercountry adoption” at Chapter 6.</i></p>	<ul style="list-style-type: none"> • Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body): • How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in 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"> • What type of co-operation projects are permitted: • Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): • Whether such projects are monitored by an authority / body in your State: • How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p><i>N.B. This is <u>not</u> recommended as a good practice: see further the “Note on the Financial Aspects of Intercountry Adoption” at Chapter 6 (in particular, Chapter 6.4).</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): • What donations are used for: • Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs): • At what stage of the intercountry adoption procedure donations are permitted to be paid:

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.

	<ul style="list-style-type: none"> • How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process: <input checked="" type="checkbox"/> No
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35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	Te Adoption Board of the Central Adoption Authority.
b) What measures have been taken in your State to prevent improper financial or other gain?	Awareness creation
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Any person who contravenes these Articles commits an offence and is liable on summary conviction to a fine of not more than one hundred and fifty penalty units or to a term of imprisonment of not more than one year or to both.

PART XI: ILLICIT PRACTICES²⁷

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. ²⁸	A person who contravenes this provision commits an offence is liable on summary conviction to pay a fine of one hundred penalty units or to a term of imprisonment of six months or both.

37. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State's intercountry adoption programmes. Please also specify which bodies / persons the laws target (e.g., accredited	the Human trafficking Act, 2005(ACT 694) the Criminal and Other Offences Act, 1960 (Act 29) the Criminal and Other Offences (Procedural) Act, 1960 Act 30)

²⁷ "Illicit practices" in this Country Profile refers to "situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child's origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)" (from p. 1 of the *Discussion Paper: Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases*, available on the **Error! Hyperlink reference not valid.** of the HCCH website < www.hcch.net >).

²⁸ *Ibid.*

bodies (national or foreign), PAPs, directors of children's institutions).	the Human Trafficking (Prohibition, Protection and Reintegration of Trafficked Persons) Regulation, 2015 (LI 2219)
b) Please explain how your State monitors respect for the above laws.	Awareness creation Thorough scrutiny of documentations on adoption Investigation in the case of suspicious adoption applications
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	A person who breaches these law may be fined, imprisoned or have their accreditation withdrawn or to all

38. Private and / or independent adoptions	
<p>Are private and / or independent adoptions permitted in your State?</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 GGP No 1 at Chapters 4.2.6 and 8.6.6.</i></p> <p><i>Please tick all which apply.</i></p>	<p><input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State:</p> <p><input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in your State:</p> <p><input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted</p>

PART XII: INTERNATIONAL MOBILITY

39. The scope of the 1993 Adoption Convention (Art. 2)	
<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</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 checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State²⁹ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: The PAPs may however stay continuously in Ghana for 2 years to qualify to undertake a domestic adoption</p> <p><input type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of your State?</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: They may subject themselves to the laws of the country of origin that governs adoption.</p> <p><input type="checkbox"/> No</p>

²⁹ 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, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Adoption Convention, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</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 your State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: This would be treated as an intercountry adoption.</p> <p><input type="checkbox"/> No</p>
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PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION³¹

40. Selection of partners	
<p>a) With which receiving States does your State currently partner on intercountry adoption?</p>	<p>Ghana partners with all nation who are a party to the Hague Convention on intercountry adoption.</p>
<p>b) How does your State determine with which receiving States it will partner? In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p> <p><i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i></p>	<p>Ghana partners with only Contracting States which are party to the 1993 Adoption Convention</p>
<p>c) If your State 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.³²</p>	<p><input checked="" type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p>
<p>d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (e.g., the conclusion of a formal agreement³³ with that receiving State)?</p>	<p><input type="checkbox"/> Yes – please explain the content of any agreements or other formalities:³⁴</p> <p><input checked="" type="checkbox"/> No</p>

³⁰ 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, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

³¹ In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2 (*op. cit.* note 3), Chapter 3.5.

³² See GGP No 1 (*op. cit.* note 14), 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”.

³³ See note 2 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Adoption Convention.

³⁴ *Ibid.*