

CENTRAL ADOPTION RESOURCE AUTHORITY
Ministry of Women & Child Development
Govt. of India

SUBJECT: 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

A. General policy issues concerning accreditation

Questionnaire	Comments
<p>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.</p>	<p>Accredited adoption bodies in India are known as Recognised Indian Placement Agencies (RIPAs)</p> <p>Foreign Accredited Bodies authorised to work in India are known as Enlisted Foreign Adoption Agencies (EFAAs)</p>
<p>2. Is your State a receiving State or a State of origin or both?</p>	<p>Our country is primarily a country of origin</p>
<p>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?</p> <p>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.</p>	<p>A list of adoption agencies accredited for the purpose of placing children in inter-country adoption is placed at <u>Annexure A</u></p>
<p>4. How do you define "accreditation" and "accredited body" in your State?</p>	<p>Accreditation means the adoption agencies recognised by CARA for placing children in inter-country adoption following due procedure. Accredited body is the body recognised by CARA to place children in inter-country adoption.</p>
<p>5. Do the following categories of actors come within the definition of accredited body (are they included as accredited body staff, employees or personnel)?</p>	<p>No</p>

<ul style="list-style-type: none"> ❑ 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. <p>If these actors are not employees of the accredited body, what is their legal relationship, if any, to the accredited body?</p>	
<p>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.</p>	<p>For a latest list of accredited bodies, please see <u>Annexure A</u>.</p> <p>No 1.</p> <p>Scottlane Poverty Eradication Centre, 27, Gokul Boral Street, Kolkata, West Bengal – 700012 (Recognition not renewed for non-compliance of CARA Guidelines)</p> <p>No.2</p> <p>Balwant Kartar Anand Foundation (Preet Mandir), Anand Corner, 18, Dr. Coyaji Road, Pune-411001, Maharashtra (Recognition revoked following press release of CBI on wrongful sourcing of children etc)</p>
<p>7 Do you think the number of accredited bodies accredited by, or operating in your State is proportional to the number of inter-country adoptions taking place? If not, do you intend to take any appropriate measures?</p>	<p>Yes</p>
<p>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?</p>	<p>No. CARA encourages accreditation of adoption agencies in those states where there is no inter-country adoption programme.</p>
<p>9 Does the Central Authority or the</p>	<p>No</p>

<p>accredited body make the choice of the foreign States with which the accredited body could work (if authorisation were to be given)?</p>	
<p>10 Receiving State questions</p> <p>(i) Receiving States: does the grant of accreditation automatically include an authorisation to act in:</p> <p>a) any State of origin;</p> <p>b) a specified State / States of origin?</p> <p>(ii) Do you limit the number of accredited bodies for every State of origin?</p>	<p>NA</p>

B. Organisation and structures

<p>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:</p> <p><input type="checkbox"/> Composition of the accredited body's personnel and any changes</p> <p><input type="checkbox"/> Qualifications and experience of personnel</p> <p><input type="checkbox"/> Resolution of the board of governors attesting that the body is bound by ethical principles and rules of professional conduct</p> <p><input type="checkbox"/> Internal statute, regulations and guidelines of accredited body, including</p> <ul style="list-style-type: none"> ▪ documents which demonstrate the legal constitution of the accredited body ▪ financial management and accounting practices <p><input type="checkbox"/> Costs and expenses charged by accredited body</p> <p><input type="checkbox"/> Copy of the terms of collaboration between the accredited body and the body or person to whom the body entrusts responsibilities in</p>	<p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>X</p>
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<p>performance of the adoption procedure</p> <ul style="list-style-type: none"> □ Budget forecasts for 12-24-36 months <ul style="list-style-type: none"> ▪ Copy of the standard-form contract between the body and adoptive candidate ▪ Insurance for legal liability ▪ Other – please provide details 	<p>X</p>
<p>12 Receiving State questions</p> <ul style="list-style-type: none"> □ 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 	<p>NA</p>
<p>13 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).</p>	<p>Yes. Staff of an accredited body is required to be qualified in the area of Social Work/Child Development/Social Welfare/Law.</p>
<p>14 If volunteers are used, what is the ratio of volunteers to professional staff?</p>	<p>The accredited bodies have freedom to retain as many volunteers for their programme.</p>
<p>15 If volunteers are used, what is the ratio of volunteers to professional staff?</p>	<p>No specific norms in existence</p>
<p>16 If volunteers are used, what is the ratio of volunteers to professional</p>	<p>No specific norms in existence</p>

staff?	
17 What are the role and responsibility of the Central Authority or competent authorities with respect to the training of accredited bodies?	CARA as central authority of the country conducts regular orientation/training programmes for its stakeholders. It also conducts regular meetings with the accredited bodies.
18 Are your accredited bodies required to have internal guidelines for carrying out tasks related to adoptions including guidelines on confidentiality of information?	Yes
19 Are your accredited bodies required to keep the adoption records for a certain number of years? How many years?	No stipulated norm.

C. Accreditation procedure

20 Please provide details (including powers and resources) of the authority or authorities which grant accreditation. Briefly describe the procedure to obtain accreditation.	CARA grants accreditation based on respective State Government's recommendation and also on compliance of norms stipulated by it for such accredited bodies.
21 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.	<p><u>Criteria for Recognition of Indian Placement Agency (RIPA) (Para 5.3 of Inter-country Guidelines-2006)</u></p> <p>No agency will engage in placement of inter-country adoption unless it is licensed by the State Government and recognised by CARA. Any Indian agency desirous of undertaking inter-country adoption work shall apply for recognition to the Central Adoption Resource Authority, through the State Government concerned and only such agencies are recognised by the Central Adoption Resource Authority, shall be entitled to undertake processing of inter-country adoption work. Such agencies shall be termed "Recognized Indian Placement Agencies". The General criteria for granting recognition should be as follows:</p> <p>a. It is a society registered under the Societies Registration Act, 1860 or</p>

	<p>a. Trust created under the Charitable Trusts Act, or an organisation registered under an appropriate law which has worked for the welfare of Women and Children during the preceding five years;</p> <p>b. Only such voluntary agencies primarily engaged in child welfare programmes which undertake adoption as a part of their total activities may apply for recognition for inter-country adoption to the Central Adoption Resource Authority.</p> <p>c. The organisation should be duly licensed/recognised by the State Government under the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 and/or Juvenile Justice (Care & Protection of Children) Act, 2000 and/or any alternate rules or order to maintain certain minimum standards for child care in child welfare institutions. The organisation should have been functioning for a period of three years in the field of in-country adoption at the time of applying for Inter-country recognition. This will be relaxable, for organisations working in the North East region and J & K, in meritorious cases.</p> <p>d. The organization should also have a certificate of recognition from concerned State Govt. for doing in country adoption in accordance with section 41(4) of the JJ Act 2000 and corresponding states JJ Rules.</p> <p>e. Where the adoption programme is part of a larger organisation there should be a sub-committee to run the adoption programme and closely monitor the same. This Committee shall have at least some professional members with experience in the field of Child Development/Social Welfare/Law.</p> <p>f. It should have appropriate residential institution/Home for the protection and care of children</p>
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	<p>including infants.</p> <p>g. It should run on a non-commercial and non-profit basis.</p> <p>h. The Chief Executive of the organisation should be willing to sign a written undertaking to follow the Guidelines laid down by the Supreme Court of India, those prescribed by the Government of India and the conditions imposed, if any, by CARA at the time of Recognition and Renewal.</p> <p>i. Recognition of the agency should be recommended by the State Government concerned.</p> <p>j. It should have required professional staff to run the adoption agency.</p> <p>Recognition to an Indian agency shall be granted normally for a period of 3 years, subject to the conditions laid down in these Guidelines. The decision of CARA shall be final in this regard.</p>
22 Is there a central registry of all accredited bodies?	Yes
23 For how long is the accreditation granted?	3 years
24 What are the conditions for renewal of accreditation?	<p><u>Renewal of Recognition of RIPA(Para 5.18 of of Inter-country Guidelines-2006)</u></p> <p>RIPA should apply for renewal of recognition, 6 months prior to the date of expiry of the previous recognition. The original application should be sent by the agency to the appropriate authority of the State Government and a copy of it should simultaneously be forwarded directly to CARA. The State Government will forward the original application to CARA along with its comments within a period of two months from the date of receipt of the complete application. If the State Government does not respond within three months from the date of receipt of application, CARA may conduct a joint inspection and consider the renewal of recognition. Recognition</p>

would normally be renewable for a period of three years subject to the following conditions:

- a. Recommendation/views of the concerned State Government accompanied by the inspection report of the Agency.
- b. Satisfactory performance in relation to in-country adoption will be an important factor to assess and consider further renewal of recognition of any RIPA. The agencies shall sufficiently exhibit their involvement in the area of In-country adoption. The Agencies will place 50% or more children in adoption to Indians in India.
- c. Regular submission of Annual report, quarterly reports of the Agencies and audited statement of accounts as prescribed, adoption charges per child, donations received, if any.
- d. No instance of proved malpractice against the RIPA.
- e. Whether the agency is still recognized by the appropriate authority of concerned State govt. for running the children Home and doing in country adoption under relevant rules.
- f. List of children placed in in-country and inter-country adoption, year-wise for the period of three years to support the data submitted.

D. Authorisation of foreign accredited bodies

<p>25 In your State how do you define “authorisation” in the context of Article 12? Do you have criteria for authorisation?</p>	<p>Foreign agencies are enlisted by CARA to process cases of foreign (also PIO, NRI & OCI) prospective adoptive parents for adoption of Indian children. As per para 6.2 of the Inter-country Guidelines 2006, the following are the criteria for enlistment/authorization of foreign agencies.</p> <p><u>6.2 Criteria for Enlistment of Foreign Agencies</u></p> <p>The criteria for enlistment/authorization of foreign agencies by CARA for the purpose of inter-country adoption are as under:-</p> <ol style="list-style-type: none"> i. It will be an Agency duly registered under the relevant law of the concerned country and should be recognized/ licensed by the appropriate authority of that country to undertake inter-country adoption. ii. It must have been duly accredited and authorized by the Competent Authority under the Hague Convention on Inter-country Adoptions, 1993 (wherever applicable). iii. It will submit the Memorandum, Mission statement, copies of Registration status, latest license issued by the concerned Government authority to undertake domestic and International Adoptions, list of Board/Executive Members and list of countries it is working with. iv. It shall be a child welfare agency with an established standing in this field and it must be staffed with qualified social workers who have experience in the field of adoption. It shall submit the activities of the organization, Annual Reports for the last 3 years, list of staff with qualification and accounts for the last two
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	<p>years.</p> <p>v. The agency shall run on a non-commercial and non-profit basis and shall provide an annual statement on payment made to the Indian agencies.</p> <p>vi. An undertaking by the enlisted foreign adoption agency that in case of disruption of the foreigner's family before adoption is effected or in case the child is not properly looked after or is mistreated or abused in the adoptive family, it will undertake responsibility for the care of the child under intimation to the Indian Diplomatic Mission, the Central Adoption Resource Authority, the concerned Recognised Indian Placement Agency immediately with full details and action taken for care and protection of the child. This shall include finding a suitable alternative placement for the child with the concurrence of the Recognised Indian Placement Agency, which processed the case and report such alternative placement to the Indian Court, which made the order for Guardianship. In such a case wherein the child is being repatriated to India either to his/her biological family, or to the Recognised Indian Placement Agency or to any other organisation, CARA should be consulted. All Social and Medical Reports should be furnished. The legal status of the child, his/her rights of citizens in the foreign country and the adoptive parents legal liabilities should be stated. A care plan for the child will be worked out and the State Government or any other organisation authorized by CARA will monitor the well being of the child. All cost including repatriation and after care will be met by the Enlisted Foreign Adoption Agency.</p> <p>vii. The Head/Chief Executive of the</p>
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	<p>Organisation should be willing to sign a written undertaking to follow the Guidelines, to send progress reports as required, to send a copy of the adoption decree.</p> <p>viii. Concerned Departments of the Foreign Govt./Central Authorities which agree to give the aforementioned undertaking will be treated as enlisted Agencies for the purpose of sponsoring the applications of foreign nationals. Central Authorities need not to apply for enlistment with CARA.</p>
<p>26 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.</p>	<p>Secretary CARA who is the chief executive of the office takes decision about enlistment/authorisation.</p> <p>It is a formal process. Please see para 6.3 of Guidelines for Adoption from India 2006.</p> <p><u>6.3 Procedure for Enlistment</u></p> <p>i. A foreign social/child welfare agency desirous of sponsoring applications of foreign adoptive parents for adopting Indian children shall apply for enlistment to CARA, through the office of India's Diplomatic Mission and the Government of the country where it is located.</p> <p>ii. On the recommendation of India's Diplomatic Mission in the country concerned, CARA shall examine the application for enlistment and consider the agency concerned for enlistment provided it fulfils the criteria stated in paragraph 6.2 above</p> <p>iii. A foreign adoption agency may be enlisted for a period of 5 years.</p>
<p>27 Is the Permanent Bureau informed of the authorisations?¹</p>	<p>No</p>

Receiving State questions

28	As a receiving State, can you provide the current numbers of accredited bodies authorised for individual countries of origin?	NA
29	On what basis does the accredited body seek authorisation to work in a State of origin?	NA
30	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?	NA

State of origin questions

31	As a State of origin, have you authorised foreign accredited bodies to undertake inter-country 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?	An updated list of foreign agencies enlisted/authorized by CARA is placed at Annexure –B .
32	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”?	Yes
33	As a State of origin, how do you decide how many foreign accredited bodies are needed in your State?	Not yet decided
34	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 c) the foreign accredited body	NA Not necessary Not necessary

<p>does not have an office or intermediary in the State of origin and it liaises directly with the Central Authority?</p>	Possible
<p>35 Countries of origin: have you experienced any difficulties with foreign accredited bodies working with or in your State?</p>	Yes

E. Supervision and review of accredited bodies

<p>36 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?</p>	<p>Accredited bodies are supervised by concerned State Government/CARA or by both from time to time.</p> <p><u>Para 3.5 of Inter-country Guidelines-2006</u></p> <p>CARA/State Government will periodically and at least once a year, inspect all Licensed and Recognised Adoption Placement Agencies as also their papers, documents and activities connected with the service for children, in order to verify the following:-</p> <ol style="list-style-type: none"> i. That adoption as an activity is being pursued by the organization as a welfare measure in the interest of children and not as a commercial activity. ii. That proper records are being maintained for children admitted to the homes. iii. That the children admitted are provided with quality child care and basic minimum facilities for their care, education and development in the institution or Foster Homes. iv. That lists of persons interested in adopting a child or taking a child under guardianship are being maintained by the organisation regularly. v. That the accounts of the organisation are being maintained and audited annually without delay and that the auditor's reports confirm that the accounts are fair and accurate; that any organisation which is in receipt of
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	<p>foreign funding is duly registered with the Ministry of Home Affairs and has otherwise complied with the provisions of the Foreign Contributions (Regulation) Act, 1976.</p> <ul style="list-style-type: none"> vi. That the organisation is receiving regular progress reports about the well-being of children given in adoption. vii. That qualified staff having social work experience are employed by the agency/organisation to supervise the care of children or they have access to such staff. viii. That in the case of children placed in pre-Adoption care/foster care with prospective adoptive parents, the cases have been legalized. ix. A separate register is kept for children given in pre-adoption foster care in all cases. x. That a Central Register of prospective adoptive parents is maintained.
<p>37 What supervision occurs in the State of origin of authorised foreign accredited bodies?</p>	<p>Enlistment/authorisation of a foreign accredited body is not done on permanent basis. The EFAA (Enlisted Foreign Adoption Agency) is required to comply terms and conditions (please see criteria of enlistment) before its renewal is considered by CARA. The EFAA is required to send progress reports regularly as stipulated under the Guidelines.</p>
<p>38 How is the performance of the accredited body assessed or evaluated?</p>	<p>The performance of the accredited body is assessed based on the following criteria:</p> <ul style="list-style-type: none"> a. Recommendation/views of the concerned State Government accompanied by the inspection report of the Agency. b. Satisfactory performance in relation to in-country adoption. c. Regular submission of Annual report, quarterly reports of the Agencies and audited statement of accounts as prescribed,

	<p>adoption charges per child, donations received, if any.</p> <p>d. No instance of proved malpractice against the RIPA.</p> <p>e. The agency is still recognized by the appropriate authority of concerned State govt. for running the children Home and doing in country adoption under relevant rules.</p> <p>f. List of children placed in in-country and inter-country adoption, year-wise for the period of three years to support the data submitted.</p> <p>Besides the above, the agency is assessed based on its quality child care and compliance of various provisions of CARA guidelines. Accredited bodies are also inspected directly by CARA and concerned State Govt.</p>
39 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?	Yes
40 Do you require accredited bodies to report on any problems with inter-country adoptions, such as problems with particular countries, procedural problems or problems with implementation of the 1993 Hague Convention (see Convention Art. 33)?	Yes
41 Does your law have provisions to deal with breach of duties or breach of the conditions of accreditation by accredited bodies? <i>E.g.</i> , Suspension or revocation of accreditation or authorisation? Other penalties / measures? Please give details.	Although, there is no adoption law in the country for imposing penalties, etc. for breach of duties or breach of the conditions of accreditation by accredited bodies, CARA Guidelines stipulates suspension or revocation of accreditation or authorization.
42 If accreditation has been suspended or withdrawn and is later re-instated, what conditions, if any, apply after re-instatement?	Close monitoring
43 Is it possible to suspend or withdraw	It depends on a particular situation.

	accreditation if the general situation in the State no longer offers the necessary guarantees for inter-country adoptions?	No such situation has arisen.
44	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)?	There is a limit on amounts that can be charged for fees and other expenses as per CARA Guidelines. Please see para 49.
45	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?	Yes. There have been few such cases and in all such cases adoption activities of the agencies have been suspended.
46	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?	<ul style="list-style-type: none"> • Training and Development activities, • Regular inspections and visits
47	Is there collaboration among the accredited bodies working in the same State of origin, or in different countries? If so, what kind of collaboration?	Adoption Coordinating Agencies do networking among the accredited bodies.
48	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?	No. Manual inspections

F. Financial issues

49	How are your accredited bodies financed?	There is provision of adoption fee for in-country adoption and inter-country adoption.
50	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?	Adoption fee charges are set by CARA. No bilateral cooperation between India and other countries on the said issue.

<p>51 Is detailed information about all the fees, charges and costs associated with an inter-country adoption available easily to adoptive candidates and other authorities?</p>	<p>Yes. It is a fixed amount. As per Para 5.17 of Inter-country Guidelines-2006, the organisation will pursue only non-profit objectives. Under no circumstances should it derive improper financial gain from any activity related to inter-country or in-country adoption. In inter-country adoption, an adoption fee of a fixed amount of US\$3500 or its equivalent in Indian rupees will be payable by the adoptive parents to the Recognised Indian Placement Agencies through EFAA or a central authority. This fee will include the cost involved in providing quality child care, medical and legal services, passport, visa, payment towards professional staff, monitoring, correspondence, preparation of child study reports, medical reports, etc.</p>
<p>52 How and when is that information provided to adoptive candidates?</p>	<p>All foreign prospective adoptive parents may know about the prescribed fee structure about adoption fee in India when they contact EFAAs or CAs of their countries of habitual residence or they may directly access CARA website for information.</p>
<p>53 How is financial transparency and accountability of accredited bodies achieved? <i>E.g,</i> by standard bookkeeping? Receipts and proof of purchases? Reports submitted with financial statement?</p>	<p>Audited statement of accounts are checked at the time of inspection as also during the time when the RIPAs approach CARA for recognition /renewal. Each RIPA is required to maintain proper accounts to be audited by a Chartered Accountant every year. It is also required to send a copy of the audited accounts together with audit report to CARA and the concerned State Government.</p>
<p>54 Do you allow donations to be paid to children's homes by the accredited bodies or prospective adoptive parents? Under what conditions?</p>	<p>As per Para 5.17 of the Guidelines, no donation shall be received by a Recognised Indian Placement Agency from a Foreign Prospective Adoptive Parent/Parents or Enlisted Foreign Adoption Agency</p>
<p>55 The costs relating to adoption are extremely difficult to evaluate. Can</p>	<p>NA</p>

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.

56 Costs in the State of origin

- a) the body's administrative costs,
- b) cost of procurement of statutory documents (birth or marriage certificates, psychosocial report, etc.),
- c) co-ordination of the case through (in-country staff of) the accredited body,
- d) cost of professional services (lawyers, interpreters, guides, drivers, etc) in the State of origin,
- e) cost of filing of the documents with the appropriate authorities,
- f) translation and assistance,
- g) legal or administrative costs in the State of origin,
- h) transport and hotel costs for the adoptive parents,
- i) humanitarian contribution and donation to the orphanage, etc.,

Recently, a group of adoption agencies in India calculated average expenditure in case of inter-country adoption and a copy of the report is placed at **Annexure-C**.

j) other – please specify.	
57 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?	Adoption fee is based on calculation of actual expenses on average basis. Each adoption costs a fixed amount as stated above in Para 49. CARA holds meetings periodically with its stakeholders and as a matter of fact, adoption fee is fixed on consensus basis.
58 What general comments can you give about costs of inter-country adoption (from the perspective of your own State and in other countries?)	Particularly receiving countries should have fixed adoption fee.
59 <i>State of origin questions</i> 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?	Inter-country adoption cost is fixed for accredited bodies as per Inter-country Guidelines issued by CARA. The cost is reasonable and uniform. The RIPAs are required to file their audited financial statements to CARA before their renewal.

G. Operational issues

60 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.	
61 <i>Receiving State questions</i> <input type="checkbox"/> Determination of eligibility of prospective adoptive parents (legal criteria) <input type="checkbox"/> Evaluation of suitability of prospective adoptive parents (psychosocial criteria) <input type="checkbox"/> Decision granting approval for the	NA

<p>prospective adoptive parents to adopt</p> <ul style="list-style-type: none"> ❑ 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 	
<p>62 <i>State of origin questions</i></p> <ul style="list-style-type: none"> ❑ Assessment of the adoptability of a child ✓ ❑ Work with birth parents on family preservation to avoid adoption of the child ✓ ❑ Decision on the adoptability of a child ✓ ❑ Counselling and information for birth parents / consequences of consent ✓ ❑ Obtaining Consent ✓ ❑ Search for parents in cases of abandonment ✓ ❑ Assume responsibility for the child prior to the adoption ✓ ❑ Prepare the child for adoption ✓ ❑ Agreements under Article 17 of the 1993 Hague Convention - ❑ File adoption documents with court or authority ✓ ❑ Search for socio-biological background information of child and birth family and reunion with birth family ✓ ❑ Make the matching decision ✓ ❑ Preparation of the adoptive child ✓ ❑ Assistance provided to the adoptive parents during their stay ✓ ❑ Other tasks: please provide details. 	

H. Post adoption services and reports

63 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?	Post adoption services include counselling of older adoptees, adoptive parents and help in the root search of adopted children. No
64 Are there any publicly funded post adoption services?	No
65 <i>Receiving State questions</i> 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? 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. How do you monitor the obligation to the State of origin to send post adoption reports?	NA

I. Approved (non accredited) bodies and persons²

66 Does your State permit approved (non-accredited) bodies or persons (see Art. 22(2)) to arrange inter-country adoptions. If not, go to Question 68. If yes,	No
67 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?	-

² 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".

68	What are the guidelines by which approval is granted?	-
69	What is the process by which approval is granted and renewed?	-
70	How is the supervision of approved (non-accredited) bodies or persons carried out in your State (Art. 22(2))?	-
71	Has your State made a declaration under Article 22(4) to prohibit the involvement of approved (non-accredited) bodies or persons in inter-country adoptions?	Yes. Inter-country Adoption Guidelines provide that inter-country adoption can be done through CARA recognised (accredited) agencies.
72	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.	NA
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. Only foreign agencies enlisted by CARA or central authorities can function in India

J. Development aid activities

73	Are accredited bodies required to or permitted to engage in humanitarian projects or development co-operation activities in countries of origin?	Yes
74.	What types of activities are undertaken?	Social and child welfare activities
75.	How do you ensure that the humanitarian aid does not influence or jeopardize the integrity of the inter-country adoption process (e.g., by the expectation of a regular “supply” of children in exchange for regular humanitarian or development aid)?	This is an area of concern. However, CARA stipulates a quota system under its Guidelines that at least 50 percent of adoptions shall be with Indians residing in India.

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K. Co-operation between countries

76. Have you experienced any difficulties in obtaining assistance or co-operation from other Central Authorities in regard to accredited bodies?	No
77 Have you experienced any difficulties or concerns regarding the supervision of accredited bodies in other countries?	No
78 Have you experienced any difficulties with other countries or Central Authorities because you do not use accredited bodies?	NA
79 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?	<p>For Accreditation Procedure please see para 19.</p> <p>Some of the best practices followed/proposed in India are mentioned here below:</p> <ul style="list-style-type: none"> □ CARA undertakes capacity building activity for its associated agencies including its accredited bodies, which include orientation programmes; zonal meets of adoption agencies etc. □ CARA has developed ICT based monitoring systems to ensure transparency in the adoption procedure. □ There is a single window system where it has been mandated that all orphan, abandoned and surrendered children will be produced before Child Welfare Committee (CWC) located at district level and such committee will declare also all children free for adoption. □ CARA proposes that all inter-country adoptions will be done with a full and final adoption order before the child leaves for the country of his/her adoptive parents. □ CARA proposes to receive applications of

	foreign PAPs directly at CARA so that CARA can help its accredited bodies to minimize delays in the adoption process.
80 Do you have any other comments about any of the topics covered by this Questionnaire?	No

State of origin questions

81 Have you experienced any pressure from foreign accredited bodies?	No
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Abbreviations:

CARA (Central Adoption Resource Authority)

PIO (Persons of Indian Origin)

NRI (Non-resident Indian)

OCI (Overseas Citizen of India)

RIPA (Recognised Indian Placement Agency also known as Accredited Body)

EFAA (Enlisted Foreign Adoption Agency also known as Authorised Agency)

CA (Central Authority)

PAPs (Prospective Adoptive Parents)

- | | |
|--|--------------------|
| 1. List of Accredited bodies for Placing Children in Inter-country Adoption (Known as Recognised Indian Placement Agencies) | Annexure A |
| 2. List of Foreign Agencies Enlisted/Authorised by CARA | Annexure –B |
| 3. Average Expenditure in case of Inter-country Adoption | Annexure –C |