The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption:
Date of ratification or accession: N/A
Objections to accession made by: N/A
Date of entry into force: N/A

Contact information of Central Authority:
Name of office:
Address:
Telephone:
Fax:
E-mail:
Website:
Contact Person(s):

If your State has appointed more than one Central Authority, please provide contact information for each of these Central Authorities:
Japan has not signed the Hague convention and thus there is no Central Authority. ISSJ is just one the private adoption agencies that deals with Intercountry adoption in Japan. ISSJ started as an international adoption agency in 1952 and in 1959, it was recognized for its adoption activities by the Ministry of Health. As of today, ISSJ is the only adoption agency which is recognized by the Ministry. Some of registered private agencies just report thier activities to their prefectures and others do not register or report their activities.

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Fax: +81-3-3868-0415
Email: issj@issj.org
Website: http://www.issj.org/e_index.php
Contact person: Ms. Kuniko Omori, General Director
1. ROLE OF AUTHORITIES AND BODIES IN ADOPTION

1.1 Central Authority

Describe briefly the functions of the Central Authority(ies) (e.g., see Arts 6-9; and Arts 14-21 if accredited bodies are not used).

Because there is no Central Authority, Japan has private adoption agencies as well as public Child Guidance Centers across Japan that also deals with adoption cases. Each agencies are responsible for finding PAPs, perform home study and do child study (including counseling for birth parents).

1.2 Public authorities and competent authorities

Describe briefly the role of any public authorities and competent authorities including courts (e.g., see Arts 4, 5, 9 and 22).

The Child Guidance Centers all over in Japan are responsible for foster care, adoption, protection and assessment.

Japanese family court is not responsible for Intercountry adoptions if the PAPs do not reside in Japan. In some case though, the PAPs fly to Japan and finish the court process within Japan because otherwise the child does not get adoption visa (for some countries like France, Australia). ISSJ does not support such adoption and make sure that the adoptee can go through legal adoption in the receiving country.

1.3 Bodies / Persons involved in the adoption process

a) Under Article 13 (national accredited bodies):
If your State has accredited its own adoption bodies, please indicate the number and describe their role.

n/a

b) Under Article 12 (authorised foreign accredited bodies):

i. If your State has authorised any foreign accredited bodies to work with, or work in, your State please indicate the number and describe their role.

The state has not authorized any bodies but some private agencies as well as children's homes have working partners with agencies in other countries (mainly in the US). The numbers are unknown because there is no statistics.

ii. Is the Permanent Bureau informed of the names and contact details of the foreign accredited bodies authorised to work with, or work in, your State?

N/A

c) Under Article 22(2) (approved (non-accredited) persons):

Please indicate if your State permits the activity of approved (non-accredited) persons or whether your State has made a declaration against the involvement in your intercountry adoptions of such persons (as mentioned in Art. 22(4)).

Because there is no laws, it is possible to have non-Hague accredited groups /individuals working in Japan to perform Intercountry adoption.

1.4 Accreditation and authorisation

Did your State complete the Questionnaire of 2009 on accredited bodies? If so, the Permanent Bureau will provide the link to your response on its website.

No
1.4.1 Accreditation (Arts 10-11)\textsuperscript{1}

If your State has accredited its own adoption bodies:

a) Are they involved with national adoptions or intercountry adoptions or both?
   The Japanese government does not accredit any adoption bodies. ISSJ is an accredited social welfare agency since 1959 but we are not Hague agency. ISSJ is involved with domestic international adoption as well as intercountry adoption.

b) What is the name of the authority / body responsible for accreditation of national adoption bodies?
   N/A

c) For how long is the accreditation granted?
   N/A
d) Describe briefly the process of granting accreditation to national bodies and the most important accreditation criteria. Provide a link to more detailed information.
   N/A
e) Describe briefly the conditions for an accreditation renewal for national bodies. Provide a link to more detailed information.
   N/A

1.4.2 Authorisation (Art. 12)\textsuperscript{2}

a) Provide details of the authority / body responsible for authorisation of foreign accredited bodies to work with, or work in, your State.
   N/A

b) Does your State use any special criteria or conditions to decide on a request for authorisation? Please provide a copy of the criteria or a link to more detailed information
   N/A

c) If your State does not use special criteria to make a decision, on what basis are decisions of authorisation made?
   N/A
d) Describe briefly the process of authorisation of foreign accredited bodies.
   N/A
e) For how long is the authorisation granted?
   N/A

f) Describe briefly the conditions for an authorisation renewal for foreign bodies. Provide a link to more detailed information.
   N/A
g) Describe the tasks entrusted to the foreign accredited bodies.
   In ISSJ’s case, foreign agencies perform home study as well as adjustment visits. In the case of adoption disruption, they are responsible to make a new matching in the receiving country.
h) Is it mandatory for the foreign accredited bodies to have a “representative”? What functions does that person perform?
   N/A

1.4.3 Other question regarding accredited bodies

\textsuperscript{1} "Accreditation" is the procedure to license adoption agencies according to the standards in the Convention so they may assist in arranging Convention adoptions. Adoption agencies with accreditation are "accredited bodies".

\textsuperscript{2} "Authorisation" is the procedure required by the Convention when an accredited body (usually in a receiving State) wishes to work in or with another country (the State of origin). Both States must give their authorisation.
a) If you allow a foreign accredited body to "act" in your State, does this mean that it:

- must establish an office with professional staff (coming from the State of origin or the receiving State)?
- can "act" in your State through an individual person acting as an intermediary?
- the body is in direct contact with the Central Authority but has no office or intermediary in the State of origin?

b) What monitoring of authorised foreign accredited bodies is carried out in the State of origin?
N/A

c) Is there a central registry of all accredited bodies?
N/A

d) How do you determine the number of authorised foreign accredited bodies necessary to work in your State? Do you limit the number of accredited organisations to which an authorisation is granted in your State? If so, on what basis do you limit the number?
N/A

e) Do you think the number of accredited bodies authorised to work in your State is proportional to the number of adoptions? If not, do you intend to take action?
N/A

f) Have you encountered issues with foreign accredited bodies which work with or in your State?
In ISSJ’s case, we noticed that some home studies are inadequate.

g) Have you been pressured by foreign accredited bodies?
In ISSJ’s case, we get inquiries all the time regarding waiting PAPs.

2. CHILDREN PROPOSED FOR ADOPTION

a) In your State, what is the average profile of the child in need of intercountry adoption (e.g., age, sex, state of health)? Because there is no national survey, this information is limited to ISSJ’s experience. The adoptees tend to be older (above 4 at least), tend to be male than female, and could have any medical/physical/mental/social special needs which made it difficult for domestic placement. However, it is known that some private agencies refer healthy newborn babies for intercountry adoption without searching for possibility of domestic adoption.

b) If your State places any limits on the number of Prospective Adoptive Parents files accepted from receiving States, on what basis are those limits decided?
N/A

2.1 Adoptability of a child (Art. 4 a))

a) Which authority is responsible for establishing that a child is adoptable?
In the practice of ISSJ, if the referrals are directly coming from birth parents, ISSJ determines the adoptability. If the referrals are coming from Child Guidance Center, they first decide that the children are available for intercountry adoption before sending us the referrals. ISSJ considers each case and always prioritize national matching over intercountry. In other private agencies case, they do not require approval from the Child Guidance Centers as they mostly work with birth parents directly.

b) What are the conditions or criteria to establish that a child is adoptable?
In ISSJ's case, consent from biological parents as well as approval from the Child Guidance Center are needed for making matches. If the biological parents are missing, the Child Guidance Center (public agency) determines but we need to have a consent from a legal guardian. Final determination is made by the Child
Guidance Center after PAPs spend some time with a child before going back to receiving country.

c) Describe any procedures directed at establishing whether or not a child is adoptable, such as the search for the birth family and use of a central register of adoptable children.

At ISSJ, we always try to locate the birth parents to give them counseling and make sure that adoption is the only option for them. If they wish to proceed to adoption, we first look for parents in Japan before matching with PAPs who reside outside of Japan.

### 2.2 Best interests and subsidiarity principles (Art. 4 b))

Which authority determines, after considering the subsidiarity principle, that an intercountry adoption is in the child’s best interests? How is that decision reached (e.g., by using certain legal criteria) and at what stage of the procedure?

If ISSJ gets referrals from Child Guidance Center, it means that the CGC did not find Japanese suitable adoptive parents for some years and they are releasing him/her for intercountry adoption. ISSJ determines the child’s best interests after all the child study (including interviews with birth parents, caretakers, caseworkers, teachers and doctors) and decide if the child should be placed intercountnry or within Japan.

### 2.3 Counselling and consent (Art. 4 c) and d))

a) Describe the procedure for counselling and informing the birth mother / family about the consequences of the adoption and obtaining their consent.

In ISSJ’s practice, we explain what it means by intercountry adoption, what is expected from them, what is going to happen in terms of adoption process and legal process in case the birth family already decided to place the child for adoption. If the birth family is unsure, we offer them information of social welfare, child allowance, and sometimes accompany them to welfare agency so that the child can still grow up in the family.

b) Describe the circumstances in which the child’s consent to the adoption is required.

In ISSJ, we don’t have that old (10 and up) children so we do not require formal consent from a child. However, when we visit the child to do the child study, we usually explain to the child who we are and what we do. So if they are around 3 and up, they usually understand what is happening to them.

c) What measures are taken to prevent any solicitation of children for adoption (e.g., using incentives to obtain consent) (Arts 8 and 29 of the 1993 Hague Convention)?

ISSJ only gives counseling and information and does not provide any materials. There are, however, other agencies that provide shelter and free delivery service to birth parents.

### 2.4 Children with special needs

a) Describe what is meant by “children with special needs” in your State.

Older child (5 +), sibling group, children of other race/mixed race, physical/mental disabilities, prenatal use of drug/alcohol/tabacco etc, according to ISSJ’s standard.

b) What, if any, procedures do you have to expedite the adoption of children with special needs?

With the consent from the Child Guidance Center and birth parents, we sometimes put the child’s profiles without picture on ISSJ’s website.

### 2.5 Preparation of the child
a) If there is a procedure for the preparation of the child for the adoption, please provide details.
As mentioned above, ISSJ social worker and caretakers explain why ISSJ social worker needs to see the child and what is happening at the time of child study interview. At institutions, caretakers explain the child about adoptive parents when a match is made. The child sees photos of PAPs and prepare. We usually take 2 to 3 weeks for the child to get used to the PAPs, so during that time the PAPs need to stay near the children's home. They start with greeting, playing together, going out together and staying overnight.
b) At what stage(s) is the preparation done? Who does it?

3. **PROSPECTIVE ADOPTIVE PARENTS (PAPs)**

3.1 **Eligibility criteria for foreign PAPs**

a) Profile of PAPs

<table>
<thead>
<tr>
<th>Married couples</th>
<th>Yes</th>
<th>They should be married for more than 3 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unmarried couples or registered partnership</td>
<td>No</td>
<td>If yes, are any conditions imposed (e.g., length of the relationship)?</td>
</tr>
<tr>
<td>Single person</td>
<td>Woman</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Man</td>
<td>Yes</td>
</tr>
<tr>
<td>Same sex couples</td>
<td>No</td>
<td>If yes, are any conditions imposed?</td>
</tr>
</tbody>
</table>

b) Age requirements

<table>
<thead>
<tr>
<th>Minimum age</th>
<th>Yes / 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum age</td>
<td>No</td>
</tr>
<tr>
<td>Difference (in years) required between the PAPs and the child:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

c) Other criteria

<table>
<thead>
<tr>
<th>Couples with children (biological or adopted)</th>
<th>Yes / biological children should be at least 1 year old. Regarding adopted child, the adoption needs to be completed at the time of PAPs’ application.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infertility certificate</td>
<td>No</td>
</tr>
<tr>
<td>Other</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Because Japanese court will not be involved, the PAPs have to apply for adoption visa for the child. Also PAPs' country should have such kind of visa so that the child can stay there while court process.

3.2 Preparation and counselling of PAPs

Does your State require that PAPs in the receiving State have preparation and / or counselling about intercountry adoption?

no

4. DOCUMENTS REQUIRED TO SUBMIT AN APPLICATION TO ADOPT

a) To which authority / body is the PAPs adoption file submitted?
   In Japanese case, if the PAPs are living abroad, the application should be submitted to private agencies, such as ISSJ.

b) Please indicate whether the following documents are required:

- An application form for adoption completed by the PAPs
- A statement of "approval to adopt" issued by a competent authority
- Report on the PAPs including the "Home study" and other personal evaluations (Art. 15)
- Copies of passports of PAPs or other personal identification documents
- Copies of birth certificates of PAPs and of other children residing with them
- A copy of the marriage certificate (if married couple), divorce certificate (if either or both of the PAPs is divorced) or death certificate of the spouse (if one of the PAPs is widowed)
- Health certificates
- Evidence of the financial circumstances of the family
- Employment certificate
- Proof of no criminal record

Please specify any other documents that are required:
We also ask them the photos of the PAPs and their residence.

c) If applicants apply through an accredited body, are the following documents required?

- Power of attorney issued by the family to the accredited body (e.g., a contract signed by an accredited body and the PAPs)
- A document issued by a competent authority of the receiving State and certifying that the accredited body may engage in intercountry adoption

4.1 Language(s) in which the documents must be submitted

Please specify.
ISSJ accepts documents in English.

4.2 Legalisation / Authentication

a) Which documents need to be legalised?
In ISSJ’s case, none at the time of application.

b) Is your State a party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (Hague Apostille Convention)?
Yes

5. THE ADOPTION PROCEDURE

5.1 Report on the child (Art. 16(1) a))

a) Who prepares it?
In the case of ISSJ, our social workers prepare it.

b) What information is or should be included?
Child’s birth parents history, the child’s history, health status, developmental status, recommendation for PAPs etc.

c) What documents does it contain?
Photos of the child, medical report written by ISSJ worker based on child’s records

d) Is there a standard form used by your State for the report?
No

e) Does your State use the “Model Form – Medical Report on the Child” and the “Supplement to the general medical report on the child” (see Guide to Good Practice No 1 – Annex 7, available on Hague Conference website)?
No

f) After the matching is accepted, do the PAPs receive regular information about the child and his / her development during the adoption procedure? If yes, who is responsible for providing the information?
Yes, the PAPs can talk to the child’s caretakers, psychologists, doctors at the institution

5.2 PAPs report (Art. 15(2))

a) For how long is the report valid in your State?
In ISSJ’s practice, 2 years

b) Who receives the PAPs request (including “home study”, report and other documents)?
In ISSJ’s practice, ISSJ receive it from the home study agency and make a referral to Child Guidance Center when a match is made by ISSJ

5.3 Matching of the child and the PAPs (Art. 16(1) d) and (2))

a) Who is responsible for the matching of the child and the PAPs?
ISSJ make the initial matching, then the child guidance center has to approve it

b) What is the methodology used for the matching of the child with the PAPs?
At ISSJ, we look at the child’s needs and look for PAPs who can take care of the needs in the best possible way. If there are no PAPs who can meet the needs of the child, we do not make a match.

c) Is preference given to PAPs who have a close connection with your State (e.g., citizens who have migrated to a receiving State)?
Priorities are given to PAPs who can meet the special needs of a child, so the language is not considered as priority.

d) Who notifies the receiving State of the matching?
ISSJ notify the adoption agency directly.
5.4 Acceptance of the match (Arts 17a) and b)

a) How much time is allowed for the PAPs to decide to accept the match?
   In ISSJ’s case, usually few weeks
b) Does your State require the matching to be approved by the Central Authority of the receiving State and on what conditions?
   No but if the referrals are from Child Guidance Center, ISSJ needs to get approval from them

5.5 Agreement under Article 17 c)

a) Which is the competent authority / body that agrees whether the adoption may proceed?
   In ISSJ’s case, after PAPs go to meet the child and spend some time, ISSJ, institution and the Child Guidance Center decide once again if to proceed.
b) When is this agreement given? For example, when the referral is sent? When the PAPs notify their acceptance?
   As noted above, first approval is before ISSJ refer a child to PAPs. Second approval is after they spent some time with the child and before they go back to receiving country.

5.6 Travel of the PAPs

a) What, if any, requirements are imposed on the travel of PAPs to your State? If there are no restrictions, how does your State ensure that the prohibition on contact in Article 29 is respected?
   The PAPs attend the matching interview at ISSJ first. Then together with ISSJ worker, the PAPs go to meet the child. They usually stay 3-4 weeks.
b) Is it mandatory for one or both the PAPs to travel in person to your State to complete the adoption?
   Both PAPs come to Japan. However, the adoption does not complete in Japan.
c) In what circumstances does your State permit an escort to be used to take the child to the adoptive parents in the receiving State?
   Under no circumstance. PAPs themselves have to fly to Japan because they need to apply for visa for the child in Japan.
d) When PAPs have to travel to your State, please specify:
   i. Number of trips required to complete the adoption procedure:
      1
   ii. How long they should stay for each trip?
      3 to 4 weeks at least
   iii. At what stage(s) in the adoption process?
   iv. Other conditions:

5.7 Entrustment of child to PAPs (Art. 17) and adoption decree / order

a) Please describe the procedure, if any, to prepare the child for the first meeting with the adoptive parents?
   Caretakers would explain to the child that new family is meeting him/her and show the pictures of the PAPs. PAPs can send presents to the child.
b) After the procedures in Article 17 are completed, what are the arrangements for the physical entrustment of the child to the PAPs?
   ISSJ, the child's institution and the Child Guidance Center have to give a final consent depending on how the PAPs and the child are adjusted after some time.
c) Is the adoption order / decree made in your State or in the receiving State?
In the receiving state

d) If made in your State, for how long is the child placed in the care of the PAPs before the final adoption order / decree is made? Is it permanent or temporary care, full-time or part time care?

e) If made in the receiving State, what procedures does your State require for the entrustment of the child and the completion of the adoption?

In Japanese adoption law, 6 months of adjustment period is mandatory. So in ISSJ’s practice, we have 6 months of adjustment period when the PAPs and the child are monitored by the foreign agency before they file adoption petition in the receiving country. After the decree is issued, it should be reported to Japanese local government

5.8 Transfer of child to receiving State (Arts 5c) and 18)

Are there any procedures in your State concerning the transfer of the child?

No since there is no guideline from Japanese government, it depends on the type of visa the PAPs can offer to the child

5.9 Certificate under Article 23

a) What is the competent authority for issuing the certificate under Article 23 in cases where the adoption order / decree is issued in your State?

N/A

b) Have the details of the competent authority been sent to the Convention’s depositary (as required by Art. 23(2)) or to the Permanent Bureau?

No

c) Does your State use the “Recommended model form – Certificate of conformity of intercountry adoption” (see Guide to Good Practice No 1 – Annex 7, available on the Hague Conference website)?

No

d) Describe the procedure for issuing the certificate. For example, is a copy given automatically to the PAPs? Is a copy sent to the Central Authority of the receiving State? How long does it take to issue the certificate?

Adoption certification should be the adoption decree from the court in the receiving country

5.10 Duration of adoption procedure

Indicate the average time taken for the different stages of the procedure, beginning with the decision that the child is adoptable.

Matching conference done by ISSJ and acceptance from the Child Guidance Center (take a few week or years), notifying the PAPs and wait for their response (few weeks), prepare a visa and passport for the child (few months), PAPs come to Japan, stay about a month and PAPs go back to their country, adjustment period (at least 6 months), court process (6months to a year), report to Japanese government about the adoption (a few weeks to a year, depending on the local government)

6. ADOPTION OF A RELATIVE CHILD (INTRA-FAMILY ADOPTION)

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3 The depositary of the Convention is the Ministry of Foreign Affairs of the Kingdom of the Netherlands (Art. 43(2)).
a) Explain what is meant by “relative child” in your State.
  Intercountry relative adoption usually happens between Japanese and
  Thai/Filipina couple and a child in Thailand or the Philippines. It is the Thai or
  Filipino law to decide what relative means.

b) In what circumstances does your State allow the adoption of a child by relatives
  of the child who are habitually resident in another State?
  Since Japan does not automatically gives out visa for the child, the PAPs should
  finish all the legal process in the country of origin, or work with foreign central
  authorities, such as ICAB and Thai Adoption Center through ISSJ. Based on
  Japanese immigration law, a child should be below 6 years old in order to be
  qualified for long term (immigrant) visa in Japan. Also, Japan does not recognize
  Japanese citizenship due to adoption.

c) Does your State apply procedures of the Convention to such adoptions?
  In ISSJ, we apply the principals of the convention to intercountry step/relative
  adoption cases. Please note that Japan is a receiving country when it comes to
  intercountry relative adoption.

7. POST-ADOPTION MATTERS

7.1 Post-adoption reports

a) Describe the requirements of your State for post-adoption reports:
   i. Frequency (how many per year?):
      N/A
   ii. Period (until what age of child?):
      N/A
   iii. Language:
      N/A
   iv. Who should write it?
      N/A
   v. Other requirements:
      In ISSJ's practice, before PAPs file adoption in the receiving country, we
      require at least 6 months of adjustment period. During the 6 months, social
      worker from the foreign adoption agency (where we made agreement) is
      supposed to visit the family at least 3 times to see the adjustment of the
      family. ISSJ receive at least 3 reports from the agency and welcome
      frequent updates from PAPs.

b) Is your State satisfied with the response of receiving States to your
   requirements for post-adoption reports? Please provide comments.
   N/A

7.2 Preservation and availability of information (Art. 30)

a) Which authority is responsible for preserving the information concerning the
   child's origins (Art. 30(1))? 
   In ISSJ's practice, all the documents are kept at ISSJ's office
b) Where are the records kept and for how long?
   At ISSJ's office and forever (We keep all the adoption files)

c) In your State, does the law permit the adopted person to have access to this
   information? If yes, is there any age or other restriction?
   There is no law. ISSJ restricts adoptee has to be at least 18 years old.

d) Are the biological parents or the adoptive parents permitted to have access to
information about the adoption (see Art. 9 a) and c))? Yes but only limited information.

e) What, if any, assistance does the Central Authority or another body give to the adopted person or the biological or adoptive parents to obtain access to that information? Is there a special procedure for accessing this information? ISSJ does not give out all the information to adoptee. We first make sure of the psychological state of the the adoptee, what information they want and the motives for knowing the origins. We especially do not tell adoptee about negative information such as birth parent getting raped, birth parent being a criminal, etc. We give full counseling to the adoptee as well.
f) What, if any, assistance is given to adopted persons to search for their origins? ISSJ also assist adoptees if they wish to be reunited with birth family. We provide counseling to both sides and make sure that ISSJ intervene at their meeting.

8. QUESTIONS REGARDING SIMPLE AND FULL ADOPTIONS

a) Are simple intercountry adoptions allowed in your State? Yes, depending on the PAPs' side of law
b) If applicable, please define the terms “simple adoption” and / or “full adoption” in your State. With simple adoption, the biological parents' rights are not terminated. With full adoption, the PAPs have all the custody.

9. COSTS OF INTERCOUNTRY ADOPTION IN YOUR STATE

a) Are adoption costs or fees established by law / regulations and / or controlled by a public authority in your State? If yes, please provide a link to this information. No
b) Is there a standard or fixed fee charged by the Central Authority for services or for a group of services linked to adoption? What services are covered by this fee? No
c) Is there, in your State, a fixed or flat fee charged by accredited bodies for adoption? If yes, for which services? No, the fee is really depending on the adoption providers. Some charges as much as 60,000 US dollars.
d) Does your State require, besides costs and fees, a mandatory contribution to improve the adoption process or the child protection system? What is this contribution used for? Who receives it? No
e) Is it mandatory for the receiving State (Central Authority or accredited bodies) to undertake humanitarian projects in your State as a condition of engaging in intercountry adoption? Do you supervise these projects? No and Japan is the giving side of foreign aids, usually
f) How do you ensure that humanitarian aid does not influence or compromise the integrity of the intercountry adoption process (e.g., by anticipating a recurrent "offer" of children in exchange for recurrent humanitarian or development aid)?
g) Does your State impose any other type of cost or fee on the foreign accredited bodies to work with, or work in, your State? Please provide details.
No

h) What is the normal range of costs for an adoption (i.e., the minimum to the maximum cost)?
   It depends on the agency

i) Does your State permit PAPs to make donations to an orphanage or institution?
   If yes, at what stage of the adoption procedure?
   Yes, any stage since there is no regulations.

j) Other costs: Please complete the Table of Costs at Annex 1.4

10. IMPROPER FINANCIAL GAIN (ARTS 8 AND 32)

a) Which authority is responsible for preventing improper financial gain as required by the Convention?
   Japan has not signed the convention so there is no authority. However, prefectures take annual survey for registered agencies. There are many non-registered agencies so we do not know the reality.

b) What measures are taken to prevent improper financial gain?
   nothing.

c) Have there been any prosecutions for improper financial gain related to adoption? If so, were the prosecutions successful?
   There was one case at least, many years ago. The result is unknown.

11. QUESTIONS REGARDING THE ABDUCTION, SALE OF AND TRAFFIC IN CHILDREN IN THE CONTEXT OF INTERCOUNTRY ADOPTION

a) State the laws (including criminal sanctions), measures and procedures in your State to prevent the abduction, sale of and traffic in children in the context of your adoption programmes. Also specify to whom they apply (accredited bodies, prospective adoptive parents, directors of orphanages, etc.).
   Japan does not have any laws against trafficking of children in relation to adoption.

b) Are you aware of any cases of abduction, sale of or traffic in children in the context of your intercountry adoption programmes? Also indicate the penalties or sanctions imposed in the case of successful prosecutions.
   Because there is no regulations, there is not public information about this. Yet, from what I understand, it seems like some private agencies are "selling" newborn babies for very high prices. There is no penalty against this kind act.

c) Have you suspended or restricted your intercountry adoption programme because of concerns about the risk of abduction, sale of or traffic in children?
   No

d) Have you suspended or limited, or not taken any action towards an adoption accredited body (Art. 11), an approved (non-accredited) person (Art. 22 (2)) or an institution because of concerns about a possible abduction, sale of or traffic in children?
   N/A

e) Can you provide and describe examples of co-operation between your State and other States to eliminate practices relating to the abduction, sale of or traffic in children in the context of adoption?
   For US Embassy for example, both ISSJ and foreign home study agency need to file financial letter which states all the fees and items PAPs pay. This is needed when PAPs file visa for a child.

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4 The Table of Costs is taken from the Guide to Good Practice No 2: Accreditation and Accredited Bodies, Chapter 8.
f) Are private and / or independent adoptions allowed in your State? Explain the meaning of "private" and / or "independent" adoptions in your State. Private/independent adoptions are allowed. In Japanese context, it means private matching where PAPs find adoptee by themselves without any intervention of private/public agencies.

g) In your State, what measures are taken to ensure that the matching process is performed by an independent, duly qualified authority? There is no measures and any individuals can make a match.

12. ISSUES LINKED TO INTERNATIONAL MOBILITY

a) Are foreign prospective adoptive parents habitually resident in your State wishing to adopt a child from your State through domestic adoption authorised to do so? If yes, what special requirements are imposed? Yes, if they can apply to Child Guidance Center or any other private agencies. If they apply to ISSJ, they must stay in Japan for at least three years at the time of application.

b) Are foreign prospective adoptive parents habitually resident in your State wishing to adopt a child from another State through intercountry adoption authorised to do so? If yes, what special requirements are imposed? Yes, however Japan does not have adoption visa, so the PAPs must finish the legal process in the country of origin or work with central authority, like ICAB or Thai adoption center before the child turns 6 years old.

c) How do you deal with the adoption of a child from your State by prospective adoptive parents who are citizens of your State, but are habitually resident in the receiving State? Does the existence of a family relationship between the child and the prospective adoptive parents make a difference? It depends on the laws of the receiving country. For example, if it's non relative adoption, Japanese parents residing in the US cannot be the visa petitioner for a child because of US side of visa regulation. If it is a step child, whether or not the PAPs can adopt the child depends on the age of the child and the laws in the receiving country.

13. NATIONAL LEGISLATION

Identify the legislation in your State on international adoption and provide (if available) a link to the text of the legislation.

N/A

14. OTHER HAGUE CONVENTIONS

If your State is involved in international foster care placements or placements by kafala, the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children may be used. Is your State a party to this Convention? No

15. SELECTION OF PARTNERS IN INTERCOUNTRY ADOPTION
a) On what basis does your State select a receiving State as a partner in intercountry adoption?
   In ISSJ’s case, the receiving country must have adoption visa available for Japanese child who has not gone through the legal process in Japan.

b) Are there any formalities required to confirm a partnership?
   In ISSJ's case, we exchange letters with the foreign adoption agencies when we start the partnership.

16. OTHER QUESTIONS

   a) What measures does your State provide to protect children without parental protection (e.g., institutional care, kinship care or care by the extended family, foster home, kafala, national and international adoption)?
   Institutional care, foster care, national and international adoption

   b) What are the biggest challenges your State is facing for children without parental care (homeless children, lack of resources, illness, conflict, etc.)?
   Biological parents not relinquishing thier rights so many children grow up in institution instead of being in a care of foster home/adoptive home.

   c) What are the biggest challenges your State is facing regarding intercountry adoption?
   Having no laws or regulations. It allows any individuals to facilitate unethical intercountry adoption and there is no track of record.

   d) Does your State collect statistical data relating to adoption (national or international)? With which States do you complete the most adoptions? If possible, complete the "Annual adoption statistics" form for the last 5 years. There is no official figure on national and international adoptions.

17. USEFUL ELECTRONIC LINKS

   Provide electronic links to important and useful information about adoption and intercountry adoption in your State.

18. LAST UPDATED ON: