

ADOPTION

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**QUESTIONNAIRE SUR LES ORGANISMES AGRÉÉS DANS LE CADRE DE LA
CONVENTION DE LA HAYE DU 29 MAI 1993 SUR LA PROTECTION
DES ENFANTS ET LA COOPÉRATION EN MATIÈRE
D'ADOPTION INTERNATIONALE**

établi par le Bureau Permanent

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**QUESTIONNAIRE ON ACCREDITED BODIES IN THE FRAMEWORK OF THE
HAGUE CONVENTION OF 29 MAY 1993 ON PROTECTION
OF CHILDREN AND CO-OPERATION IN RESPECT
OF INTERCOUNTRY ADOPTION**

drawn up by the Permanent Bureau

*Document préliminaire No 1 d'août 2009 à l'intention de la
Commission spéciale de juin 2010 sur le fonctionnement pratique de la
Convention de La Haye du 29 mai 1993 sur la protection des enfants et
la co-opération en matière d'adoption internationale*

*Preliminary Document No 1 of August 2009 for the attention of the
Special Commission of June 2010 on the practical operation of the
Hague Convention of 29 May 1993 on Protection of Children and
Co-operation in Respect of Intercountry Adoption*

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Introduction

The Permanent Bureau is undertaking preparations for the Third Special Commission Meeting to review the practical operation of the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* (1993 Hague Convention), which is to be held in The Hague in June 2010. It is intended that the Special Commission will provide the opportunity for State Parties to the Convention (as well as States which are considering or preparing for ratification or accession) to exchange information and experiences on the operation of the Convention, to compare practices, and to discuss any difficulties in respect of the implementation and practical operation of the Convention.

Following the recommendations of the 2005 Special Commission, and based on the Discussion Paper on Accreditation Issues,¹ the Permanent Bureau is gathering information for a new Guide to Good Practice on Accreditation. The following Questionnaire has been developed for this purpose. Your responses to this Questionnaire will be an invaluable source of information for us in developing the new Guide.

As you know, in many countries, accredited bodies perform the functions of Central Authorities in relation to particular adoptions under the 1993 Hague Convention. The process of accreditation of bodies is one of the Convention's safeguards to protect children during the adoption process. The Convention requires that accredited bodies be not for profit, staffed by qualified and experienced personnel and be subject to supervision by competent authorities (Art. 11). Basic standards are imposed by the Convention to guide the accreditation process. It is implicit in the Convention that States will develop their own accreditation criteria, based on Convention objects and standards and expanded as necessary to meet the requirements of the individual State. The new Guide will include a set of model accreditation criteria.

In addition, according to Article 12, bodies accredited in one State and wishing to operate in another State must be specifically authorised to do so by the competent authority of both States (the accrediting State and the State of operation). In order to clear up some misunderstandings, the new Guide will explain the differences between accreditation and authorisation.

This Questionnaire is addressed to Member States of the Hague Conference and Contracting States to the 1993 Hague Convention. Obviously, it is understood that some questions can only be readily answered by Contracting States. It is also understood that some questions are more relevant to States of origin than to receiving States and vice versa.

As regards all other States which are not yet Party to the Convention, as well as certain intergovernmental organisations and non-governmental international organisations which have also been invited to Special Commissions as Observers, we would welcome from them any comments in respect of any items in the Questionnaire which are considered relevant.

We intend, except where expressly asked not to do so, to place all replies to the Questionnaire on the Hague Conference website. We would therefore request that replies be sent to the Permanent Bureau, if possible by e-mail, to: secretariat@hcch.net.

¹ "A Discussion Paper on Accreditation Issues", drawn up by Jennifer Degeling, Principal Legal Officer, with the assistance of Carlotta Alloero, Intern.

NAME OF STATE OR ORGANISATION: People's Republic of China

EXPLANATIONS AND QUESTIONS

If a question does not apply to your State, please answer "Not applicable" or "N/A".

Some questions can be answered by marking a box.

Where your answer refers to specific provisions of your law / laws, please cite the law and provision number as it may be a helpful reference in the Guide to Good Practice.

Where your answers can be enhanced by providing a link to an electronic version of a document (*e.g.*, guidelines, criteria), please give that link.

USE OF TERMINOLOGY

There are three situations in which accreditation and authorization (as used in the Convention) may occur. A distinction is to be made between "accreditation" and "authorisation":

- (1) adoption bodies are accredited in the receiving State to work in States of origin (Arts 10, 11) (1993 Hague Convention terminology: **accreditation**);
- (2) those adoption accredited bodies of receiving States are granted authorisation in the State of origin with a view to arranging the adoption (Art. 12) (1993 Hague Convention terminology: **authorisation**);
- (3) bodies in the State of origin are accredited by it to work with foreign bodies of the receiving State with a view to adoption (Arts 10, 11) (1993 Hague Convention terminology: **accreditation**).

NB: FOR STATES OF ORIGIN, PLEASE MAKE IT CLEAR IN YOUR ANSWERS IF YOU ARE REFERRING TO YOUR OWN ACCREDITED BODIES OR TO FOREIGN ACCREDITED BODIES WORKING IN YOUR STATE.

A. General policy issues concerning accreditation

1. In your State what terminology do you use for the situations described in (1), (2) and (3) above? Is it the same or different? If different, please specify, define and indicate if you intend to use your own terminology to answer the following questions.
N/A
2. Is your State a receiving State or a State of origin or both?
China is a State of origin.
3. Have you informed the Permanent Bureau all of the details of bodies accredited by your State, as required by Article 13? Is the information which is currently on the Hague Conference website up to date?
Yes. The updated information is:
Division Director: Ms. Wang Hongli
Division of Marriage and Adoption Management
Department of Social Welfare
Ministry of Civil Affairs
Address: No. 147 Beiheyuan Street, Dongcheng District, Beijing, China. 100721
Tel: 0086 10 58123181
Fax: 0086 10 58123177

Director-General: Mr. Zhang Shifeng
China Center of Adoption Affairs

Address: No. 16 Wangjiayuan Lane, Dongcheng District, Beijing, China 100027
Tel: 0086 10 65545199
Fax: 0086 10 65548810

If your State has decided not to use accredited bodies, please explain the reasons and indicate what has influenced the decision. Please answer any questions that are relevant to your State's situation.

Ministry of Civil Affairs is the China's Central Authority under the Hague Convention. China Center of Adoption Affairs (hereinafter referred to as CCAA) is authorized by the Chinese government to conduct the functions of central authority in Articles 15-21 of the Convention.

Establishing cooperation with other states is decided under the negotiation and discussion of the two governments in cooperation. CCAA selects authorized foreign accredited bodies to work with in inter-country adoption. At present, China does not have an accreditation system for adoption agencies.

According to *Measures for Registration of Adoption of Children by Foreigners in the People's Republic of China*, foreign citizens who intend to adopt from China shall send adoption files, including homestudy report and relevant certificates and papers, to CCAA through authorized accredited adoption agencies or government departments. Foreign adoption agencies in cooperation with CCAA should meet with basic requirements as listed in Annex 1.

As at September 30, 2009, China works with 17 countries in inter-country adoption program, including: Australia, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, New Zealand, Holland, Norway, Singapore, Spain, Sweden, U.K., U.S.A. and Italy. In these countries, altogether 136 adoption agencies are cooperating with CCAA. For the moment, CCAA does not accept any new adoption agencies to work with in inter-country adoption.

4. How do you define "accreditation" and "accredited body" in your State?
N/A
5. Do the following categories of actors come within the definition of accredited body (are they included as accredited body staff, employees or personnel)?
- facilitators (if they exist in your State, please specify their role)
 - national representatives of foreign accredited body
 - translators
 - lawyers (*e.g.*, with a power of attorney from prospective adopters)
 - guide, drivers, etc.

If these actors are not employees of the accredited body, what is their legal relationship, if any, to the accredited body?

N/A

6. As at 30 September 2009, what is the current number of accredited bodies in your State, state or province? If possible, please indicate how many bodies have been refused accreditation, have lost their accreditation or discontinued their activities since 1 January 2006, and for what reason.

N/A

7. Do you think the number of accredited bodies accredited by, or operating in your State is proportional to the number of intercountry adoptions taking place? If not, do you intend to take any appropriate measures?

N/A

8. Do you impose any limits on the number of accredited bodies which are granted accreditation in your State? If yes, on what grounds are limits imposed?

N/A

9. Does the Central Authority or the accredited body make the choice of the foreign States with which the accredited body could work (if authorisation were to be given)?

Please see the answer for Question 3.

Receiving State questions

10. (i) Receiving States: does the grant of accreditation automatically include an authorisation to act in:

- a) any State of origin;
- b) a specified State / States of origin?

- (ii) Do you limit the number of accredited bodies for every State of origin?

B. Organisation and structures

11. On which subjects does the accredited body have to provide evidence to, or inform, the Central Authority or other competent authority to obtain or maintain accreditation? Please tick relevant box:

N/A

- Composition of the accredited body's personnel and any changes
- Qualifications and experience of personnel
- Resolution of the board of governors attesting that the body is bound by ethical principles and rules of professional conduct

- Internal statute, regulations and guidelines of accredited body, including
 - documents which demonstrate the legal constitution of the accredited body
 - financial management and accounting practices
- Costs and expenses charged by accredited body

- Copy of the terms of collaboration between the accredited body and the body or person to whom the body entrusts responsibilities in performance of the adoption procedure
- Budget forecasts for 12-24-36 months
- Copy of the standard-form contract between the body and adoptive candidate
- Insurance for legal liability
- Other – please provide details

Receiving State questions

- Certified true copy of an official version of the legislation of the State of origin with which the accredited body will co-operate
 - Contracts with foreign collaborators or intermediaries, their qualifications and mode of payment (monthly salary / flat rate for every adoption)
 - Agreements with orphanages in the countries of origin or internal regulations relating to the handling of cases, and confidentiality rules
 - Copy of the statement of authorisation or approval to work in the State of origin if applicable
 - Evidence of knowledge of the situation (cultural, social and legal) in the State of origin
 - Evidence of knowledge of the adoption law and practice in the State of origin, and understanding of the role of counterparts in the State of origin
12. Is it compulsory for staff of an accredited body to be professionally qualified? If yes, which professions? (*e.g.*, lawyers, psychologists, psychiatrists, social workers, etc).
N/A
13. If volunteers are used, what is the ratio of volunteers to professional staff?
N/A
14. Are your accredited bodies required to sign a contract or agreement with the prospective adoptive parents? In general, what are the obligations of accredited bodies to adoptive candidates?
N/A
15. What are the role and responsibility of the Central Authority or competent authorities with respect to the training of accredited bodies?
N/A
16. Are your accredited bodies required to have internal guidelines for carrying out tasks related to adoptions including guidelines on confidentiality of information?
N/A
17. Are your accredited bodies required to keep the adoption records for a certain number of years? How many years?
N/A

C. Accreditation procedure

18. Please provide details (including powers and resources) of the authority or authorities which grant accreditation. Briefly describe the procedure to obtain accreditation.
N/A
19. Please give a brief outline of your accreditation criteria, guidelines or legislation. If possible, please provide an electronic copy of your accreditation criteria, guidelines or legislation, and any translations into English, French or Spanish.
N/A
20. Is there a central registry of all accredited bodies?
N/A

21. For how long is the accreditation granted?
N/A
22. What are the conditions for renewal of accreditation?
N/A

D. Authorisation of foreign accredited bodies

23. In your State how do you define "authorisation" in the context of Article 12? Do you have criteria for authorisation?
Please see the answer for Question 3.
24. Who makes the decision to authorise accredited bodies in accordance with Article 12? Is your process of authorisation formal or informal? Please describe the process.
Please see the answer for Question 3.
25. Is the Permanent Bureau informed of the authorisations?²
Yes. On January 23, 2006.

Receiving State questions

26. As a receiving State, can you provide the current numbers of accredited bodies authorised for individual countries of origin?
27. On what basis does the accredited body seek authorisation to work in a State of origin?
28. What factors or criteria are relevant for the Central Authority (or competent authority) to consider when giving or denying authorisation to work in a State of origin?

State of origin questions

29. As a State of origin, have you authorised foreign accredited bodies to undertake intercountry adoptions in your State (see Art. 12)? How many accredited bodies are currently authorised and from which receiving countries? How many were authorised as at 31 December 2005?
Please see the answer for Question 3.
30. As a State of origin, is the foreign accredited body required to be fully accredited by your State and by your procedures, rather than simply "authorised"?
Please see the answer for Question 3.
31. As a State of origin, how do you decide how many foreign accredited bodies are needed in your State?
Please see the answer for Question 3.
32. Countries of origin: If you authorise a foreign accredited body to "act" in your State, does this mean:
- a) the foreign accredited body must establish an office with professional staff (nationals of the State of origin or of the receiving State)?
 - b) the foreign accredited body can "act" in your State through an individual facilitator or intermediary

² "Where a body accredited in one Contracting State is, in accordance with Article 12, authorised to act in another Contracting State, such authorisation should be communicated to the Permanent Bureau by the competent authorities of both States without delay", Recommendation No 3 of the 2005 Special Commission (reaffirming Recommendation No 2 of the 2000 Special Commission).

- c) the foreign accredited body does not have an office or intermediary in the State of origin and it liaises directly with the Central Authority?

Please see the answer for Question 3.

33. Countries of origin: have you experienced any difficulties with foreign accredited bodies working with or in your State?
N/A

E. Supervision and review of accredited bodies

34. How do you supervise bodies accredited in your State (Art. 11 c))? Are regular reports required such as annual reports (including financial reports) from the accredited body to the supervising authority?
N/A

35. What supervision occurs in the State of origin of authorised foreign accredited bodies?
Please see the answer for Question 3.

36. How is the performance of the accredited body assessed or evaluated?
Please see the answer for Question 3.

37. Does the supervising authority have the power to make regular inspections of and reports on the accredited bodies? Have secrecy or privacy laws hindered inspections?
N/A

38. Do you require accredited bodies to report on any problems with intercountry adoptions, such as problems with particular countries, procedural problems or problems with implementation of the 1993 Hague Convention (see Convention Art. 33)?
N/A

39. Does your law have provisions to deal with breach of duties or breach of the conditions of accreditation by accredited bodies? *E.g.*, Suspension or revocation of accreditation or authorisation? Other penalties / measures? Please give details.
N/A

40. If accreditation has been suspended or withdrawn and is later re-instated, what conditions, if any, apply after re-instatement?
N/A

41. Is it possible to suspend or withdraw accreditation if the general situation in the State no longer offers the necessary guarantees for intercountry adoptions?
N/A

42. Are there restrictions upon activities of accredited bodies (*e.g.*, advertising their services; advertising, including on the internet, of adoptable children; limits on amounts that can be charged for fees and other expenses)?
N/A

43. Are you aware of any acts or behaviour by accredited bodies that contravened your accreditation criteria? Please also provide details of any sanctions or penalties applied?
N/A

44. What are the means used by the authorities supervising accredited bodies in order to improve good practices or remedy breaches in relation to requirements for accreditation or as regards to behaviour?
N/A
45. Is there collaboration among the accredited bodies working in the same State of origin, or in different countries? If so, what kind of collaboration?
N/A
46. Is the information on each accredited body's website regularly checked by the supervising authority? By an authority in the State of origin with which it co-operates?
N/A

F. Financial issues

47. How are your accredited bodies financed?
N/A
48. How are fees and charges set? *E.g.*, by accredited bodies themselves, by a public authority. Is there bilateral co-operation between your State and other countries to establish appropriate fees for the 2 countries concerned?
Fees and charges in inter-country adoption of China are set after being reported to the competent authorities for review and approval before taking effect.
49. Is detailed information about all the fees, charges and costs associated with an intercountry adoption available easily to adoptive candidates and other authorities?
Yes.
50. How and when is that information provided to adoptive candidates?
Adoptive candidates are provided with such information when they are preparing application files to adopt through a foreign adoption agency.
51. How is financial transparency and accountability of accredited bodies achieved? *E.g.*, by standard bookkeeping? Receipts and proof of purchases? Reports submitted with financial statement?
N/A
52. Do you allow donations to be paid to children's homes by the accredited bodies or prospective adoptive parents? Under what conditions?
Chinese government allows and encourages adoptive parents to donate to the children's welfare institutes where their adopted child is from when they come to China for adoption registration. As children available for inter-country adoption in China are abandoned children living in welfare institutes, the donations are all used to improve their life quality and caring standard.
53. The costs relating to adoption are extremely difficult to evaluate. Can you state the average amount or range (smallest to highest amount payable) for the following items.

Costs in the receiving State

- a) registration with an accredited body,
- b) administrative costs, establishment and sending of the adoptive candidate's documents, etc.
- c) costs for adoption training and preparation courses for prospective adoptive parents
- d) cost of procurement of statutory documents (birth or marriage certificates, psychosocial report, etc.)
- e) cost of human resources (salaried staff) of the body in the receiving State and in the State of origin
- f) cost of professional services in the receiving State (*e.g.*, lawyers, notaries, doctors)
- g) other – please specify.

Costs in the State of origin

- a) the body's administrative costs,
For each adoption case processed in CCAA, 750\$ of service fee is charged. For cases where special needs child is adopted, 480\$ of service fee is charged per adoption.
- b) cost of procurement of statutory documents (birth or marriage certificates, psychosocial report, etc.),

- N/A
- c) co-ordination of the case through (in-country staff of) the accredited body,
N/A
- d) cost of professional services (lawyers, interpreters, guides, drivers, etc) in the State of origin,
Differs among provinces.
- e) cost of filing of the documents with the appropriate authorities,
N/A
- f) translation and assistance,
300\$ of translation fee is charged per adoption. For cases where special needs child is adopted, 150\$ of translation fee is charged per adoption.
- g) legal or administrative costs in the State of origin,
Differs among provinces.
- h) transport and hotel costs for the adoptive parents,
N/A
- i) humanitarian contribution and donation to the orphanage, etc.,
Based on free will.
- j) other – please specify.

54. What is the relation between adoption fees (and contributions) and actual costs? Is it calculated for the whole budget of the accredited body, or per State, or does each adoption carry its own costs? How is the relation between fees and actual costs supervised?
N/A

55. What general comments can you give about costs of intercountry adoption (from the perspective of your own State and in other countries?)
Standard of fees and charges in inter-country adoption of China is open, reasonable and well regulated. The amount is relatively low compared with other countries.

State of origin questions

56. In the State of origin, who is responsible for the co-ordination of the costs: an accredited body's employee? A third-party? In case of a third-party, how is he selected? How is he financed? How is he evaluated? What mechanisms are in place to ensure that these costs are reasonable and transparent? What are the factors that make these costs vary from one adoptive file to another?
N/A

G. Operational issues

57. Which are the tasks carried out by accredited bodies in your State? Tick boxes if applicable. For countries of origin, please specify if your own national accredited bodies or foreign accredited bodies perform the tasks.

Receiving State questions

- Determination of eligibility of prospective adoptive parents (legal criteria)
- Evaluation of suitability of prospective adoptive parents (psychosocial criteria)
- Decision granting approval for the prospective adoptive parents to adopt
- Information and preparation of adoptive parents for intercountry adoption
- Make the matching decision
- Counselling of PAPs about child proposed to them (the proposed match)
- Agreements under article 17 of the 1993 Hague Convention
- Arrange to file documents with Court or authority of State of origin
- Report to supervising authority on status of the adoption
- Assist PAPs with Travel preparations
- Follow, know, understand, and supervise the procedure for the adoption
- Other tasks: please provide details

State of origin questions

- √Assessment of the adoptability of a child-Provincial department of Civil Affairs
- Work with birth parents on family preservation to avoid adoption of the child
- √Decision on the adoptability of a child- Provincial department of Civil Affairs
- Counselling and information for birth parents / consequences of consent
- √Obtaining Consent- Provincial department of Civil Affairs
- √Search for parents in cases of abandonment- Public Security Departments
- √Assume responsibility for the child prior to the adoption-Social Welfare Institutes
- √Prepare the child for adoption- Social Welfare Institutes
- √Agreements under Article 17 of the 1993 Hague Convention-CCAA

- File adoption documents with court or authority
- √ Search for socio-biological background information of child and birth family and reunion with birth family- Public Security Departments
- √ Make the matching decision-CCAA
- √ Preparation of the adoptive child- Social Welfare Institutes
- √ Assistance provided to the adoptive parents during their stay- Provincial department of Civil Affairs, Social Welfare Institutes and travel agencies
- Other tasks: please provide details.

H. Post adoption services and reports

58. What post adoption services do your accredited bodies offer (*e.g.*, counselling and family support)? Is provision of post adoption services one of the conditions of accreditation?
N/A
59. Are there any publicly funded post adoption services?
N/A

Receiving State questions

60. Do accredited bodies have to provide regular reports on the child? To whom are the reports sent *e.g.*, Central Authorities of State of origin and of receiving State? Other?
61. Do your accredited bodies prepare the post adoption report or do they ask the adoptive parents to prepare it and send it to the State of origin? If a public authority is responsible for post adoption reporting, please explain.
62. How do you monitor the obligation to the State of origin to send post adoption reports?

J. Approved (non accredited) bodies and persons³

63. Does your State permit approved (non-accredited) bodies or persons (see Art. 22(2)) to arrange intercountry adoptions. If not, go to Question 68. If yes, No.
64. Have you informed the Permanent Bureau of the details of approved (non-accredited) bodies or persons in your State, as required by Article 22(3)? Is the information which is currently on the Hague Conference website up to date?
N/A
65. What are the guidelines by which approval is granted?
N/A
66. What is the process by which approval is granted and renewed?
N/A

³ The term "non-accredited person" was used in the Explanatory Report of Professor Parra-Aranguren to refer to the person in Art. 22(2). Some countries now employ the term "approved person" when referring to person in Art. 22(2). However, the 2005 Questionnaire responses revealed enormous confusion when the term "approved persons" was used. Consequently, the Guide to Good Practice has followed the usage of the Explanatory Report to try to improve the public's understanding of the functions of these particular persons. The term "approved (non-accredited) person" is a compromise to retain the precision of the Explanatory Report, but recognises the usage by some countries of the term "approved person".

67. How is the supervision of approved (non-accredited) bodies or persons carried out in your State (Art. 22(2))?
N/A

68. Has your State made a declaration under Article 22(4) to prohibit the involvement of approved (non-accredited) bodies or persons in intercountry adoptions?
China has laws in adoption that provide strict regulations on conditions and procedures for adoption and prohibits the involvement of approved (non-accredited) bodies or persons in inter-country adoption.
69. Are you aware of any acts or behaviour by approved (non-accredited) bodies or persons that contravened their conditions of approval? Please also provide details of any sanctions or penalties applied.
No.

State of origin questions

70. As a State of origin, do you allow approved (non-accredited) persons or bodies from abroad to “act” in your State (as a similar procedure to authorisation of accredited bodies under Art. 12)?
No.

K. Development aid activities

71. Are accredited bodies required to or permitted to engage in humanitarian projects or development co-operation activities in countries of origin?
Yes. China allows and encourages foreign accredited bodies to engage in humanitarian projects and work with Chinese welfare institutes to contribute to child welfare in China.
72. What types of activities are undertaken?
Such as donations, facilities for children’s life and rehabilitation; assistance projects in schooling and foster care; training for staff in welfare institutes to improve their professional knowledge, etc.
73. How do you ensure that the humanitarian aid does not influence or jeopardize the integrity of the intercountry adoption process (*e.g.*, by the expectation of a regular “supply” of children in exchange for regular humanitarian or development aid)?
CCAA advocates the principle that humanitarian aid and projects are not to be connected with inter-country adoption.

L. Co-operation between countries

74. Have you experienced any difficulties in obtaining assistance or co-operation from other Central Authorities in regard to accredited bodies?
No, but we hope to enhance cooperation with other Central Authorities on the supervision and management of accredited agencies.
75. Have you experienced any difficulties or concerns regarding the supervision of accredited bodies in other countries?
N/A
76. Have you experienced any difficulties with other countries or Central Authorities because you do not use accredited bodies?
N/A
77. Are there any particular aspects of your accreditation procedures *e.g.*, good practices that you would like to bring to the attention of other States?
No.
78. Do you have any other comments about any of the topics covered by this Questionnaire?

Questions in respect of post-adoption services should be added, e.g.:

1. Time limit for post adoption tracking by foreign accredited bodies
2. Measures taken by accredited bodies when problems turn up in the integration and adjustment period
3. Responsibilities taken by receiving countries and accredited bodies when adoptive children's rights and interests are infringed

State of origin questions

79. Have you experienced any pressure from foreign accredited bodies?
N/A

Annex I

Basic Requirements for Foreign Adoption Agencies in Cooperation with China Center of Adoption Affairs

In order to practically ensure the lawful rights and interests of adopted Chinese children, foreign adoption agencies in cooperation with CCAA should meet with the following basic requirements.

I. They shall put the interests of adopted Chinese children in the first and foremost place.

They must honor the basic principles of the Convention on the Rights of Children and the Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption, fully recognize the fact that children should be in a family environment full of happiness, love and understanding, and choose optimal families in the best interests of adopted Chinese children.

II. They must abide by the related laws and regulations of China and the regulations and requirements of CCAA.

They must abide by the Adoption Law of the People's Republic of China, the Measure for Registration of Adoption of Children by Foreigners in the People's Republic of China and other related laws and regulations; they must observe the regulations of competent governmental departments, and the regulations and requirements of CCAA and offer active cooperation with CCAA.

III. They must be adoption agencies authorized/accredited by their governments.

They have the Power of Attorney authorized by their governmental departments or Accreditation Certificate of Hague Convention granted by competent accrediting authorities to conduct adoption in China. The Power of Attorney or Accreditation Certificate must be within its valid time limit.

IV. They must be non-profit organizations

They must be non-profit charity organizations approved by their governments. They should require reasonable payments and have no improper financial and other gains associated with inter-country adoption.

V. They must have experiences with a certain scale for international adoptions.

They must have experience of international adoption services; and they must be capable of handling over ten (ten inclusive) adoption cases from China for each year;

they must have other children and family service programs other than adoption.

VI. They must be able to provide a complete range of international adoption services.

The services mainly include:

1. They must have a standard working procedure and standard China adoption procedure, and be able to guarantee that the related adoption policies and regulations from China are conveyed to adopters smoothly, truly and accurately.

2. They can provide pre-adoption training, adoption guidance and related consulting services for adopters and assist adopters to make pre-adoption preparations.

3. They can make home study of adoption families and complete home study reports. If provided by the laws of their countries that adoption organizations are not responsible for home study or for completing home study reports, they should assist adopters to make good home study reports.

4. They can provide post-adoption services to families adopting Chinese children and make true and timely post-adoption feedback reports for CCAA.

5. They could take active measures to protect the interests of the adoptees, while the adopters were not able to continue the nurture of the adoptees, till the adoptees were replaced properly.

VII. They must have stable and sound organizational setup.

They must have stable and formal offices and a sound organizational setup, with clear division of functions and responsibilities of the board of directors and executive bodies.

VIII. They must have a professional team specialized in international adoption.

The staff of adoption agencies should have been well educated and they should have professional knowledge and experience for families and children's services.

China Center of Adoption Affairs