

International Adoption from an African Perspective



Although it may seem ironic that a policy affecting so few children should engage so much political and social attention, the symbolic significance of inter-country adoption far outweighs its practical import. This fact is partly demonstrated by the polarized views on inter-country adoption and that opinions continue to be divided over the necessity and propriety of the practice. While the number of inter-country adoptions from African countries is still quite modest compared to adoptions from the top four countries of origin, there are concrete reasons to believe that interest in adoption from African countries will continue to increase. It is, however, highly questionable whether the African continent is equipped to provide its children with the necessary safeguards in this respect. The central thesis of this study is to explore how the best interests of the African child can be upheld in inter-country adoption. This central research question is broken down into a number of related research questions, such as: Does the African context present any peculiar situations that are relevant to inter-country adoption? Does the African Childrens Charter (ACRWC) add any value to the provisions of the Convention on the Rights of the Child (CRC) in addressing African realities relevant for inter-country adoption? What are some of the challenges, lessons, and opportunities for the regulation of inter-country adoption on the African continent? The book concentrates on five themes: the African context, the international legal framework, adoptability, the principle of subsidiarity, and illicit activities in respect of inter-country adoption. It is argued that context matters, and that historical, cultural, social, religious, and legal contexts are relevant to inter-country adoption in Africa. Since human rights issues are at the core of the current debate on inter-country adoption, international childrens rights law is another

crucial aspect in the discussion. The experience from a selected number of African countries is used to identify the role of various stakeholders for the promotion and protection of children's rights in Africa in respect of inter-country adoption. [Subject: International Law, Human Rights Law, Children's Law, Adoption Law, African Studies]

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