



**In re Adoption of JIW (Minor) (Adoption Cause E011 of 2025)
[2025] KEHC 8715 (KLR) (Family) (19 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8715 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

FAMILY

ADOPTION CAUSE E011 OF 2025

CJ KENDAGOR, J

JUNE 19, 2025

IN THE MATTER OF

RWJ

1ST APPLICANT

PLJ

2ND APPLICANT

IN THE MATTER OF

RWJ 1ST APPLICANT

PLJ 2ND APPLICANT

RULING

1. This adoption case was heard and finalized. The adoptive parents are a married couple living in the United Kingdom.
2. This is a kinship adoption with a close family connection, as the child’s biological mother is married to the adoptive father. The biological mother is a Kenyan citizen, while the adoptive father is a British citizen.
3. The adoption entry has been entered into the Register of Adoptions and certificate has been duly issued.
4. The Advocate for the Adoptive Parents has addressed the Court, referring to the Court Order that allowed the adoption. Counsel has informed the Court that the Adoptive Parents are unable to successfully apply for the child’s passport in the United Kingdom because they must provide proof that the Adoption Orders were made in accordance with the Hague Convention. Counsel has indicated



that this is necessary as the adoption order was made outside the United Kingdom and the child is not a British citizen.

5. Counsel has attached the correspondence from the United Kingdom's Passport Office. In this correspondence, the Passport Office acknowledges receipt of the child's passport application and notes that the adoption certificate must confirm that the adoption was conducted in accordance with Article 23 of the Hague Convention.
6. The Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption is an international treaty aimed at safeguarding children involved in intercountry adoptions. Kenya is a signatory to the Hague Convention on Intercountry Adoption. The ratification of the Convention occurred on 12th February, 2007, and it subsequently entered into force on 1st June, 2007.
7. The 1st Applicant is the biological mother of the child and is a Kenyan citizen; therefore, the adoption is not affected by the moratorium on foreign adoptions. She holds a residence permit in the United Kingdom and is legally married to the adoptive father. Together, they have other biological children.
8. The Court's foremost consideration in granting the adoption was the well-being of the child, reflecting the constitutional mandate outlined in Article 53 of *the Constitution* of Kenya. This imperative underscores the principle that the child's best interests must be the guiding factor in all decisions that touch on the child.
9. The Hague Convention aims to ensure that adoptions are carried out in the best interests of the child, prevent child trafficking and abduction, and establish a system of cooperation among participating countries.
10. This Court hereby certifies that the adoption process has been conducted in full compliance with the provisions of the Hague Convention. As a result, this adoption is eligible for recognition and enforcement by law in other Contracting States.
11. This certification is issued as an addendum to the Adoption Orders made on 8th April, 2025. Accordingly, the Adoption Certificate may be amended to reflect this certification.
12. It is so ordered.

DATED, DELIVERED AND SIGNED AT NAIROBI THROUGH THE MICROSOFT TEAMS ONLINE PLATFORM ON THIS 19TH DAY OF JUNE, 2025.

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C. KENDAGOR
JUDGE

In the presence of:

Court Assistant: Beryl

