

COUNTRY PROFILE

1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION¹

STATE OF ORIGIN

COUNTRY NAME: RWANDA

PROFILE UPDATED ON: APRIL 2019

PART I: CENTRAL AUTHORITY

1. Contact details ²	
Name of office:	National Commission for Children
Acronyms used:	NCC
Address:	Gasabo District-Remera-Kisimenti-Sunrise House; 2 nd and 3 rd Floors
Telephone:	(+250) 787397560
Fax:	
E-mail:	info@ncc.gov.rw
Website:	www.ncc.gov.rw
Contact person(s) and direct contact details (please indicate language(s) of communication):	Dr. Claudine UWERA KANYAMANZA English, French and Kinyarwanda
<p><i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i></p> <p>Non-Applicable</p>	

¹ Full title: the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* (referred to as the "1993 Hague Intercountry Adoption Convention" or the "1993 Convention" in this Country Profile). Please note that any reference to "Articles" (or Art. / Arts for short) in this Country Profile refers to Articles of the 1993 Hague Intercountry Adoption Convention.

² Please verify whether the contact details on the Hague Conference website < www.hcch.net > under "Intercountry Adoption Section" then "Central Authorities" are up to date. If not, please e-mail the updated contact information to < secretariat@hcch.net >.

PART II: RELEVANT LEGISLATION

2. The 1993 Hague Intercountry Adoption Convention and domestic legislation	
<p>a) When did the 1993 Hague Intercountry Adoption Convention enter into force in your State?</p> <p><i>This information is available on the Status Table for the 1993 Hague Intercountry Adoption Convention (accessible via the Intercountry Adoption Section of the Hague Conference website < www.hcch.net >).</i></p>	07 May 2010
<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>There is Law no 22/2011 of 28/06/2011 establishing the National Commission for Children and assigning it the role of Central Authority for inter-country adoptions;</p> <p>There is Law no 71/2018 of 31/08/2018 relating to the protection of the child;</p> <p>There is Law n°32/2016 of 28/08/2016 Governing persons and family (see art. 287 to 318) and the Ministerial order No 001/MIGEPROF/2017 of 16/01/2017 determining conditions to be considered in inter-country adoption and the procedure thereof. There are also guidelines on intercountry adoption of 10/08/2018.</p>

3. Other international agreements on intercountry adoption³	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input type="checkbox"/> Bilateral agreements (please specify):</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>

PART III: THE ROLE OF AUTHORITIES AND BODIES

4. Central Authority(ies)	
<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies</i></p>	<p>1. Receive and analyze application files for inter-country adoption;</p> <p>2. Identify children who fulfill the requirements for inter-country adoption who</p>

³ See Art. 39(2) which states: "Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Articles 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention" (emphasis added).

<p><i>are not used.</i></p>	<p>match the criteria defined by the Prospective Adoptive Parents (PAPs);</p> <p>3. Prepare children to be adopted, children's families and Prospective Adoptive Parents (PAPs);</p> <p>4. Provide a certificate of approval of application for inter-country adoption;</p> <p>5. Put children in contact with their Prospective Adoptive Parents (PAPs);</p> <p>6. Provide to adoptive parents the document certifying that all procedures required for intercountry adoption have been met;</p> <p>7. Receive and analyze post-adoption reports from adoptive parents;</p> <p>8. Provide information on inter-country adoption to any person who needs it.</p>
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5. Public and competent authorities	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p>I. LOCAL AUTHORITIES:</p> <p>1. Establish the adoption records;</p> <p>2. Register the adoption judgment.</p> <p>II. COURTS:</p> <p>- Approve the application for the intercountry adoption after examining whether it was done in the child's interest and if all prerequisites regarding age and consent were fulfilled.</p> <p>- inform the civil registrar on adoption.</p> <p>III. MIGRATION SERVICES:</p> <p>Provide travel documents.</p> <p>IV. MINISTRY IN CHARGE OF FOREIGN AFFAIRS</p> <p>Transmit to all embassies of Rwanda the list of intercountry adopted children and their respective countries of location for the follow up on their health conditions</p> <p>V. EMBASSIES</p> <p>follow up of the adopted child's living conditions</p> <p>VI. MINISTRY OF JUSTICE</p> <p>Notarize the Documents.</p>

6. National accredited bodies⁴	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p>N.B. the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the Hague Conference (see Art. 13).⁵</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No -go to Question 7</p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.⁶</p>	
<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	
6.1 The accreditation procedure (Arts 10-11)	
<p>a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?</p>	
<p>b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i>.</p>	
<p>c) For how long is accreditation granted in your State?</p>	
<p>d) Please briefly describe the criteria and the procedure used to determine whether the accreditation of a national adoption body will be <i>renewed</i>.</p>	
6.2 Monitoring of national accredited bodies⁷	
<p>a) Which authority is competent to monitor / supervise national accredited bodies in your State?</p> <p><i>See Art. 11 c).</i></p>	

⁴"National accredited bodies" in this Country Profile means adoption bodies based within your State (State of origin) which have been accredited under the 1993 Convention by the competent authorities in your State. See further *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (hereinafter "GGP No 2"), available on the [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website < www.hcch.net > at Chapters 3.1 *et seq.*

⁵ See GGP No 2, *ibid.*, Chapter 3.2.1 (para. 111).

⁶ See GGP No 2, *supra*, note 4, Chapter 3.4.

⁷ See GGP No 2, *supra*, note 4, Chapter 7.4.

b) Please briefly describe how national accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).	
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (i.e., withdrawn).	
d) If national accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of accreditation): <input type="checkbox"/> No

7. Authorised foreign accredited bodies⁸ (Art. 12)	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State? <i>N.B. the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the Hague Conference.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 8
b) Please indicate the number of foreign accredited bodies authorised to work with, or in, your State. If this number is limited in any way, please indicate on what basis your State limits the number. ⁹	
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State? <i>Please tick any which apply.</i>	<input type="checkbox"/> Yes: <input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): OR <input type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR <input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in your State: OR <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No

⁸“Authorised foreign accredited bodies” are adoption bodies based in another Contracting State to the 1993 Convention (usually a receiving State) which your State has authorised, under Art. 12, to work with, or in, your State on intercountry adoption. See further GGP No 2, *supra*, note 4, Chapter 4.2.

⁹ See GGP No 2, *supra*, note 4, Chapter 4.4 on “limiting the number of accredited bodies authorised to act in States of origin”.

7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . ¹⁰ If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	
c) For how long is authorisation granted?	
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹¹	<input type="checkbox"/> Yes <input type="checkbox"/> No -go to Question 8
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).	
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (i.e., withdrawn).	
e) If authorised foreign accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of authorisation): <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2)) ¹²	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State? N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Convention, available on the Intercountry Adoption Section of the Hague Conference website.	<input type="checkbox"/> Yes, our State has made a declaration according to Article 22(2). Please specify the role of these approved (non-accredited) persons in your State: <input checked="" type="checkbox"/> No

¹⁰In relation to authorisation criteria, please see GGP No 2, *supra*, note 4, Chapters 2.3.4.2 and 4.2.4.

¹¹ See GGP No 2, *supra*, note 4, Chapter 7.4 and, in particular, para. 290.

¹² See GGP No 2, *supra*, note 4, Chapter 13.

<p><i>If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the Hague Conference should be informed of the names and addresses of these bodies and persons (Art. 22(3)).¹³</i></p>	
<p>b) Is the involvement of approved (non-accredited) persons from other Contracting States permitted in intercountry adoption procedures in your State?</p> <p>N.B. see Art. 22(4) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Convention, available on the Intercountry Adoption Section of the Hague Conference website.</p>	<p><input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State:</p> <p><input checked="" type="checkbox"/> No, our State has made a declaration according to Article 22(4).</p>

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
<p>Please briefly describe the general profile of the children usually in need of intercountry adoption in your State (e.g., age, sex, state of health).</p>	<p>The inter-country adoption occurs if it is in the best interest of the child and if there is no other person in Rwanda who wishes to adopt the child and when the child is under 18.</p> <p>Children who live in children's homes and provisional foster families are given priority while seeking parents in inter-country adoption.</p>

10. The adoptability of a child (Art. 4 a))	
<p>a) Which authority is responsible for establishing that a child is adoptable?</p>	<p>National Commission for Children (NCC).</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>1. Simple adoption:</p> <ul style="list-style-type: none"> • If the adoptee's father and mother are still alive, both of them must consent to the adoption, even in case of divorce; • If one of the parents is dead or in a state of incapacity to express his/her will or if he/she has been absent or has disappeared, the consent of one spouse is sufficient; • If a child has neither father nor mother or both of them are in a state of incapacity to express their will, or if they have been absent or have disappeared, consent is given by a Family Council or by a person vested with the child's custody. <p>2. Full adoption</p> <ul style="list-style-type: none"> • The child's parents are unknown or have abandoned her/him as declared by the court; • The child is an orphan and has no siblings; • The child is a ward of the state.

¹³ See GGP No 2, *supra*, note 4, Chapter 13.2.2.5.

<p>c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (e.g., search for the child's birth family).</p> <p>N.B. the issue of consent is dealt with at Question 12 below.</p>	<p>Children without biological parents are assessed and their extended families are traced. In case of no trace, local adoption or guardianship are exploited as alternative child care arrangements. If all the previous options fail, the child is then eligible for inter-country adoption.</p> <p>When biological parents of the child are alive/present (Case of simple adoption); their consents are mandatory to be eligible for inter-country adoption after exhausting all local alternative care arrangement</p>
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11. The best interests of the child and subsidiarity (Art. 4 b))

<p>a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (e.g., through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).</p>	<p>NCC deeply analyzes the file of every child in need of alternative care, conducts relevant assessments and local family tracing to ensure that the intercountry adoption is the last resort as far as the care of the child is concerned.</p> <p>Tailored family strengthening support is duly provided to families in need for them to remain with their children.</p>
<p>b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?</p>	<p>National Commission for Children.</p>
<p>c) Please briefly explain how that decision is reached (e.g., whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.</p>	<p>As described in 11 (a) the decision that inter-country adoption is in the child's best interest is taken after trying all the alternative care options available in Rwanda and documenting every action taken.</p> <p>The decision that inter-country adoption is in a child's best interest is taken after approval of the application for inter-country adoption.</p>

12. Counselling and consents (Art. 4 c) and d))

<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios- where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (iv) One or both parents have been deprived of his / her / their parental responsibilities (i.e., the rights and responsibilities which attach to being a parent). <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please</p>	<ul style="list-style-type: none"> (i) If both parents are known, consent of both parents is required; (ii) If one of the parents is dead or unknown, the consent of one parent is sufficient; (iii) If both parents are unknown or deceased, the consent is provided by the Family Council or by a person vested with the child's custody; (iv) If one parent has been deprived of his/her parental responsibilities, the remaining can provide his/her consent. In case both have been deprived of their responsibilities, the current guardian of the child provides his/her consent to inter-
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also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.	country adoption.
<p>b) Please describe the procedure for:</p> <p>(i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and</p> <p>(ii) obtaining their consent(s) to an adoption.¹⁴</p>	<p>(i) The National Commission for Children visits the parents and consults them on the welfare of the child during the process of adoption. Counselling sessions for this purpose are organized at their home.</p> <p>(ii) All consents must be provided in written and be approved by the Civil registrar at the Sector. The consent is approved by the competent court before the adoption is registered.</p>
<p>c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the Hague Conference?</p> <p><i>The model form is available on the Intercountry Adoption section of the Hague Conference website.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose: The form has never been used since no child has been adopted internationally after the temporally suspension was removed on 17 August 2017.</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child's wishes and opinions when determining whether an intercountry adoption should proceed.</p> <p><i>See Art. 4 d) 2).</i></p>	<p>Basing on the age and capacity of the child, the National Commission for Children must provide the child with the information on intercountry adoption and allocates adequate time to collect his/her opinion on intercountry adoption.</p>
<p>e) Please briefly describe the circumstances in which a child's <u>consent</u> to an intercountry adoption is required in your State.</p> <p>Where the child's consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.</p> <p><i>See Art. 4 d) 1).</i></p>	<p>When a child to be adopted is above twelve (12) years of age, his/her consent is mandatory unless he/she is unable to express his/her will. His/her refusal entails the interruption of the adoption process.</p>

13. Children with special needs	
<p>a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".</p>	<p>according to law relating to child in its articles 18,19,20 and 21 the children with special needs are child with disabilities, refuge child, Child infected or affected by an incurable disease and Child living with his/her mother in prison .</p>
<p>b) What, if any, procedures does your State use to expedite the adoption of children with special needs?</p>	<p>A person intending inter-country adoption of a child with special problems is granted the preferential right.</p>

¹⁴See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Convention.

14. The preparation of children for intercountry adoption

Is there a special procedure in your State to prepare a child for an intercountry adoption?

☒ Yes, please provide details (e.g., the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used):

The adoptable child has to be prepared to join the new adoptive family and the former is matched with that family before adoption.

During the child's preparation, the National Commission for Children uses dialogue and matches the child's needs with the needs of the adoptive parent;

Child's preparation is done before searching for the adoptive parents;

Child's preparation continues also before matching him/her with the adoptive parents;

Then after, NCC matches the child with the adoptive parent.

☐ No

15. The nationality of children who are adopted intercountry¹⁵

Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?

☐ Yes, always

☒ It depends – please specify which factors are taken into consideration (e.g., the nationality of the foreign resident prospective adoptive parents ("PAPs"), whether the child acquires the nationality of the receiving State): When the receiving country/ state accepts dual nationality.

☐ No, the child will never retain this nationality

PART V: PROSPECTIVE ADOPTIVE PARENTS ("PAPs")

16. Limits on the acceptance offices

Does your State place any limit on the number of PAPs' files which are accepted from receiving States?¹⁶

☒ Yes, please specify the limit applied and the basis on which it is determined:

other criteria

- To be a person with moral integrity;
- To have enough resources for him/her to meet the duties that arise from adoption;
- To be at least twenty-one (21) years old;
- To be at least seven (7) years older than the child to be adopted;
- To have a fixed address;
- Not to have been sentenced to imprisonment

¹⁵ Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (hereinafter, "GGP No 1"), available on the [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website <www.hcch.net>, at Chapter 8.4.5.

¹⁶ See GGP No 2, *supra*, note 4, Chapter 3.4.2 and, in particular, para. 121.

	for the offences against the family; - Not to have been sentenced to imprisonment for the crime of genocide ideology and related crimes; - Not have been deprived of parental authority. <input type="checkbox"/> No
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17. Eligibility criteria for PAPswishing to undertake an intercountry adoption in your State¹⁷	
a) Do PAPswishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)? <i>Please tick any / all boxes which apply and indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</i>	<input checked="" type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption: <input checked="" type="checkbox"/> Married, heterosexual couples: <input type="checkbox"/> Married, same-sex couples: <input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership: <input type="checkbox"/> Same-sex couples in a legally registered partnership: <input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship: <input type="checkbox"/> Same-sex couples that have not legally formalised their relationship: <input checked="" type="checkbox"/> Single men: <input checked="" type="checkbox"/> Single women: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No, there are no relationship status criteria for PAPs.
b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?	<input checked="" type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Minimum age requirements: 21 years old <input type="checkbox"/> Maximum age requirements: <input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: At least 7 <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?	<input checked="" type="checkbox"/> Yes: <input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify): <input type="checkbox"/> Couples must supply evidence of infertility: <input checked="" type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify): The consent of each child aged at least eighteen (18) years. <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No

¹⁷I.e., this section refers to the eligibility criteria for PAPs who are habitually resident in *another* Contracting State to the 1993 Convention and who wish to adopt a child who is habitually resident in *your* State: see further Art. 2 of the 1993 Convention.

18. Preparation and counselling of PAPs (Art. 5 b))	
Does your State require that PAPs wishing to undertake an intercountry adoption in your State receive preparation and / or counselling concerning intercountry adoption in the receiving State?	<input type="checkbox"/> Yes, please explain what kind of preparation is expected: <input checked="" type="checkbox"/> No

PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications	
a) To which authority / body in your State does the adoption file of PAPs have to be submitted?	National Commission for Children (NCC)
b) Please indicate which documents must be submitted with an application: <i>Please tick all which apply.</i>	<input type="checkbox"/> An application form for adoption completed by the PAPs <input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority in the receiving State <input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15) <input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents <input checked="" type="checkbox"/> Copies of the PAPs' birth certificates <input type="checkbox"/> Copies of the birth certificates of any children living with the PAPs <input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances): <input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): <input type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Proof of no criminal record <input checked="" type="checkbox"/> Other(s): please explain - Documents certifying the consent of the child's guardian in case of failure by the adoptive parents to support the child; - A letter from the representative of Rwanda in the applicant's country of domicile recommending the approval of the application for adoption. - A letter stating the grounds for the request for adoption, his/her full names, date of birth, nationality and permanent address as well as sex, age and living conditions of

	<p>the child to be adopted;</p> <ul style="list-style-type: none"> - A document stating full names, age and sex of persons with whom he/she shares the residence if any and his/her relationship with these people; - A medical certificate of each applicant parent and each child sharing the same residence, issued within a maximum period of three (3) months by a licensed physician;
<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?¹⁸</p>	<p><input type="checkbox"/> Yes, please specify whether it must be a <i>national</i> accredited body, a <i>foreign authorised</i> accredited body or whether it may be either of these accredited bodies.¹⁹ Please also specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure):</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input type="checkbox"/> Yes</p> <ul style="list-style-type: none"> <input type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a writtendocument provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption): <input type="checkbox"/> A contract signed by the accredited body and the PAPs: <input type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions: <input type="checkbox"/> Other (please specify): <p><input checked="" type="checkbox"/> No</p>
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>Kinyarwanda, English and French.</p>
<p>f) Do any of the required documents need to be legalised or apostilled?</p>	<p><input checked="" type="checkbox"/> Yes, please specify which documents: All documents cited must be certified by an authorized notary in the applicant's country of domicile.</p> <p><input type="checkbox"/> No – go to Question 20</p>
<p>g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Hague Apostille Convention)?</p> <p><i>This information is available on the Status Table for the Hague Apostille Convention (see the Apostille Section of the Hague</i></p>	<p><input type="checkbox"/> Yes, please specify the date of the entry into force of the Hague Apostille Convention in your State:</p> <p><input checked="" type="checkbox"/> No</p>

¹⁸ See GGP No 1, *supra*, note 15, paras 4.2.6 and 8.6.6: “independent” and “private” adoptions are not consistent with the system of safeguards established under the 1993 Convention.

¹⁹ See the definitions provided at notes 4 and 8 above.

Conference website).	
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20. The report on the child (Art. 16(1) a))

a) Who is responsible for preparing the report on the child?	The National Commission for Children
b) Is a "standard form" used for the report on the child?	<input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy: <input type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it:
c) Does your State use the "Model Form - Medical Report on the Child" and the "Supplement to the general medical report on the child"? See GGP No 1 – Annex 7, available here .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

21. The report on the PAPs (Art. 15(2))

a) For how long is the report on the PAPs valid in your State?	The report is one of the requirements to be submitted for an application for inter-country adoption to be judged complete. When the inter-country adoption takes place, the report is valid all the time to serve as a reference tool of the completed inter-country adoption.
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b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. <i>E.g., does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</i>	N/A
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22. Matching of the child and the PAPs (Art. 16(1) d) and (2))

22.1 The authorities and the matching procedure

a) Who is responsible for the matching of the child and the PAPs in your State?	National Commission for Children (NCC)
b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?	One of the most important measures to ensure the success of the matching exercise is the establishment of the National Commission for Children as the only designated organ of the Government to grant the inter-country adoption. Another measure is the existence of qualified social workers and psychologists who conduct the matching process.
c) What methodology is used for the matching in your State?	-Deep analysis of the report on the PAP; -Deep assessment of the child to be adopted; -Collection of relevant information from competent authorities; -Synthesize the information and generate a report of the matching.
d) Is any preference given to PAPs who have a close connection with your State (e.g., nationals of your State who have emigrated to a receiving State)?	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No
e) Who is responsible for notifying the receiving State of the matching?	The Central Authority: National Commission for Children
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	To ensure the prohibition on contact, there is orientation that when the parent arrives in Rwanda, he/she may visit the adoptable child only upon the authorization of the National Commission for Children.

22.2 Acceptance of the match

a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?	<input checked="" type="checkbox"/> Yes, please provide details of the required procedure: The approved prospective adoptive parent must, in writing, express his/her consent in a record through the Central Authority of the receiving country. <input type="checkbox"/> No
b) How much time is the receiving State given to decide whether to accept a match?	3 months
c) If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in your State?	In case the prospective adoptive parents refused the match his/her request is rendered invalid.

22.3 Information following acceptance of the match

Once the match has been accepted, do PAPS receive information regularly concerning the child and his / her development (*i.e.*, during the remainder of the intercountry adoption procedure and prior to entrustment)?

- ☐ Yes, please specify who is responsible for providing this information:
- ☒ No

23. Agreement under Article 17 c)	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17 c)?	The National Commission for Children is the competent authority that agrees that the adoption procedures proceed.
b) At what point in the adoption procedure is the Article 17 c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17 c) agreement to the receiving State with the proposed match; OR <input type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17 c) agreement; OR <input checked="" type="checkbox"/> Other (please specify): The consent of the PAP approved by the Central Authority of the receiving country guarantees the agreement of the receiving country.

24. Travel of the PAPs to your State²⁰	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: The approved prospective adoptive parent must come to Rwanda within 3 months from the date of the reception of the favorable response to meet the child and then fulfill the legal requirements related to intercountry adoption. - How many trips are required to complete the intercountry adoption procedure: At least one (1) - How long the PAPs need to stay for each trip: It depends on the adoptive parent's will and the duration of the adoption procedure. In case the PAP feels it is necessary to go back to his/her country in the middle of the adoption process, he/she can appoint his/her representative or the person with power of attorney to complete the remaining steps and come back to travel home with the child. - Any other conditions: None <input type="checkbox"/> No
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

25. Entrustment of the child to the PAPs (Art. 17)	
After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs? Please include an explanation of the	-During the assessment of the child to be adopted, the child is counselled to prepare him/her to live with the PAP; -When the PAP arrives in Rwanda, he/she visits the child upon the authorization of the

²⁰ See GGP No 1, *supra*, note 15, Chapter 7.4.10.

procedures used to prepare the child for entrustment (e.g., counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).	National Commission for Children and it is through this visit that additional counselling, connection and physical entrustment of the child to the PAP are carried out.
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26. Transfer of the child to the receiving State (Arts 5 c) and 18)

a) Which documents does your State require in order for the child to be permitted to leave your State and travel to the receiving State (e.g., passport, visa, exit permit)?	<ul style="list-style-type: none"> - A "To Whom it May Concern" document issued to the adoptive parent by the National Commission for Children reconfirming the authenticity of the inter-country adoption; - The Passport of the Child issued by Rwanda Directorate General of Immigration & Emigration.
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<p>b) Which of the documents listed in response to Question 26a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<p>Both. The institutions that issue the documents cited have been elucidated in 26 (a)</p>
<p>c) Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave your State and travel to the receiving State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify: Visa by the Embassy of the receiving country in Rwanda.</p> <p><input type="checkbox"/> No</p>

27. Final adoption decision and the Article 23 certificate	
<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<p><input checked="" type="checkbox"/> In our State – <u>go to Question 27c)</u></p> <p><input type="checkbox"/> In the receiving State – <u>go to Question 27b)</u></p>
<p>b) Following the making of the final adoption decision in the receiving State:</p> <p>(i) Are any further steps required in your State to complete the procedure (e.g., obtaining a copy of the final adoption decision from the receiving State)?</p> <p>(ii) Which authority or body in your State should receive a copy of the Article 23 certificate issued by the receiving State?</p>	<p>(i)</p> <p>(ii)</p> <p><u>Go to Question 28</u></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and</p> <p>(ii) Issues the certificate under Article 23 of the 1993 Convention?</p> <p>N.B. According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</p> <p>The answer to (ii) above should therefore be available on the Status Table for the 1993 Convention (under "Authorities"), available on the Intercountry Adoption Section of the Hague Conference website.</p>	<p>(i) The Primary Court</p> <p>(ii) National Commission for Children</p>
<p>d) Does your State use the "Recommended model form – Certificate of conformity of intercountry adoption"?</p> <p>See GGP No 1 – Annex 7, available here.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g., how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</i></p>	<p>The adoptive parent who informs the National Commission for Children of the final court decision receives the document certifying that all procedures required for inter-country adoption have been met (27.d).</p> <p>This document is issued to the adoptive parent within 5 working days after submission of the court decision. The original copy of the document is provided to the adoptive parent whereas the National Commission for Children keeps a photocopy of the same. Another photocopy is sent to the Central Authority of the receiving state.</p>
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28. Duration of the intercountry adoption procedure	
<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable;</p> <p>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</p>	<p>(i) 6 months</p> <p>(ii) 3 months</p> <p>(iii) Directly after entrustment, the PAP fulfills legal requirements and takes the child in the receiving country.</p>

PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

29. Procedure for the intercountry adoption of a child who is a relative of the PAPs ("intra-family intercountry adoption")	
<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an "intra-family intercountry adoption" in your State. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a "relative" of those PAPs.</p>	<p>In no case.</p>
<p>b) Does your State apply the procedures of the 1993 Convention to intra-family intercountry adoptions?</p> <p>N.B. <i>If the child and PAPs are habitually resident in different Contracting States to the 1993 Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</i></p>	<p><input type="checkbox"/> Yes – go to Question 30</p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: Go to Question 30</p> <p><input checked="" type="checkbox"/> No – go to Question 29c)</p>
<p>c) If your State does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p>	<p>(i) The PAPs are prepared and counselled by the competent authority in the receiving country;</p> <p>(ii) The adoptable child is prepared by the National Commission for Children;</p>

<p>(i) The counselling and preparations which PAPs must undergo in the receiving State;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(iii) The report of the PAP is prepared by the central authority in the receiving country;</p> <p>(iv) The report on child is prepared by the National Commission for Children.</p>
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PART VIII: SIMPLE AND FULL ADOPTION²¹

30. Simple and full adoption	
<p>a) Is "full" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is "simple" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – go to Question 31</p> <p><input type="checkbox"/> In certain circumstances only (e.g., for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) If a "simple" adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family's consent(s)²² to a "full" adoption where this is in the child's best interests (i.e., so that a "conversion" of the adoption may be undertaken in the receiving State if the other conditions in Art. 27(1) are fulfilled)?</p> <p><i>See Art. 27(1) b) and Art. 4 c) and d).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family²³ to the conversion of a "simple" adoption into a "full" adoption (in accordance with Art. 27) when the request is made many years after the original adoption?</p>	<p>Non-Applicable.</p>

PART IX: POST-ADOPTION MATTERS

31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child	
<p>a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?</p>	<p>The National Commission for Children (NCC).</p>

²¹ According to the 1993 Convention, a **simple** adoption is one in which the legal parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his / her adoptive parents is established. A **full** adoption is one in which the pre-existing legal parent-child relationship is terminated. See further Arts 26 and 27 and GGP No 1, *supra*, note 15, Chapter 8.8.8.

²² Or other person(s) whose consent to the adoption is required under Art. 4 c) and d) of the 1993 Convention.

²³ *Ibid.*

b) For how long is the information concerning the child's origins preserved?	All the time.
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<p>c) Does your State permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child:</p> <p>(i) the adoptee and / or his / her representative(s);</p> <p>(ii) the adoptive parents;</p> <p>(iii) the birth family; and / or</p> <p>(iv) any other persons?</p> <p>If so, are there any criteria which must be met for access to be granted (e.g., age of the adopted child, consent of the birth family to the release of information concerning the child's origins, consent of the adoptive parents to the release of information concerning the adoption)?</p> <p><i>See Art. 9 a) and c) and Art. 30.</i></p>	<p>(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: On a written request, copies of all documents related to the inter-country adoption are given to the adoptee.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: On a written request, copies of all documents related to the inter-country adoption are given to the adoptive parent.</p> <p><input type="checkbox"/> No</p> <p>(iii) <input checked="" type="checkbox"/> Yes – please explain any criteria: Biological parents, on a written request, may receive copies of documents if it is in the best interest of the child.</p> <p><input type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: Confidentiality of the information provided</p> <p><input type="checkbox"/> No</p>
<p>e) Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (e.g., regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p>

32. Post-adoption reports

<p>a) Is there a model form which is used by your State for post-adoption reports?</p>	<p><input checked="" type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (e.g., provide a link or attach a copy): Online</p> <p>The use of the form is mandatory.</p> <p><input type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (e.g., medical information, information about the child's development, schooling):</p>
<p>b) What are the requirements of your State in relation to post-adoption reports? Please indicate:</p> <p>(i) How frequently such reports should be submitted (e.g., every year, every two years);</p> <p>(ii) For how long (e.g., until the child is a certain age);</p> <p>(iii) The language in which the report must be submitted;</p> <p>(iv) Who should write the reports; and</p> <p>(v) Any other requirements.</p>	<p>(i) Every year</p> <p>(ii) Until the adopted child attains the age of eighteen (18)</p> <p>(iii) Kinyarwanda, English or French</p> <p>(iv) The adoptive parent</p> <p>(v) The report is approved by the Central authority and a copy of the same is provided to the Rwandan Embassy in the receiving country.</p>

<p>c) What, if any, are the consequences in your State if post-adoption reports are either:</p> <p>(i) Not submitted at all; or</p> <p>(ii) Submitted, but not in accordance with your requirements?</p>	<p>(i) The Rwandan Central Authority requests the Central Authority of the receiving state to urge the adoptive parent to regularly provide the post-adoptive report</p> <p>(ii) The Rwandan Central Authority requests the Central Authority of the receiving state to urge the adoptive parent to generate a post-adoptive report which is consistent with the requirements</p>
<p>d) What does your State do with post-adoption reports? (i.e., to what use are they put?)</p>	<p>Just for following up on the living conditions and the safety of the adopted children in receiving states.</p> <p>In case the National Commission for Children is aware that the adoptive child has any problem, it writes a letter to the Central Authority of the receiving country; requesting for settling the problem and providing timely feedback.</p>

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²⁴

States of origin are also kindly requested to complete the "Tables on the costs associated with intercountry adoption", available on the [Intercountry Adoption Section](#) of the Hague Conference website.

33. The costs ²⁵ of intercountry adoption	
a) Are the costs of intercountry adoption regulated by law in your State?	<input checked="" type="checkbox"/> Yes –please specify any relevant legislation / regulations / rules and indicate how they may be accessed (e.g., link to a website or attach a copy). Please also briefly explain the legal framework: Court fees are regulated by the Ministerial order n°133/moj/ag/18 of 04/06/2018 on court fees in civil, commercial, social and administrative matters <input type="checkbox"/> No
b) Does your State monitor the payment of the costs of intercountry adoption?	<input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: The law and regulations provide payment procedures for the costs of intercountry adoption <input type="checkbox"/> No
c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c)above) or directly by the PAPs themselves? <i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 86.</i>	<input type="checkbox"/> Through the accredited body: <input checked="" type="checkbox"/> Directly by the PAPs: <input type="checkbox"/> Other (please explain):
d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer?	<input checked="" type="checkbox"/> Only by bank transfer: <input checked="" type="checkbox"/> In cash:

²⁴See the tools developed by the "Experts' Group on the Financial Aspects of Intercountry Adoption", available on the [Intercountry Adoption Section](#) of the Hague Conference website: i.e., the *Terminology on the financial aspects of intercountry adoption* ("Terminology"), the *Note on the financial aspects of intercountry adoption* ("Note"), the *Summary list of good practices on the financial aspects of intercountry adoption* and the *Tables on the costs associated with intercountry adoption*.

²⁵ See the definition of "costs" provided in the Terminology, *ibid*.

<p><i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 85.</i></p>	<input type="checkbox"/> Other (please explain):
<p>e) Which body / authority in your State receives the payments?</p>	<p>All court fees are deposited to the bank account of the courts.</p>
<p>f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)?</p> <p>N.B. Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).</p>	<p><input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: Online</p> <p><input type="checkbox"/> No</p>

34. Contributions, co-operation projects and donations ²⁶	
<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁷ to your State if it wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the "Note on the financial aspects of intercountry adoption" at Chapter 6.</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> What type of contribution is required: Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body): How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in your State?</p>	<p><input type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> What type of co-operation projects are permitted: Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): Whether such projects are monitored by an authority / body in your State: How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p>N.B. This is <i>not</i> recommended as a good practice: see further the "Note on the Financial Aspects of Intercountry Adoption" at Chapter 6 (in particular, Chapter 6.4).</p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): What donations are used for: Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs): At what stage of the intercountry adoption procedure donations are permitted to be paid: How it is ensured that donations do

²⁶ See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 24.

²⁷ See further the Terminology, *supra*, note 24, which states that there are two types of contributions: (1) contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. The amount is set by the State of origin. These contributions are managed by the authorities or others appropriately authorised in the State of origin which decide how the funds will be used; (2) contributions demanded by the accredited body from PAPs. These contributions may be for particular children's institutions (*e.g.*, for maintenance costs for the child) or for the co-operation projects of the accredited body in the State of origin. The co-operation projects may be a condition of the authorisation of that body to work in the State of origin. The amount is set by the accredited body or its partners. The payment may not be a statutory obligation and accredited bodies may present the demand in terms of "highly recommended contribution", but in practice it is "mandatory" for the PAPs in the sense that their application will not proceed if the payment is not made.

	not influence or otherwise compromise the integrity of the intercountry adoption process: <input checked="" type="checkbox"/> No
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35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	National Commission for Children (NCC)
b) What measures have been taken in your State to prevent improper financial or other gain?	Government of Rwanda put in place the Law N° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Imprisonment or a fine or both are applied to whoever exploits a child.

PART XI: ILLICIT PRACTICES²⁸

36. Response to illicit practices in general	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. ²⁹	<p>Article 23 of Law N° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others: Participating in the adoption, fostering, or guardianship of a child for the purpose of exploitation</p> <p>Any person who, for the purpose of exploitation, adopts a child, fosters him/her, acts as his/her guardian or offers him/her to another person, commits an offence</p> <p>Any person convicted of any of the acts referred to under Paragraph One of this Article is liable to life imprisonment and a fine of not less than ten million (10,000,000) and not more than fifteen million (15,000,000) Rwandan francs.</p>

37. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State's intercountry adoption programmes. Please also specify which bodies / persons the laws target (e.g., accredited	Law N° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others

²⁸ "Illicit practices" in this Country Profile refers to "situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child's origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)" (from p.1 of the *Discussion Paper: Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases*, available on the [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website < www.hcch.net >).

²⁹*Ibid.*

bodies (national or foreign), PAPs, directors of children's institutions).	
b) Please explain how your State monitors respect for the above laws.	By setting up institutions, courts to protect the respect of the law and giving opportunity to National and International Human Rights Organizations to assess the respect of the law.
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	The sanctions are imprisonment and/or a fine.

38. Private and / or independent adoptions

<p>Are private and / or independent adoptions permitted in your State?</p> <p>N.B. "Independent" and "private" adoptions are <u>not</u> consistent with the system of safeguards established under the 1993 Convention: see further GGP No 1 at Chapters 4.2.6 and 8.6.6.</p> <p>Please tick all which apply.</p>	<p><input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State:</p> <p><input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in your State:</p> <p><input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted</p>
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PART XII: INTERNATIONAL MOBILITY

39. The scope of the 1993 Convention (Art. 2)

<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in India.</i></p>	<p><input type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>
<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Convention, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State³¹ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: They will apply the rwandan laws related to national</p>

³⁰According to the 1993 Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1, *supra*, note 15, Chapter 8.4.

³¹According to the 1993 Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAPs and the child (despite their common nationality). The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1, *supra*, note 15, Chapter 8.4.

*Example: Guinean national PAs are
habitually resident in Germany and wish to
adopt a child habitually resident in Guinea.*

adoption.

☐ No