

## Non-Hague Convention Countries – Updated April 2015

### Democratic Republic of the Congo

**On September 25, 2013**, the government of the Democratic Republic of the Congo (DRC) suspended adoptions of Congolese children, including the issuance of exit authorizations to adopted children to leave the country. The DRC requires Congolese children subject to an intercountry adoption to obtain an exit permit in order for them to leave the country to travel to Canada. Due to this suspension, children who were adopted in the DRC by Canadian citizens have not been issued exit authorizations and are not able to leave the country. **Effective September 25, 2014**, the DRC announced that its exit permit suspension for adopted children remains in effect indefinitely.

In light of this decision, Citizenship and Immigration Canada has asked the provincial/territorial Central Adoption Authorities to advise adoption agencies and families that prospective adoptive parents should not travel to the DRC as they will not be permitted to leave the country with their adopted child for the foreseeable future.

The British Columbia Central Authority strongly recommends against initiating an adoption from the the DRC.

### Russia

**Effective August 29, 2013**, the Russian Supreme Court issued a directive that restricts the adoption of a Russian child by foreign countries such as Canada that: recognize same-sex marriage; do not have a bilateral agreement on intercountry adoption with Russia; and permit the re-adoption of Russian children without the oversight of Russia's Adoption Authority, in those cases where the original adoption fails. For additional information, please see Citizenship and Immigration Canada's important notice at the following link: <http://www.cic.gc.ca/english/department/media/notices/index.asp>.

A number of Canadian adoption cases in progress appear to be caught by these legislative changes, resulting in delays in setting Russian court hearing dates or the rescheduling of dates that were already established. British Columbian prospective adoptive parents seeking to adopt from Russia are advised to consider other country adoptions as international adoptions from Russia not guaranteed to move forward at this time.

### Pakistan

**Effective July 2, 2013**, the British Columbia Central Authority closed new adoption applications from Pakistan.

The program was closed as a result of objections to intercountry adoptions raised by the Canadian High Commission for Pakistan as well as concerns regarding the incompatibility of intercountry adoption with the law of Pakistan. In Pakistan, Islamic Shari'a law (*Kafala*) does not allow for adoptions. *Kafala* neither terminates the birth parent-child relationship, nor grants full parental rights to the person (guardian) under whose care the child is entrusted. The concept of *Kafala* is recognized as distinct from the Western legal concept of adoption, which severs birth ties between birth parent(s) and the child and in its stead, creates a permanent child relationship between the adoptive parents.

### Nepal

**Effective March 10, 2010**, the British Columbia Central Authority placed a moratorium on adoption activity from Nepal.

A February 2010 report issued by the Permanent Bureau of the Hague Convention cites significant problems with the Nepal adoption process. Concerns include falsification of documents, lack of financial accountability, and uninformed consent of birth family. Citizenship and Immigration Canada has also expressed concerns regarding the validity of documents issued from Nepal. A full copy of the Hague Report is available at: [http://www.hcch.net/index\\_en.php?act=publications.details&pid=4958&dtid=28](http://www.hcch.net/index_en.php?act=publications.details&pid=4958&dtid=28).

At this time, the moratorium on adoptions from Nepal remains in effect.

## **Liberia**

**Effective May 1, 2008**, the British Columbia Central Authority placed a moratorium on adoptions from Liberia.

In May 2007 the Canadian High Commission in Accra conducted a review of adoption in Liberia and reported that there are serious concerns about child trafficking. The concerns centred around no legal functioning framework to ensure the legality of adoptions; lack of process to ensure children have not been abducted, trafficked or sold; and lack of informed parental consent being received in cases where biological parents are still living.

In January 2009 the Government of Liberia formally suspended adoptions due to mismanagement and corruption in the adoption process. The Liberian Government is currently reforming its adoption process and is dealing with individual adoption cases on an exceptional basis.

At this time, the moratorium on adoptions from Liberia remains in effect.