

2013-10-14

Fråga-svar

Liberia. Lagstiftning kring adoption av barn. Bestämmelser för utfärdande av pass, särskilt minderåriga

Fråga

1. Hur ser lagstiftningen kring adoption ut i Liberia?
2. Vilka bestämmelser gäller för utfärdande av pass i Liberia, i synnerhet för minderåriga?

Svar

Nedan finns en sammanställning av information från olika källor.

1. Lagstiftning kring adoption

U.S. Department of State (2013):

“International Child Abductions: To address issues of child adoption and international child abduction, the government imposed a moratorium on international child adoption in 2009; the moratorium continued during the year. The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.” (sektion 6. *children*)

United Nations Committee on the Rights of the Child (2011):

“At the time of compiling this report, the House of Representative had unanimously passed a Children’s

Law. The House of Representative Committee on Gender Equity and Child Development initiated and championed this law.” (s. 6)

“The New Domestic Relations Law requires judicial decision making in matters of the “custody”, adoption, and maintenance of the child to be in the child’s best interests.” (s 98)

United Nations (2007):

“Formal domestic adoption is provided for in the Domestic Relations Law of Liberia (DRL) (1973), but is almost never undertaken.” (s. 29)

“The safeguards to ensure that the rights of children who are adopted abroad are protected are weak. Liberia has not ratified the core international treaty on intercountry adoptions, the Convention of Protection of Children and Co-operation in respect of Inter-country Adoption (1993) (Hague Convention).⁷⁷ In addition, the lack of national mechanisms means that even where protective measures are in place, they can easily be subverted.” (s. 29)

“The DRL provides that the judiciary has overall has overall responsibility for legally approving the adoption of a Liberian child. Individuals wishing to adopt a child must file a petition in the probate court.” (s. 32)

“This law contains no reference to inter-country adoptions.” (s. 32)

“There is no central authority overseeing adoptions in Liberia. Instead, the adoption process is led by private agencies.”(s. 33)

1. Utfärdande av pass

Australien: Refugee Review Tribunal (2009):

“The Bureau of Passport and Visa of the Liberian Ministry of Foreign Affairs issues passports to Liberian nationals:

The Bureau of Passport and Visa primarily function to issue Passport to Liberian nationals and Visas to aliens requesting legal entry. In effecting these duties, the Bureau ensures that proper screening of applicants are conducted to establish the truthfulness of their claim of Liberian citizenship and the subsequent issuance of passports on the establishment of said fact. As you are aware, there are three categories of passport, namely Ordinary, Official and Diplomatic. The ordinary passport process is directly handled by the Bureau, with applicants going through the regular screening procedures” (kap. 4)

“passport applicants “must submit two passport size photos and appear in person for an interview for the purpose of establishing the veracity of the information provided on the application form.” (kap. 4)

Austrian Centre for Country of Origin and Asylum Research and Documentation (2005):

“The International Organization for Migration (IOM) provides in a report dated May 2004 general information on identity documents in Liberia:

“The majority of Liberians do not possess a formal identity document containing biometric information. The last national registration program was conducted by the Ministry of Finance in 1984 – 1986, and no country-wide registration has been conducted since. Given that the majority of Liberians were displaced at some point during the war, it is not surprising that most no longer possess these documents. In addition, an entire generation has reached the age of majority in the previous 20 years, and may never have been registered or issued any documents whatsoever.”

IOM states in a report of May 2005 that the Ministry of Foreign Affairs issued Liberian passports throughout most of the fighting, but these were notoriously easy to

counterfeit and there was a general sense that many were fraudulent. Obtaining a passport would require a birth certificate”

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

Källförteckning

Australien: Refugee Review Tribunal, Liberia: *1. Please provide information on the Kpelle, including their traditional practices, and their location within Liberia. 2. Is conversion to Christianity and refusal to adhere to traditional practices a problem for Kpelle living in Liberia? 3. Please provide information on the NPFL and their use of child soldiers, including information on the peace agreement and their demobilisation. 4. Please provide information on passport procedures in December 2007 and whether it is possible to get a passport through connections or bribes. 5. Please advise if there is a special deal between Liberia and China re entry into and employment of persons. 6. Please provide brief information on the current political environment in Liberia*, 2009-04-06, http://www.refworld.org/publisher,AUS_RRT,QUERYRESPONSE,LBR,4b6fe28a2,0.html (Hämtad 2013-10-02)

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), *Procedure for issuing passports or identity cards to the citizens of Liberia; list of groups at risk; ethnic group which speaks Youruba language in Liberia*, 2005-12-22, http://www.ecoi.net/file_upload/response_en_91281.html (Hämtad 2013-10-02)

United Nations Committee on the Rights of the Child, *Consideration of reports submitted by States parties under article 44 of the Convention Combined second, third and fourth periodic reports of States parties due in 2009 Liberia**, 2011-11-09 (Lifos 26588)

United Nations, *Human Rights in Liberia's Orphanages*, 2007-03, http://www.ecoi.net/file_upload/470_1207651029_humanrights-approvedthematicreport2007.pdf (Hämtad 2013-10-07)

U.S. Department of State, *Country Report on Human Rights Practices 2012 – Liberia*, 2013-04-19, http://www.ecoi.net/local_link/245092/355016_en.html (Hämtad 21013-10-02)