

Title	Draft Recommended Model Forms for use under the 1993 Adoption Convention
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Objective	To approve additional Recommended Model Forms for use under the 1993 Adoption Convention
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input checked="" type="checkbox"/> For Action/Completion <input type="checkbox"/> For Information <input type="checkbox"/>
Annexes	Annex 1: Draft Model Form “Statement of consent of the child to the intercountry adoption” Annex 2: Draft Model Form “Report on the child” Annex 3: Draft Model Form “Report on the prospective adoptive parents” Annex 4: Draft Model Form “Post-adoption report on the child” Annex 5: Draft Model Form “Agreement that the adoption may proceed” Annex 6: Draft Model Form “Certificate of conformity following the conversion of a simple adoption to a full adoption”
Related Documents	Prel. Doc. No 5 of May 2015 for the attention of the 2015 SC on the 1993 Adoption Convention – Draft Model Forms for intercountry adoption

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Draft Recommended Model Forms for use under the 1993 Adoption Convention

I. Introduction

1. This Preliminary Document, prepared for the Fifth Meeting of the Special Commission (SC) on the practical operation of the *Convention of 29 May 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption* (1993 Adoption Convention), presents in its Annexes a revised version of draft Recommended Model Forms for:
 - (1) the “Statement of Consent of the Child to the Intercountry Adoption” (Art. 4(d)) (Annex 1);
 - (2) the “Report on the Child” (Art. 16) (Annex 2);
 - (3) the “Report on the Prospective Adoptive Parents” (Art. 15) (Annex 3);
 - (4) the “Post-Adoption Report” (Annex 4);
 - (5) the “Agreement that the Adoption may Proceed” (Art. 17(c)) (Annex 5); and
 - (6) the “Certificate of Conformity following the Conversion of a Simple Adoption to a Full Adoption” (Art. 27) (Annex 6).
2. These draft Model Forms are a revised version of the drafts that were circulated for comments to Members and Contracting Parties to the 1993 Adoption Convention in December 2020 (Prel. Doc. No 4). It has to be noted that Forms 1 to 4 were first circulated and discussed at the 2015 SC meeting.¹
3. In addition, there are four additional Recommended Model Forms that were already approved many years ago,² namely:
 - (7) the “Statement of Consent [of the legal parents or the legal representative of the child] to the Adoption” (Art. 4(c));
 - (8) the “Certificate of Conformity of an Intercountry Adoption [with the Convention]” (Art. 23);
 - (9) the “Medical Report on the Child”; and
 - (10) the “Report concerning the Psychological and Social Circumstances of the Small Child”.
4. Once Model Forms 1 to 6 above are finalised, the format and the terminology of the existing and already published Model Forms 7 to 10 will be updated to ensure consistency and coherence across all Model Forms.

II. Objective of the Recommended Model Forms

5. The aim of the Recommended Model Forms is to create more consistency among the content of the reports and forms and for ease of reference for Contracting Parties. In particular, the proposed draft Model Forms may provide an example or guidance for new Contracting Parties, as well as for Contracting Parties that wish to revise or improve their current forms.
6. However, the fact that the 1993 Adoption Convention has been in force since 1995, that it has over 100 Contracting Parties, that many of them have already developed their own forms to assist them in the implementation of the Convention and that some Contracting Parties have reported that it may be too challenging to agree on a uniform format, needs to be taken into consideration. Therefore, it must be emphasised that the **Model Forms are only recommended and not compulsory** and that Contracting Parties may continue using their own forms, in

¹ C&R of the SC on the Practical Operation of the 1993 Adoption Convention (2015), C&R Nos 15 and 16. See also C&R of the SC on the Practical Operation of the 1993 Adoption Convention (2005), C&R Nos 7 and 18.

² C&R of the SC on the Practical Operation of the 1993 Adoption Convention (2015), C&R No 17. These four Model Forms are available in HCCH, *Guide to Good Practice No 1: The Implementation and Operation of the 1993 Hague Intercountry Adoption Convention*, Bristol, Family Law (Jordan Publishing Limited), 2008 ([Guide to Good Practice No 1](#)), Annex 7.

particular where they are more detailed and allow for a more complete assessment of the situation.

III. Key Changes

7. The draft Model Forms presented in the Annexes to this Preliminary Document retain their core structure and language from the December 2020 draft versions.
8. Following certain comments and questions received from States, it is proposed to include a first explanatory section in each of the Model Forms which could provide the following:
 - the text of the relevant Article of the Convention (if applicable);
 - information regarding the scope of the Form and when it should be used;
 - a note on data protection;
 - an indication that the Forms are not compulsory.
9. Some minor changes have been made in the text of each Form. In addition, the following major changes have been made in these Forms:
10. **Model Form “Report on the Child” (Annex 2):**
 - a new section “C. The principle of subsidiarity” has been added which regroups all questions about subsidiarity that were in other sections in previous versions;
 - a new section “H. Preparation and views of the child concerning the possibility of being adopted intercountry” regroups what was in two different sections in previous versions.³
11. **Model Form “Report on the Prospective Adoptive Parents” (Annex 3):** the main change in this Form is the structure of several of its subsections which are no longer presented in table format but simply as a list of questions, in order to provide more space for completing the Form.
12. **Model Form “Post-Adoption Report on the Child” (Annex 4):** as many States expressed concerns about the length and detail of such reports, the *Initial* Post-Adoption Report and the *Follow-up* Post-Adoption Report are now presented separately as two different Reports. It is hoped that this will make clear that while the Initial Post-Adoption Report may be more detailed, possible Follow-up reports could be much shorter in order to balance the right to privacy of the adoptee and their adoptive family with the request for information by the State of origin.
13. **Model Form “Agreement that the adoption may proceed” (Annex 5):** the main change in this Form is the order in which the verifications appear. The information about the identity of the child and the prospective adoptive parents now appears as a new section at the beginning of the Form.

IV. Possible questions for discussion at the SC Meeting

14. As already announced at the 2022 meeting of the Council on General Affairs and Policy (CGAP), and following the opinions of Members and Contracting Parties, the SC Meeting in July 2022 will focus its discussions on preventing and addressing illicit practices and post-adoption matters. Therefore, there will be very little time to discuss the draft Model Forms. In addition, such a big forum may not be the best way to advance work and finalise the Model Forms.
15. Thus, the Permanent Bureau (PB) suggests that one session is dedicated to discussing any major issues that Members and Contracting Parties may have regarding the draft Model Forms. In addition, as one of the most controversial Model Forms is the “Post-Adoption Report”, it is suggested that this Form be discussed during the session dedicated to post-adoption matters.

³ References to sections in this document are made to the new revised version of the draft Model Forms.

16. Possible major questions may include:

- Is the new explanatory section in each of the draft Model Forms useful? If so, do you have comments and / or suggestions to improve it?
- Is the level of detail in the draft Model Forms reasonable? If not, how might this be resolved?
- Is it clear that the draft Model Forms are only “recommended” and not compulsory?
- Is it clear that States may need to adapt the Model Forms in light of their laws on data protection?
- Are there any major obstacles which would prevent finalising any of the draft Model Forms?

V. Timeline

17. The following next steps are tentatively proposed:

- (1) **Comments on the draft Model Forms by Friday 17 June 2022:** Members and Contracting Parties are kindly invited to submit comments on the draft Model Forms in writing (if possible, in a Word version in track changes, and if necessary, providing an explanation of the change in a comment) to the PB. Organisations that have the status of Observers at the HCCH may also submit comments. All comments should be sent by e-mail to secretariat@hcch.net.
Unless indicated otherwise, comments received may be shared with Members and Contracting Parties through the HCCH Secure Portal.
- (2) **SC Meeting** (4-8 July 2022): participants in the SC Meeting will have an opportunity to raise any *major* issues they may have concerning the draft Model Forms that may not have already been addressed with these new versions, as well as comment on any new additions or modifications made in the draft Model Forms.
- (3) **(Final) revision of the Model Forms:** following the SC Meeting, the PB will make a (final) revision of the draft Model Forms in light of the comments received in advance of the SC as well as during the SC meeting. If necessary, the revised Model Forms will be circulated one last time.
- (4) **Approval of the Model Forms by CGAP:** the final version of the Model Forms will be submitted to CGAP for approval.

VI. Proposal for the SC

18. The SC is invited to discuss any major outstanding issues, and if possible, to approve, in principle, the draft Model Forms, noting that amendments will be made to the text to reflect any comments from delegations and the Conclusions and Recommendations as decided at the 2022 SC Meeting.

ANNEXES

ANNEX 1

DRAFT RECOMMENDED MODEL FORM “STATEMENT OF CONSENT OF THE CHILD TO THE INTERCOUNTRY ADOPTION”

Article 4 of the 1993 Adoption Convention

Article 4(d)

An adoption within the scope of the Convention shall take place only if the competent authorities of the State of origin - [...]

(d) have ensured, having regard to the age and degree of maturity of the child, that

- (1) he or she has been counselled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required, [...]
- (3) the child's consent to the adoption, where such consent is required, has been given freely, in the required legal form, and expressed or evidenced in writing, and
- (4) such consent has not been induced by payment or compensation of any kind.

1. What has been included in this draft Recommended Model Form?

- This draft Form includes the different aspects of consent as per Article 4(d) of the Convention.
- It is designed to document the child's consent when it is required by national law. Thus, States may determine a minimum age for consent and the required legal form of consent.
- To the extent possible, this draft Form has been drafted in a child-friendly manner.
- States are encouraged to develop guidelines¹ to ensure that the child is able to consent and to prevent pressure being put on the child to consent.

2. When should this Model Form be used?

- This Form should be used to record the child's consent to a *specific*² adoption once the child has been matched.
- Before proceeding, the official attesting the consent should determine, in light of the child's capacity, age and degree of maturity, whether free and informed consent can be obtained.
- States may also find it useful to use this Model Form to help inform the child on the legal consequences of consent if the child is sufficiently mature, even if the consent is not yet legally required.
- Assistance and communication with the child should be provided in a child-friendly manner.

3. Is the use of this draft Model Form compulsory?

- No, it is only a recommended Model Form, which may need to be adapted by each State.

¹ States may, in addition to this form, develop detailed guidance in a separate manual or as an annex to the Model Form on how to take the child's statement of consent; the manual or annex may also contain the instructions to the official taking the statement of consent and the witness attesting to the informed consent.

Such a separate manual or annex should also include guidance on how to prepare the child to intercountry adoption, how to ensure that the child understands what an intercountry adoption is and what it entails, including when, for example, the child's consent is not (yet) required by law or when the child is not mature enough to give their consent. Such guidance could also include case scenarios to touch upon different situations.

² Consent should, ideally, be obtained at two stages of the adoption:

- First, **general consent prior to the child being considered for adoption**. It is important that they consent to being adopted generally (*i.e.*, in order for the child to be mentally prepared to the idea of a possible adoption, but also in order to prevent situations where a child is declared adoptable while that child refuses to be adopted).

- Second, **consent to a specific adoption**, after the child has been matched with prospective adoptive parents. Indeed, a general consent does not fulfil the requirement under Art. 4(d)(1) of the Convention, as this requirement for consent must be given in light of the particular prospective adoption. For further information, see G. Parra-Aranguren, Explanatory Report on the 1993 Adoption Convention (“Explanatory Report”), para. 161: “[T]he consent of the child, having regard to his or her age and maturity, shall be given not to the adoption in general, but for the specific adoption in a particular case, since it would be against his or her fundamental rights to have the child adopted without even knowing who the adoptive parents are going to be”.

A. STATEMENT OF CONSENT OF THE CHILD TO THE INTERCOUNTRY ADOPTIONInstructions for the child:

- Step 1: An adult should help you work through and understand what an adoption is, what an adoption means to you and what is this document.
- Step 2: Part A will be read aloud to you in a language that you understand. The person reading or taking your statement should make sure that you fully understand everything in this form, answering any questions you may have.
- Step 3: Please fill in any empty spaces in the “About me” section (section 1 below) or, if someone else filled it in for you, read it and make sure you agree with what they have written.
- Step 4: Read³ each sentence carefully in sections 2 to 7 below. You will then be asked to explain in your own words what Part A means. If you agree with what has been written, then tick the last box in section 7 to show that you have read and understood it.
If there are two possible options in the text (e.g., “is / was”; “birth parents / legal guardian(s)”), you can cross out the part that does not apply to your situation.
- Step 5: Sign this document only if you understand and agree with each sentence.
You do not have to sign this document, and no-one should force, threaten, or in any way pressure you into signing it (i.e., no one should make you feel that you have to sign it if you do not want to).
- Step 6: You should receive a copy of the completed version of the document.

1. ABOUT ME⁴

My name is _____ (*full legal name of child*).

I am: male female other: _____

I was born on _____ (*day*) of _____ (*month*) _____ (*year*) in _____ (*place of birth*).

My current address is: _____

My mother is / was: _____

My father is / was: _____

My sisters and brothers are (names and ages): _____

My guardian is / was (if applicable): _____

³ Note to official(s) attesting the consent: if the child is illiterate, the instructions for the child under Part A should be read aloud clearly once again, one by one to the child. If the child understands it and is in agreement with it, the child can place their “mark” (e.g., thumbprint) at the end of the Statement instead of their signature.

⁴ Note to official(s) attesting the consent: this section may be completed by the child or by the official, as appropriate in light of the child’s age and degree of maturity. The information provided in this section should be identical to the information in the child’s current identity document.

2. MY PROPOSED ADOPTION AND MY PROSPECTIVE ADOPTIVE PARENTS

- I understand that a decision has been made that I be adopted because (e.g., loss of parents, consent of birth parents, unknown birth parents):

- I know that _____ (full name of prospective adoptive parent(s)) would like to adopt me.
- I agree to being adopted by this (these) person(s).
- I understand that being adopted means that my adoptive parent(s) will become my new legal parent(s) and I will be considered to be their child (under law).
- I understand that I may need to go in front of a competent authority (e.g., a judge in a court) to be adopted.

3. MY LEGAL RELATIONSHIP WITH MY BIRTH PARENTS⁵

Section A: For a “Full Adoption”:

- I understand that my proposed adoption is a “full” adoption. I understand that this means that:
- my birth parents / legal guardian(s) _____ (full name of birth parents / legal guardian(s)) will no longer be my legal parents and I will no longer be legally their child / will no longer be my legal guardian(s); and
 - my adoptive parents will become my legal parents and I will become their legal child. I understand that they will have parental responsibility (i.e., they will be able to make important decisions about me and my life).

Section B: For a “Simple Adoption”:

- I understand that my proposed adoption is a “simple” adoption. I understand that this means that:
- my birth parents / legal guardian(s) _____ (full name of birth parents / legal guardian(s)) will still be my legal parents / legal guardian(s);
 - my adoptive parents _____ (full name of adoptive parents) will also be my legal parents;
 - I will live with my adoptive parents, and they will have parental responsibility (i.e., make important decisions about me and my life).
- I understand that it is possible that (in the future) my simple adoption could become a full adoption. This means that my birth parents would no longer be my legal parents and that I would no longer be legally their child, and that only my adoptive parents would be my legal parents. If this happens, I will be asked whether I agree to this type of adoption.

⁵ Note to official(s) attesting the consent: Select the appropriate Section, A or B, below, and complete that Section only. If only one full adoption is allowed in your State, then the Model Form can be adapted and only include Section A.

Section A: If the consent of a child is sought for a FULL adoption (i.e., an adoption which severs the legal ties between the child and their birth parents or current legal guardian(s)), whether this full adoption is to be made in the State of origin or in the receiving State, use the “Full Adoption” Section only.

Section B: If the consent of the child is sought for a SIMPLE adoption only (i.e., an adoption which does NOT sever the legal ties between the child and their birth parents or current legal guardian(s)), use the “Simple Adoption” Section only. For further information see: [Arts 26 and 27 of the 1993 Adoption Convention](#) and [Guide to Good Practice No 1, Chapter 8.8.8.](#)

4. AFTER THE ADOPTION

- I understand that after the adoption I will live with _____ (*full name of prospective adoptive parent(s)*) in their home in _____ (*city, State*).
- I agree that my name after the adoption will be _____ (*full legal name after adoption*).
- I know the following about the State I will live in after the adoption: _____
_____ (*description of what the child knows of their receiving State*)

5. THE INFORMATION I HAVE RECEIVED

The name(s) of the person(s) I have spoken with regarding my adoption is / are: _____

I have received this information on: _____ (*date*).

The person(s) I have spoken about this adoption with is / are (check all that apply):

- a psychologist
- a social worker / counsellor
- an independent lawyer
- a government official
- other – please specify: _____

This / these person(s) (check all that apply):

- explained what an adoption is and what it will mean for me;
- explained what it means for me to sign this document;
- told me that I may change my mind (*i.e.*, withdrawal of consent) about the adoption until _____ (*date*) and that after that date I will not be able to change my mind anymore; and
- answered all of my questions.

6. MY CONSENT

- I have not received or been promised any money, gift(s) or anything else in return for agreeing to this adoption.⁶
- No one has told me or made me feel that I must agree to this adoption. I have not been threatened, forced or in any way pressured into agreeing to this adoption.
- This form was read aloud to me, and I have been asked to explain in my own words what Part A of this form means.

⁶ Note to official(s) attesting the consent: it should be explained to the child that this is to be differentiated from the normal benefits of an adoption, such as a home, friends, material support, etc.

7. COPY OF THIS DOCUMENT

- I have received a copy of this document after I completed it.
- I declare that I have fully understood the above statements and I consent to this adoption.

Done at _____ on _____
City, State Date

Signature or mark of the child: _____

B. DECLARATION OF WITNESS(ES) (where required by national law)

To be completed if the witness is also in charge of counselling the child about the adoption and duly informing the child of the effects of the adoption and their consent (Art. 4(d)(1) 1993 Adoption Convention)

I _____ (full name) of _____ (full address) hereby declare and certify that:

1. I am:

- a licensed psychologist / social worker / counsellor (please specify) _____
- a member of the bar of _____
- a government official (please specify your title) _____
- other (please specify) _____

2. I am not acting for any other person in this adoption case and I have no known connection with any other party in this case.

3. I have seen the following document(s) _____ (name documents) and I am satisfied as to the identity of the child providing their consent to this adoption.

4. I have explained to _____ (child's full name):

- the nature and effect of adoption under the law of the State of origin and the law of the receiving State;
- the nature and effect of their consent to the adoption;
- the circumstances under which the consent may be withdrawn before it becomes irrevocable; and
- the date upon which their consent will become irrevocable.
- I am satisfied that the child understands this information.

5. I am satisfied that the child:

- has received appropriate and sufficient counselling and information about this adoption; and
- has had ample opportunity to read (or to be read) and ask questions about the “Statement of Consent” (Part A above) and any accompanying information.

6. I am not aware of any mental, emotional or physical unfitness of the child to give consent.

7. I have asked the child whether they had received or had been promised any money, gift(s) or anything else in return for agreeing to this adoption (apart from the normal benefits of an adoption, such as a home, friends, material support, etc.) and the child said no.

8. I have asked the child whether there had been any attempt to threaten, force or in any way pressure them into providing their consent to this adoption and the child said no.

9. On _____ (date) at _____ (city, State), I witnessed that
_____ (child’s full name):
- read [or was read to the child],⁷ the “Statement of Consent” (Part A above);
 - received an explanation on the “Statement of Consent” (Part A above) and understood it, and
 - signed [or placed their mark],⁸ and thereby gave their consent to this adoption.

Done at _____ on _____
City, State Date

Signature of witness: _____

For any other witness(es)

I _____ (full name) of _____ (full address) hereby declare and certify that:

- I have no known connection with any party in this case;
 - I have seen the following document(s) _____ (name documents) and I am satisfied as to the identity of the child providing their consent to this adoption.
1. With regard to _____ (child’s full name) I am not aware of:
- any mental, emotional or physical unfitness of the child to give consent;
 - any promise of money, gift(s) or anything else in return for the child’s consent to this adoption (apart from the normal benefits of an adoption, such as a home, friends, material support, etc.);
 - any attempt to threaten, force or in any way pressure the child into providing their consent to this adoption.

2. On _____ (date) at _____ (city, State), I witnessed that
_____ (child’s full name):

- read [or was read to the child],⁹ the “Statement of Consent” (Part A above);
- received an explanation on the “Statement of Consent” (Part A above) and understood it, and
- signed [or placed their mark],¹⁰ and thereby gave their consent to this adoption.

Done at _____ on _____
City, State Date

Signature of witness(es): _____

⁷ If the child is illiterate - amend as appropriate.
⁸ If the child is illiterate - amend as appropriate.
⁹ If the child is illiterate - amend as appropriate.
¹⁰ If the child is illiterate - amend as appropriate.

C. CERTIFICATION OF THE AUTHORITY / PERSON AUTHORISED TO ATTEST THE CONSENT

Name: _____

Title: _____

Authority: _____

1. I hereby certify that _____ (*child's full name*) appeared before me on this date and that I read aloud the “Statement of Consent” (Part A above) to the child. I have witnessed any questions of the child being answered, and the child has explained in their own words what Part A of this form means. The child then read¹¹ and signed¹² the “Statement of Consent” in my presence.
2. I hereby certify that the witness(es) named above appeared before me on this date, witnessed my reading aloud to the child of the “Statement of Consent”, witnessed any questions of the child being answered, witnessed the child fully explaining in their own words what Part A of this form means, witnessed the child reading themselves the “Statement of Consent”,¹³ witnessed the signature¹⁴ of the child, and signed the “Declaration of Witness(es)” document (Part B above) in my presence. (*If not applicable, please delete.*)

Done at _____ on _____
City, State Date

Signature / Seal: _____

¹¹ If the child has the capacity to read.
¹² Or placed their mark (if the child is illiterate).
¹³ If the child has the capacity to read.
¹⁴ Or placed their mark (if the child is illiterate).

ANNEX 2

DRAFT RECOMMENDED MODEL FORM “REPORT ON THE CHILD”¹

Article 16 of the 1993 Adoption Convention

Article 16

(1) If the Central Authority of the State of origin is satisfied that the child is adoptable, it shall (a) prepare a **report including** information about his or her **identity, adoptability, background, social environment, family history, medical history** including that of the child's family, and any **special needs** of the child; [...]

(2) It shall transmit to the Central Authority of the receiving State its report on the child, proof that the necessary consents have been obtained and the reasons for its determination on the placement, **taking care not to reveal the identity of the mother and the father if, in the State of origin, these identities may not be disclosed.**

1. What has been included in this draft Recommended Model Form?

This draft Form follows the content mentioned in Art. 16 (1) of the Convention. Namely: information about the child's identity, adoptability, background, social environment, family history, medical history including that of the child's family, and any special needs of the child.

2. When should this report be drafted?

This report should be prepared once the Central Authority of the State of origin is satisfied that the child is adoptable.

3. What about the protection of personal data?

Article 16(2) provides that authorities should take care “not to reveal the identity of the mother and father if, in the State of origin, these identities may not be disclosed”.

Thus, each State will need to adapt the report according to the State's own requirements and restrictions relating to the law on data protection.

4. Is this draft Form compulsory?

No, it is only a Recommended Model Form, which may need to be adapted by each State.

Date of the report	_____
Authority / body issuing the report	Name: _____ Address: _____
Author(s) of the report	Name: _____ Function: _____ Contact details: _____
Sources of information upon which this report is based: e.g., interviews, counselling sessions, reports of professionals. For each: <ul style="list-style-type: none">- list the date(s) on which they took place;- identify the person(s) present;- attach any professional reports where possible (see Section J below). Please also identify any <i>other</i> person(s) interviewed for the purposes of this report.	_____

¹ This Model Form may be adapted in light of domestic laws. For example, some of the information appearing in this form may not be shared with prospective adoptive parents; and personal data such as names of care-givers, documents such as birth certificates, passport copies, should not be revealed until after matching has taken place. This Model Form complements any report on the child drafted previously or at the time of their placement in alternative care. It may be complemented by the existing model forms on the Medical Report of the Child (see [Guide to Good Practice No 1](#), Annex 7).

A. IDENTITY OF THE CHILD²

1. Full name at birth: _____
2. Any other names used for the child: _____
3. Date of birth: _____
4. Place of birth (city and State): _____
5. Gender: _____
6. Language(s): _____
7. Current address: _____
8. Chronology of child’s prior residences from birth until being placed in alternative care:

From (date)	To (date)	Name and location of the residence	Name of the primary caregiver

9. Chronology of child’s placement history since their placement in alternative care (beginning with the child’s *current* place of residence):

From (date)	To (date)	Name and location of the alternative care placement (e.g., extended family, foster care, institution)	Name of the primary caregiver during this placement and relationship of this person to the child	Authority / body / person authorising the placement

10. Details of the birth family if available and not confidential:

Note: Article 16(2) of the 1993 Adoption Convention recalls that care must be taken not to reveal the identity of the child’s birth mother or father in the information sent to the receiving State if, in the State of origin, these identities may not be disclosed.

Please therefore complete (a) to (d) below providing as much information about each family member as national law permits. If identifying information cannot be provided, please provide non-identifying information to the extent that it is possible and permitted under national law.

a. Parents:

	Full Name	Date of birth / age	Place of residence	Nationality	Occupation	Any other information which can be provided ³	If deceased, cause and date of death
Mother							
Father							
Any other legal parent							

² If any of this information is not available because the child was found, please write “unknown” and provide as much detail as possible in Section B below.

³ E.g., physical characteristics, personality traits, interests, birthplace.

	Legal parentage established (Yes / No)	Legal custody of the child (Yes / No)
Mother		
Father		
Any other legal parent		

b. Siblings:

Full Name	Date of birth / age	Gender	Place of residence. Current whereabouts of the child	Nationality	In need of an adoption and adoptable (Yes / No)	Any other information which can be provided	If deceased, cause and date of death

- Please give further details if one or more sibling(s) has / have been adopted domestically or internationally previously or is / are currently being considered for adoption (together with the child or not): _____

c. Grandparent(s) (full name, date of birth or age, place of residence, nationality, occupation; if deceased, cause and date of death; any other information): _____

d. Other family member(s):

- Relationship with the child: _____
- Other information which can be provided (e.g., full name, date of birth or age, place of residence, nationality, occupation; if deceased, cause and date of death): _____

B. THE CHILD’S LEGAL STATUS

1. Does the child have a birth certificate:

- Yes – please attach it to this report.
- No⁴ – please explain why not: _____.

Please specify:

- the additional steps which must be undertaken for a birth certificate to be issued: _____
- who / which authority or body is responsible for this procedure: _____

2. The child’s nationality:⁵ _____

a. Does the child possess the nationality of the State in which they are currently living:

- Yes
- No – please explain why not: _____.

Please specify:

⁴ Please note that children who are in the process of being adopted should be provided with a birth certificate and the adoption should not proceed until the child has been provided with such a birth certificate.

⁵ Nationality refers to the legal status of an individual belonging to a sovereign State with the legal rights and protection of the sovereign State’s government. In some States this legal status is referred to as ‘citizenship’. References to ‘nationality’ should therefore be understood as including ‘citizenship’.

- the additional steps which must be undertaken for the child to acquire this nationality: _____
- who / which authority or body is responsible for this procedure: _____
- whether this has any impact on the child’s ability to be adopted: _____

b. Does the child possess another nationality:

- Yes – please identify: _____
- No

3. Parental and legal rights and responsibilities concerning the child

a. Please specify who / which authority has parental rights and responsibilities for the child and / or is the current legal guardian: _____

Name and address: _____

Please specify the relationship of this person / authority to the child: _____

Please specify the date of acquisition of the parental and legal rights and responsibilities: _____

Where applicable, please specify which authority appointed the legal guardian: _____

b. Please specify who / which authority has the (full time) care of the child (e.g., custody of the child): _____

Name and address: _____

Please specify the relationship of this person / authority to the child: _____

4. The circumstances which led to the child being declared adoptable:⁶

a. Was the child entrusted for adoption by their birth family (*i.e.*, birth parents or members of the extended family) or legal guardian(s)?

- No, please go to question 4(b)
- Yes

If yes, please complete the following information (if possible (*i.e.*, not confidential)):

- Name(s) and address(es) of the person(s) who entrusted the child: _____
- Circumstances surrounding the entrustment of the child: _____
- Activities that have been undertaken to try to prevent the entrustment of the child (*in the free text field which follows each answer, please provide as much detail as possible*):
 - Home visits (please indicate the purpose of the home visit(s), e.g., for educational support, for parenting support): _____
 - Counselling sessions: _____
 - Social and psychological support: _____
 - Economic support: _____
 - Other. Please specify: _____

If the person who entrusted the child was under 18 years old⁷ at the time, please specify any particular measure taken to assist this person: _____

⁶ Please note that in most cases, it will only be possible to tick “yes” in either a, b, c or d (*i.e.*, it would be particularly rare that the circumstances which led to the child being declared adoptable would require “yes” being ticked more than once).

⁷ Or under the age of majority if majority is attained after 18 years old.

b. Was the child found?

- No, please go to question 4(c)
 Yes

If yes, please provide the following information:

- Details concerning the place where the child was found (e.g., city, address, nature of location): _____
- The date on which the child was found: _____
- The approximate age of the child when found: _____
- The name(s) and address(es) of the person(s) who found the child and / or reported the child abandoned: _____
- The circumstances surrounding the finding of the child: _____
- Any evidence of abandonment:
- The activities that have been undertaken in order to try to find the child’s birth family (*in the free text field which follows each answer, please provide as much detail as possible*):
 - Interviews with neighbours, local people etc. _____
 - Investigation by police or other relevant agencies _____
 - Social media announcements _____
 - Television announcements _____
 - Radio announcements _____
 - Newspaper advertisements _____
 - Picture posters _____
 - Announcements at public meetings _____
 - Other. Please specify: _____

Please summarise the information obtained from these activities: _____
- The period during which these activities were undertaken: _____
- If no activity has been undertaken, please explain the reasons why: _____

c. Were the parental rights and responsibilities of the child’s legal (birth) parents / legal guardian(s) removed by a court or other competent public authority:

- No, please go to question 4(d)
 Yes

If yes, please complete the following information:

- Name and address of the court / public authority which issued the decision: _____
- Date of the final decision: _____
- If possible (*i.e., not confidential*), please briefly describe the reasons for the decision (e.g., abandonment, abuse, neglect): _____
- Please specify whether the birth parents / other legal guardian(s) agreed with this decision:

d. Are all legal (birth) parents deceased:

- No, please go to question 4(e)
 Yes

e. If none of the circumstances presented in (a), (b), (c) or (d) led to the child being declared adoptable, please explain under which circumstances the child was declared adoptable:

5. Adoptability of the child⁸**a. The following consents (as applicable) to the child’s intercountry adoption have been obtained in accordance with Article 4 of the 1993 Adoption Convention:⁹**

Note: Article 16(2) of the 1993 Adoption Convention requires that the Central Authority of the State of origin transmits to the Central Authority of the receiving State proof that the necessary consent(s) have been obtained.

- i. Consent(s) of the legal (birth) parents:
 - Yes. Please provide any details possible: _____
 - No. Please specify why (e.g., efforts to obtain the consent and any know reasons why it could not be obtained): _____
 - Not applicable. Please specify why: _____

- ii. Consent(s) of any legal guardian(s) of the child:
 - Yes. Please provide any details possible: _____
 - No. Please specify why: _____
 - Not applicable. Please specify why: _____

- iii. Consent(s) of any relevant public authority / body or other person (e.g., Mayor, Chief of village)
 - Yes. Please provide any details possible: _____
 - No. Please specify why: _____
 - Not applicable. Please specify why: _____

- iv. Consent of the child to being adopted in general (**not** to the specific adoption):¹⁰
 - Yes. Please provide any details possible: _____
 - No. Please specify why: _____
 - Not applicable. Please specify why (e.g., consent not required by law because of the child’s age): _____

- v. Other:
 - Yes. Please specify by whom and provide any details possible: _____
 - No. Any comments: _____

⁸ See further [Guide to Good Practice No 1](#), Chapter 7.2.1.

⁹ *Ibid.* Chapter 2.2.3 and Annex 7, Model Form “Statement of consent to the adoption”.

¹⁰ Consent should, ideally, be obtained at two stages of the adoption:

- First, **general consent prior to the child being considered for adoption**. It is important that they consent to being adopted generally (*i.e.*, in order for the child to be mentally prepared to the idea of a possible adoption, but also in order to prevent situations where a child is declared adoptable while that child refuses to be adopted).
- Second, **consent to a specific adoption**, after the child has been matched with prospective adoptive parents. Indeed, a general consent does not fulfil the requirement under Art. 4(d)(1) of the Convention, as this requirement for consent must be given in light of the particular prospective adoption. For further information, see G. Parra-Aranguren, Explanatory Report on the 1993 Adoption Convention (“Explanatory Report”), para. 161: “[T]he consent of the child, having regard to his or her age and maturity, shall be given not to the adoption in general, but for the specific adoption in a particular case, since it would be against his or her fundamental rights to have the child adopted without even knowing who the adoptive parents are going to be”.

Taking this into consideration, the consent referred to in this section refers to the *first* consent and **not** to the consent required under Art. 4 of the 1993 Adoption Convention.

b. The child’s psycho-social adoptability¹¹

- Name and address of the authority responsible for ensuring that the child is psycho-socially adoptable: _____
- Function (e.g., psychologist, social worker, counsellor) of the person responsible for assessing the child’s psycho-social adoptability: _____
- Please briefly explain the process that has been undertaken to ensure that the child is psycho-socially adoptable: _____

c. Decision concerning the child’s adoptability

- Date of the decision by the competent authority concerning the adoptability of the child: _____
- Name and address of the competent authority:
 - Administrative authority: _____
 - Judicial authority: _____

C. THE PRINCIPLE OF SUBSIDIARITY (Art. 4(b) of the 1993 Adoption Convention)

1. What efforts have been made to reintegrate the child into their family and why did these efforts not succeed: _____
2. What efforts have been made to place the child in their extended family and why did these efforts not succeed: _____
3. What efforts have been made to place the child in other families in the child’s State of origin (e.g., through domestic adoption or foster care) in the State (subsidiarity): _____
4. Reasons for the relevant competent authority determining, after giving due consideration to the possibilities for placement of the child within the State of origin, that intercountry adoption is in the child’s best interests (please include an explanation as to what efforts were made to place the child domestically and why *domestic* adoption was not considered a suitable option for the child - subsidiarity): _____

D. THE CHILD’S FAMILY HISTORY¹²

1. Please provide general information on the ethnic, social, religious, cultural and family background of the child (e.g., values and traditions of the family, any cultural practices): _____
2. Have there been any reports of neglect or abuse in the family: _____
3. What efforts have been made to place siblings together (if applicable) and if siblings were not placed together, please explain why: _____
4. Since the child has been in an alternative care placement (if applicable), what visits have the birth family or community members made to the child and what type of relationship has been maintained: _____

¹¹ The child’s psycho-social adoptability is usually determined by the assessment that the child will benefit from a family environment (and will be able to adapt to such an environment), that the child understands what an adoption entails and that the child considers that it would be in their best interests to be adopted. See further [Guide to Good Practice No 1](#), Chapter 7.2.1.

¹² If any of this information is not available because the child was found, please write “unknown” and provide as much detail as possible.

E. THE CHILD’S MEDICAL HISTORY, HEALTH AND DEVELOPMENT

Please provide a separate Medical Report on the child (*e.g.*, complete the Model Form “Medical Report on the Child” and its supplement¹³ or similar, using, if possible, the ICD norm¹⁴) that is not older than six months at the time of this report.

In addition to the separate Medical Report on the child:

- please provide a brief medical history of immediate family members, including the current health of the child’s birth parents and possible genetic and / or hereditary conditions that may impact the child.¹⁵: _____
- please provide a brief prenatal history: _____

F. THE CHILD’S SPECIAL NEEDS

You may wish to cross-refer to the Medical Report on the Child in the section above.

1. Does the child have any special needs:
 - Yes – please provide a detailed description and explanation, including how these needs have been identified:
 - Medical - physical: _____
 - Medical, psychiatric or psychological: _____
 - Behavioural / social: _____
 - Educational (*e.g.*, learning disabilities): _____
 - Other (please specify): _____
 - No. Any comments: _____
2. Name and address of the authority responsible for identifying the child’s special needs: _____
3. What is the current treatment plan to address the child’s special needs and what progress has been made thus far: _____
4. Has the child received any special support regarding their special needs: _____
5. Is any additional support required which has not yet been provided: _____

G. THE CHILD’S CURRENT ENVIRONMENT¹⁶

1. Type of placement:
 - Please describe the child’s current placement: _____
 - Please specify if the child is currently placed with any siblings, or if the child has any contact with siblings and if so, what type of contact and how often: _____
 - Please provide details about the child’s adjustment to their current place of residence: _____
 - Describe the child’s relationship with the persons in their life (*e.g.*, birth family, foster family, social workers): _____

¹³ See [Guide to Good Practice No 1](#), Annex 7.6.

¹⁴ International Statistical Classification of Diseases and Related Health Problems (ICD). This classification is available at < www.who.int/classifications/classification-of-diseases >.

¹⁵ If any of this information is not available because the child was found, please write “unknown” and provide as much detail as possible.

¹⁶ Please provide information that is not older than six months at the time of this report.

2. Type of schooling (if applicable):
 - Date(s) of schooling: _____
 - Overall performance, milestones achieved (including any significant grades achieved): _____
 - Strengths and weaknesses: _____
3. Activities (e.g., physical activities / sport, cultural activities, social activities, games / toys): _____
4. Favourite and least preferred activities: _____
5. Relationship with care providers / teachers: _____
6. Relationships with peers and friends: _____
7. Names of the children and adults with whom the child has developed strong relationships: _____
8. Any behavioural or social development issues: _____

H. PREPARATION AND VIEWS OF THE CHILD CONCERNING THE POSSIBILITY OF BEING ADOPTED INTERCOUNTRY

1. Name and function of the person(s) in charge of the child’s preparation for intercountry adoption: _____
2. Please explain the process which is being / has been undertaken to prepare the child for an intercountry adoption: _____
3. Has the child received counselling:
 - Yes – please provide details, including the type of professional providing the counselling, the number of sessions / frequency, and the length of the counselling: _____
 - No – please explain why not: _____
4. The child’s views and / or perception regarding the possibility to be adopted intercountry:
 - How did the child react to the possibility to be adopted intercountry: _____
 - What is the child’s understanding of the consequences of an intercountry adoption: _____
 - How did the child react to the possibility of being separated from their siblings (if applicable), other significant family members or persons: _____

I. ADDITIONAL COMMENTS / RECOMMENDATIONS

1. Describe the type of family that could meet the needs of the child: _____
2. Any other comments / recommendations: _____

J. CHECKLIST OF DOCUMENTS TO ATTACH TO THIS REPORT (as applicable)

Where possible, please attach the following documents to this report:

- The child’s birth certificate
- A copy of the child’s passport(s) or other proof of nationality
- Proof of any required consent(s) by persons (e.g., the birth parents), institutions and/or authorities, to the child’s adoption
- Death certificates of persons who had parental rights and responsibilities over the child (if applicable)
- Proof of termination of previously held parental rights and responsibilities (if applicable)

- The declaration of adoptability of the child
- A recent (*i.e.*, not older than 6 months) Medical Report on the child (*i.e.*, the completed “Medical Report on the Child”¹⁷ and its supplement, or similar)
- Medical information regarding the child’s mother, father and siblings (or other significant family members, as applicable)
- Any other professional reports concerning the child (*e.g.*, psychological reports, school or educational reports, reports on the child’s life)
- Any report on the birth parents
- Genogram or family tree with last known geographic locations of the child’s family members
- Photographs or videos of the child in their current environment

If disclosure of the following documents is permitted by national law (*i.e.*, if the following documents are not confidential), please also attach:

- Any decision of an authority removing the rights / responsibilities of the birth parents and / or legal guardian(s)
- Any decision of an authority declaring the child abandoned / judgment of abandonment
- Any Guardianship Order(s) relating to the child (if there are issues of confidentiality, a redacted copy may be provided)
- Any Placement Order(s) relating to the child
- Any items (or copy of such items) left by the birth parents or extended family to the child (*e.g.*, a letter, clothes).

K. CERTIFICATION OF THE AUTHORITY / PERSON AUTHORISED TO COMPLETE THE REPORT

Name: _____

Title: _____

Authority: _____

I hereby certify that the present report is true, correct and complete.

Done at _____ on _____
City, State Date

Signature / Seal: _____

¹⁷ See [Guide to Good Practice No 1](#), Annex 7.6.

ANNEX 3

DRAFT RECOMMENDED MODEL FORM “REPORT ON THE PROSPECTIVE ADOPTIVE PARENTS”¹

Article 15 of the 1993 Adoption Convention

Article 15

(1) If the Central Authority of the receiving State is satisfied that the applicants are eligible and suited to adopt, it shall prepare a report including information about their *identity, eligibility and suitability* to adopt, *background, family and medical history, social environment, reasons for adoption, ability to undertake an intercountry adoption*, as well as the *characteristics of the children* for whom they would be qualified to care.

1. What has been included in this draft Recommended Model Form?

This draft Form follows the content mentioned in Art. 15 (1) of the Convention. Namely: information about their identity, eligibility and suitability to adopt, background, family and medical history, social environment, reasons for adoption, ability to undertake an intercountry adoption, as well as the characteristics of the children for whom they would be qualified to care.

2. When should this report be drafted?

This report should be prepared once the Central Authority of the receiving State is satisfied that the applicants are eligible and suited to adopt.

3. What about the protection of personal data?

Each State will need to adapt the report according to the State’s own requirements and restrictions relating to the law on data protection.

The law of some States may not permit requests or disclosure of some of the information asked in this report. In such situations, the response “cannot be disclosed” may be provided.

4. Is this draft form compulsory?

No, it is only a Recommended Model Form, which may need to be adapted by each State.

Date of the report	_____
Authority / body issuing the report	Name: _____ Address: _____
Author of the report	Name: _____ Function: _____ Contact details: _____
Sources of information upon which this report is based: e.g., individual / joint interviews, home visits, reports of professionals. For each: <ul style="list-style-type: none">• list the date(s) on which they took place• identify the persons present• attach the reports of professionals, where possible (see Section J below) Please also identify any <i>other</i> persons interviewed for the purposes of this report.	_____

¹ In general, this Model Form refers to the prospective adoptive parents in the plural form for ease of reference. However, it is also possible to complete the form for a single prospective adoptive parent.

A. IDENTITY OF THE PROSPECTIVE ADOPTIVE PARENTS²

General information

	Prospective adoptive parent (1)	Prospective adoptive parent (2)
Full name		
Date of birth		
Place of birth (city and State)		
Gender		
Nationality(ies) ³		
Native language		
Any other languages (indicate level)		
Highest level of education		
Current employment	Occupation: _____ Employer: _____ Employment status (e.g., full-time, part-time): _____ Date of start of service: _____ Gross yearly income: _____	Occupation: _____ Employer: _____ Employment status (e.g., full-time, part-time): _____ Date of start of service: _____ Gross yearly income: _____

Contact information

	Prospective adoptive parent (1)	Prospective adoptive parent (2)
Address		
Telephone number(s)		
E-mail address(es)		
Any other contact information		

Civil / marital status of the prospective adoptive parents

- Please indicate the civil / marital status of the prospective adoptive parent(s):
 - Married – please provide the place and date of the marriage: _____
 - Other legally registered partnership – please provide the date of civil registration: _____

² Please note that Sections A to H of this Model Form follow the order set out in Art. 15(1) of the 1993 Adoption Convention concerning the issues which should be addressed in the report on the prospective adoptive parents.

³ Nationality refers to the legal status of an individual belonging to a sovereign State with the legal rights and protection of the sovereign State’s government. In some States this legal status is referred to as ‘citizenship’. References to ‘nationality’ should therefore be understood as including ‘citizenship’.

- De facto* relationship (i.e., not legally registered, if recognised in the prospective adoptive parents’ place of habitual residence) – please specify when the relationship commenced and when cohabitation commenced: _____
- Single: _____

Other person(s) living with the prospective adoptive parents

2. Do any children currently live with the prospective adoptive parents?

Yes – For each child, please specify:

- Full name: _____
- Date of birth: _____
- Nationality(ies): _____
- Whether they are biological, step and / or adopted children (including date of adoption decision and State of origin, where relevant): _____
- Whether they are living full-time or part-time with the prospective adoptive parents: _____
- Whether they have any particular health concerns: _____

No

3. Do any other persons currently live with the prospective adoptive parents or are frequently present in the home of the prospective adoptive parents?

Yes – please specify their:

- Full name: _____
- Date of birth: _____
- Nationality(ies): _____
- Relationship with prospective adoptive parent(s): _____
- Reason for living with the prospective adoptive parent(s): _____
- Whether they are living full-time or part-time with the prospective adoptive parents: _____
- How long they have been living with the prospective adoptive parent(s): _____
- Whether they have any particular health concerns: _____

No

4. Does / do the prospective adoptive parent(s) have biological, step and / or adoptive children who are not living with them at all (i.e., not even part-time)?

Yes - please explain why: _____

No.

B. DETERMINATION OF THE PROSPECTIVE ADOPTIVE PARENTS’ ELIGIBILITY AND SUITABILITY TO ADOPT (ART. 5(a))

Note: if a “Home Study Report” or similar is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section C below.

1. Which authority / body / person has determined that the prospective adoptive parents are “eligible and suited” to adopt:

Name of authority / body / person (if a person, please include title / function): _____

Date of determination: _____

Note: please attach any decision / certificate / declaration of eligibility and suitability to adopt which the competent authority / body / person has issued (see Section J below)

2. Please specify for what length of period this determination is valid:
- Indefinitely, but certain documents upon which it is based are subject to periodic updating (e.g., the home study report is updated periodically) – *please specify*: _____
- For a finite period – please specify the period: _____
- Other – please specify: _____
3. Please specify whether this is a determination of eligibility and suitability to adopt for all profiles of children from all States of origin (i.e., a general determination) or whether it is limited to certain profiles of children and / or certain States of origin only:⁴
- It is a **general** determination for all profiles of children from all States of origin: _____
- It is a **limited** determination for specific profiles of children and / or specific States of origin only – please specify: _____
- Other – please specify: _____
4. Please describe:
- a. the process which has been undertaken in order to reach this determination: _____
- b. the sources of information which have been relied upon - *please provide as much detail as possible and / or attach this information to this Report if possible (see section J below)*:
- Interviews with the prospective adoptive parents: _____
- Interviews with any child(ren) in the family home: _____
- Interviews with significant other persons: _____
- Medical reports on the prospective adoptive parents: _____
- Psycho-social assessments of the prospective adoptive parents: _____
- Criminal / child protection / other background checks of the prospective adoptive parents or others living in the home: _____
- Family profile / life story of the prospective adoptive parents: _____
- References: _____
- Application form of prospective adoptive parents: _____
- Other – please specify: _____
5. Please add any other comment concerning the determination of the prospective adoptive parents' eligibility and suitability to adopt: _____

C. PROSPECTIVE ADOPTIVE PARENTS' BACKGROUND, INCLUDING FAMILY HISTORY

Note: if a “Home Study Report” or similar is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section D below.

1. Please list any other significant members of each prospective adoptive parent's family – e.g., parents, siblings, aunts, uncles, cousins. Describe the quality of the relationships of each prospective adoptive parent with these other family members:
- Prospective adoptive parent (1): _____
- Prospective adoptive parent (2): _____

⁴ Note: Section H below requests information regarding the characteristics of the children for whom these prospective adoptive parents are suited to care. This question relates only to whether the determination of eligibility and suitability to adopt is limited in any way.

2. Describe each prospective adoptive parent’s general experience of childhood. Please include any history of violence or addiction within the family or social network and any trauma suffered by the prospective adoptive parent:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
3. Does either prospective adoptive parent have any specific religious, ethnic or cultural practices?
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
4. What are the social activities of each prospective adoptive parent (e.g., hobbies, interests)?
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
5. For each prospective adoptive parent what are the professional / employment backgrounds (if applicable) and future ambitions concerning their careers / work plans?
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
6. Do the prospective adoptive parents (or any others living in the home) have any history of a) abusive behaviour (whether physically or psychologically); b) addiction or substance abuse⁵; or c) criminal activity? In the case of an affirmative response to any of the above, please provide evidence of rehabilitation:⁶
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
7. Please add any other relevant comments concerning the background of each of the prospective adoptive parents:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____

D. MEDICAL HISTORY AND CURRENT HEALTH OF THE PROSPECTIVE ADOPTIVE PARENTS

Notes:

- *if a full Medical and / or Psychological Report in relation to each prospective adoptive parent is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section E below.*
- *if the law of the State does not permit the sharing of all / some of the information below and / or of a full Medical and / or Psychological Report, you may instead send these questions / Report to an authorised professional who will evaluate the situation and indicate if the prospective adoptive parents are suitable to adopt from a medical perspective. You may instead attach this certificate to the Report (see section J below)*

⁵ E.g., including alcohol, controlled substances or other substances that impair the ability to fulfil obligations at work, school or home, or create other social or interpersonal problems that may adversely affect the suitability as a prospective adoptive parent.

⁶ In the case of criminal history, why this does not make the prospective adoptive parents unsuitable (e.g., minor offence or unrelated to child raising abilities). Evidence of rehabilitation may include an evaluation of the seriousness of any arrest(s), conviction, or history of abuse, the number of such incidents, the length of time since the last incident, the offender’s acceptance of responsibility for their conduct, and any type of counselling or rehabilitation programmes which have been successfully completed, or a written opinion from an appropriate licensed professional, such as a psychiatrist, clinical psychologist, or clinical social worker.

1. Please provide a brief medical history for each prospective adoptive parent:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
2. Describe the current physical health of each prospective adoptive parent, including a) whether they are currently suffering from any illness or condition; b) any physical disability; c) any treatment currently being received:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
3. Describe the current psychiatric and psychological health of each prospective adoptive parent, including: a) any current diagnoses (e.g., personality disorder, mental illness); b) any treatment currently being received:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
4. Are there any illnesses (e.g., hereditary, congenital, mental) in the prospective adoptive parents or their immediate families that may impact them in their ability to care for the child?
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
5. Are either of the prospective adoptive parents infertile?
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
6. Please add any other relevant comments concerning the medical history or current health of each prospective adoptive parent:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____

E. SOCIAL ENVIRONMENT OF THE PROSPECTIVE ADOPTIVE PARENTS

Note: if a “Home Study Report” or similar is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section F below.

1. Please briefly describe the financial resources of the prospective adoptive parents, including: income, assets (e.g., savings, properties), any debts:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
2. If applicable, please briefly describe how the prospective adoptive parents plan to finance the costs of the adoption:
 - Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
3. What is the current work schedule of each prospective adoptive parent? Are there plans to change it after the adoption? Please specify working hours, days off per year, etc: _____
4. Please describe the home of the prospective adoptive parents: _____
5. Please describe the prospective adoptive parents’ neighbourhood (e.g., rural or urban, schools available, medical care facilities, security): _____

6. If applicable, please provide details on the opinion of any children and / or other persons currently living with the prospective adoptive parents concerning the proposed adoption: _____
7. If possible, please provide details on the opinion of relatives and friends concerning the proposed adoption: _____

F. PROSPECTIVE ADOPTIVE PARENTS’ REASONS FOR INTERCOUNTRY ADOPTION AND THEIR INTERCOUNTRY ADOPTION PLAN

Note: if a “Home Study Report” or similar is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section G below.

Motivation to adopt a child from another country

1. Please provide a brief description of the prospective adoptive parents’ reasons for wanting to adopt, and particularly their wish to adopt a child from another country: _____

Counselling and preparation undertaken

2. Have the prospective adoptive parents undergone any counselling in relation to the prospective adoption? _____
3. Have the prospective adoptive parents participated in any training course(s) to prepare for adoption, particularly an *intercountry* adoption? If so, please specify whether: a) the course(s) was / were general or specific to certain profiles of children or States of origin; and / or b) whether one or both prospective adoptive parents participated in them: _____

The plan for post-adoption

4. What is the plan for the family adjustment following the adoption (e.g., registration in day care or school, daily routine, parental leave)? _____
5. Please describe childcare arrangements which have been (or will be) made and who may be involved (e.g., is someone other than the prospective adoptive parents expected to be a regular caregiver?) _____
6. Please specify whether arrangements have been discussed if something should happen to the prospective adoptive parents (e.g., guardianship): _____
7. Please describe where it is envisaged that the adopted child will live within the home (e.g., will the adopted child have their own room or share with siblings)? _____
8. If there are any other children currently living with the prospective adoptive parents, please explain the prospective adoptive parents’ plan for helping the child currently in their care form a relationship with the child they are adopting? _____
9. Please specify what, if any, post-adoption services have been identified to support these prospective adoptive parents, and any child living with the prospective adoptive parents? _____
10. If the State of origin is known, how deep is the prospective adoptive parents’ knowledge of the culture and social situation in the child’s home State? To what extent have they reflected upon this situation? _____
11. What is the prospective adoptive parents’ attitude towards the integration of the child’s cultural and social background into the family life? _____
12. What is the prospective adoptive parents’ attitude towards communicating the fact of the adoption and the child’s origins to the child? _____
13. What is the prospective adoptive parents’ attitude towards the possibility of the child maintaining links with their biological family? _____

14. If the prospective adoptive parent is single, what is their attitude towards communicating to the child the reason for the absence of a second parent? _____
15. If the prospective adoptive parents are of the same gender or if the prospective adoptive parent is single, what is their attitude towards communicating with the child about the other gender and / or about including members of the opposite gender in the child’s life? _____

For an INTRA-FAMILY / RELATIVE ADOPTION, please specify:

Description of relationship

16. What is the legal relationship between the child(ren) and the prospective adoptive parents (e.g., aunt / niece, grandparent / grandchild)?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
17. What kind of relationship do the prospective adoptive parents already have with the child(ren) (e.g., length and nature of time spent together)?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____

Motivation to adopt the particular child

18. Please provide a brief description of the prospective adoptive parents’ reasons for wishing to adopt the child(ren):
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
19. If the prospective adoptive parents have already started establishing a parent-child relationship with the child(ren), what successes and challenges have they already encountered?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____

G. ABILITY OF THE PROSPECTIVE ADOPTIVE PARENTS TO UNDERTAKE AN INTERCOUNTRY ADOPTION

Note: if a “Home Study Report” or similar is attached to this report and covers all the issues set out below, you may simply refer to it and proceed to Section H below.

The personalities of the prospective adoptive parents

1. Please provide a brief description of the personality / character of each prospective adoptive parent:
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
2. What is their outlook on life and what are their key values?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
3. What is their capacity to cope with (1) change and (2) stress within the family?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____

4. How have they coped with infertility (if applicable)? How have they coped with moving from a project of biological parenthood to a project of adoptive parenthood?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
5. Describe the relationship between the prospective adoptive parents: _____
6. Describe the relationship between the prospective adoptive parents and any existing children (if applicable): _____

The parenting skills of the prospective adoptive parents

7. Please provide a brief description of any previous parenting experience of either prospective adoptive parent:
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
8. What is each prospective adoptive parent’s understanding of children’s needs and development?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
9. What is each prospective adoptive parent’s vision of their role as a parent?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
10. What is each prospective adoptive parent’s vision of *their partner’s role* as a parent?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
11. What is each prospective adoptive parent’s approach to education?
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
12. What is each prospective adoptive parent’s expectation regarding raising an adopted child? Explain how they appreciate the different needs of an adopted child:
- Prospective adoptive parent (1): _____
 - Prospective adoptive parent (2): _____
13. How prepared are the prospective adoptive parents to deal with any issues that may arise after the adoption (e.g., adjustment issues, post-traumatic stress, issues concerning ethnicity and racism, a child’s desire to search and contact their birth family members and a child’s desire to travel to their country of origin)? What are the prospective adoptive parents understanding of the effects of these issues, in particular racism? _____
14. Do the prospective adoptive parents have a support network of persons? _____

H. CHARACTERISTICS OF THE CHILDREN FOR WHOM THESE PROSPECTIVE ADOPTIVE PARENTS WOULD BE QUALIFIED TO CARE

In light of all the information provided above, please describe, in as much detail as possible, the **characteristics or profile of children** (e.g., children with special medical or other needs; specific culture or ethnicity of the child) for whom these prospective adoptive parents would be qualified and suited to care and why: _____

I. ADDITIONAL COMMENTS / RECOMMENDATIONS

Please provide any relevant additional comments or recommendations: _____

J. CHECKLIST OF DOCUMENTS TO ATTACH (as applicable)

Where possible, please attach the following documents to this report:

- Application form of the prospective adoptive parents
- Copy of birth certificates of the prospective adoptive parents
- Copy of any marriage certificate / civil registration of relationship of the prospective adoptive parents
- Copy of passports of the prospective adoptive parents
- Proof / certificate of the prospective adoptive parents’ habitual residence
- Copy of birth certificates and / or Adoption Order(s) of the prospective adoptive parents’ children
- Any decision / certificate / declaration of the prospective adoptive parents’ eligibility and suitability to adopt which has been issued by the competent authority / body / person
- Any “Home Study Report” (or similar) on the prospective adoptive parents
- Any Psycho-social Assessment / Report on the prospective adoptive parents
- Attendance certificates for training / preparation / counselling courses of the prospective adoptive parent(s)
- Photographs of the prospective adoptive parents, any children and / or persons living with them, and their family environment
- Family profile / life story of the prospective adoptive parents
- Any references in support of the prospective adoptive parents
- Any relevant information about the possible guardian(s) of the child, should something happen to the prospective adoptive parents

If disclosure of the following documents is permitted by national law (i.e., if the following documents are not confidential), please also attach:

- Any Medical Report(s) on the prospective adoptive parents and on children and / or persons living with them (or certificate of medical suitability – see section D above)
- Criminal / child protection / other background checks on the prospective adoptive parents
- Proof of financial means of the prospective adoptive parents
- Any post-adoption reports on the prospective adoptive parents’ adopted children (if applicable)

K. CERTIFICATION OF THE AUTHORITY / PERSON AUTHORISED TO COMPLETE THE REPORT

Name: _____

Title: _____

Authority: _____

I hereby certify that the present report is true, correct and complete.

Done at _____ on _____

City, State

Date

Signature / Seal: _____

ANNEX 4

DRAFT RECOMMENDED MODEL FORM “POST-ADOPTION REPORT ON THE CHILD”

Article 9 of the 1993 Adoption Convention

Article 9(d) and (e)

Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to – [...]

d) provide each other with general evaluation reports about experience with intercountry adoption;

e) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation.

1. Does the Convention require post-adoption reports?

The Convention only provides for “general evaluation reports about experience with intercountry adoption” and “[replies] [...] to justified requests [...] for information about a particular adoption situation”, but does not provide for individualised regular post-adoption reports.

In other words, “the matter of supplying post-adoption reports on individual children at regular intervals and for a fixed period is not regulated by the Convention” ([Guide to Good Practice No 1](#) (GGP 1), para. 592). See further, Chapter 9.3 of GGP 1.

2. If individual post-adoption reports are not required under the Convention,¹ then why is there a Model Form?

“A recommendation was made on post-adoption reporting to reflect the compromise that was needed in this matter. It states as follows: ‘The Special Commission recommends to receiving States to encourage compliance with post-adoption reporting requirements of States of origin; a model form might be developed for this purpose. Similarly, the Special Commission recommends to States of origin to limit the period in which they require post-adoption reporting in recognition of the mutual confidence which provides the framework for co-operation under the Convention’” (GGP 1, para. 601).

3. What about the right to privacy and the protection of personal data?

Each State will need to adapt the report according to the right to privacy of families and to their domestic law on data protection. States of origin also need to recognise that the Central Authorities, public authorities or other bodies may not always be able to assist with the completion of this form because of the right to privacy of families and the protection of personal data.

4. When should this report be drafted?

This Recommended Model Form may be used for any post-adoption reports required by the State of origin, according to relevant applicable law or practice, after an adoption decision has been made. Two different reports are included in this Model Form, first an **Initial Report** which is more detailed, and then a model for **Follow-up Reports** which is more general.²

It is recommended inviting, or at least consulting, the child to participate in completing this Form, if the child is of an appropriate age and maturity to do so and wishes to have input.

5. Is this draft Model Form compulsory?

No, it is only a Recommended Model Form, which may need to be adapted by each State.

¹ Some receiving States are of the view that a very detailed report may be seen by a significant number of children and adoptive families as inappropriate and intrusive. Thus, the duration and frequency of any post-adoption reporting obligations and the extent of the information provided in post-adoption reporting in general should be balanced with and adjusted to the child’s age and the child’s right to privacy (see GGP 1, para. 600), the high expectations vis-à-vis the prospective adoptive parents (and the high standards imposed in terms of their suitability to adopt) and their right to care and raise their child without continued scrutiny from officials of the receiving State or the State of origin.

² As well as monitoring the adoption, information in this report may be used to improve post-adoption support services. Annex 4 presents contents for both a detailed form that can serve as inspiration for the **first post-adoption report** (or when the child is young), and a **follow-up report** with more general questions that attempts to take into consideration the right of adoptees to be treated like other children (*i.e.*, not have additional requirements that do not apply to children who are not adopted) and their right to privacy vis-à-vis officials of the receiving State and the State of origin. States may also wish to use (and / or adapt) this form during the adoption procedure, to report on the socialisation period between the child and the prospective adoptive parents.

INITIAL POST-ADOPTION REPORT³

1. Date of the report: _____
2. Author of the report:
 - Name: _____
 - Function: _____
 - Authority / body (if applicable): _____
3. Persons interviewed and date(s) the meeting(s) took place: _____

A. INFORMATION ABOUT THE CHILD, THE ADOPTIVE FAMILY AND THE ADOPTION

1. Full name of the child before the adoption: _____
2. Full name of the child after the adoption: _____
3. Date of birth of the child: _____
4. Current age of the child: _____
5. Place of birth (city and State) of the child: _____
6. Competent authority which issued the adoption decision:
7. Date of the adoption decision:
8. Date of arrival of the child in the receiving State:
9. Nationality of the child:
 - a. Has the child acquired the nationality of one or both of the adoptive parents:
 - Yes. Please specify the nationality acquired: _____
 - No. Please explain why not: _____
 - b. Has the child acquired another nationality:
 - Yes. Please specify which nationality: _____
 - No.
10. Full name(s) of adoptive parent(s): _____
11. Name(s) and age(s) of the other children of the family (if applicable): _____
12. Name(s) of other members of the family and relationship with the child (if applicable): _____
13. Adoption accredited body involved in the child’s adoption (if applicable):

³ An initial report refers to the first report provided to the State of origin following the intercountry adoption and it may therefore be more relevant to provide more comprehensive information. For further information see GGP 1, Chapter 9.3.

B. THE CHILD’S HEALTH AND SPECIAL NEEDS⁴

1. Please provide information about the current health condition of the child, any health issues that the child had and how they are / have been addressed: _____
2. Please describe the physical development and motor skills of the child: _____
3. What was the child’s height and weight at the time of the adoption decision (if known) and what is their current height and weight? _____
4. Is the child up to date on their immunisations (vaccinations)? _____
5. Does the child have any special needs?
 - Yes. Please specify: _____
 What progress has been made? _____
 What has the effect of these special needs been on the adoptive family? _____
 Do the child and the family receive support to address the child’s special needs? If so, please explain: _____
 - No.
6. Was the child’s health status at the time of the adoption decision consistent with the status as described in the “Report on the Child” transmitted pursuant to Article 16 of the 1993 Adoption Convention?
 - Yes
 - No. Please indicate which health issues have been detected since the adoption which were not described in the report: _____

C. THE CHILD AND THE ADOPTIVE FAMILY

1. Please provide information about the current attachment and bonding of the child with each family member (each parent, and if applicable, siblings and other family members). Please assess each relationship separately: _____
2. What issues and challenges, if any, have been encountered by:
 - a. the child – in adjusting to the new family environment: _____
 - b. the adoptive family – in caring for the child (e.g., adjustment to new parenting responsibilities, influence and effects of adoption on the parents’ relationship and the other children of the adoptive parents): _____
3. How are / were the challenges addressed? Please explain any support received, including external resources (e.g., social workers, therapists, psychologists)? _____
4. Has the child been accepted by, and has the child integrated into, the extended adoptive family? _____
5. Has the child been integrated into the broader social environment of the adoptive family (e.g., friends of the adoptive family, other adoptive families and support groups)? _____
6. What are the living conditions in the home (e.g., does the child have their own room, is there space for play and study)? _____

⁴ To the extent possible, and in particular for the initial report, information about the child’s health and their special needs should be completed by qualified professionals.

7. What is the family dynamic in the home (e.g., are both adoptive parents active in parenting, what are their respective roles, what is the time distribution of caring for the child, are baby-sitters used, or are there family members who help)? _____
8. Have there been any significant changes in the family since the child was adopted (e.g., changes in marital status, residence, employment, persons living in the home, illness)? _____
9. How do the adoptive parents look back on the adoption of their child? _____

D. SOCIAL, EMOTIONAL, MENTAL AND OTHER DEVELOPMENTS

1. Please provide information about the current social and emotional development of the child, including:
 - a. relationship with friends outside school: _____
 - b. relationship with the community: _____
 - c. positive developments: _____
 - d. any challenges that the child had or is having (e.g., cognitive delays or behavioural or social issues): _____
 - e. how these challenges are / have been addressed: _____
2. What is the personality, temperament, emotional attachment and general behaviour of the child at the current time? How does the child express their emotions: anger, frustrations, happiness, love? _____
3. Who is the child close to and like to spend time with? In situations of difficulties, who does the child turn to? _____
4. How has the child’s ability to self-care developed, *i.e.*, is the child able to dress, feed and keep clean? _____
5. Please provide information about the child’s cognitive development, intelligence, problem solving ability, creativity, ability to learn, ability to occupy themselves alone, ability to deal with moments of boredom: _____
6. Please specify any other challenges that the child had or is having, and how they are / have been addressed: _____

E. EDUCATION / CHILDCARE

1. Is the child in day care or schooling? Please specify: _____
2. Please describe how the child finds day care / school: _____
3. How does the child perform at school? _____
4. What are the child’s current linguistic skills and has the child acquired a new language? _____
5. Does the child need any special assistance / tutoring (e.g., language classes)? _____
6. What extracurricular activities does the child enjoy (e.g., physical activities / sport, cultural activities, social activities, games)? _____
7. What is the quality of the child’s relationships with any day care providers or teachers? _____
8. What is the quality of the child’s relationships with peers and friends at school? _____

F. THE CHILD’S ORIGINS

1. What has been / is being done to inform the child about their origins, history, culture, the adoption procedure (e.g., talking to the child, showing photos from the child’s life before adoption, maintaining a life book) and to help the child manage all this information? _____
2. Is the child interested in maintaining a connection with their culture of origin (e.g., language, religion, food)? _____
3. What challenges have been encountered since the adoption concerning the child’s origins and the adoption (e.g., discrimination)? _____
4. Does the child have any contact with their birth family:
 - Yes – please specify the type of contact (e.g., via social media, letter, telephone, video calls, in-person), the frequency of the contact and provide any other comments: _____
 - No. Any comments: _____
5. Has the child expressed an interest in returning to the birth family? _____

G. ADDITIONAL COMMENTS / RECOMMENDATIONS

Please provide any other comments, feedback or recommendations, if applicable: _____

H. CHECKLIST OF DOCUMENTS TO ATTACH TO THIS REPORT (as applicable)

Where possible and in agreement with the child, depending on their age and maturity, and the prospective adoptive parents, you may wish to attach the following documents to this report:

- Recent photograph(s) of the child
- Any updating medical report(s) (if not confidential)
- Any updating educational report(s) (e.g., school reports, copies of certificates)

FOLLOW UP POST-ADOPTION REPORT⁵

1. Date of the report: _____
2. Author of the report:
 - Name: _____
 - Function: _____
 - Authority / body (if applicable): _____
3. Persons interviewed and date(s) the meeting(s) took place: _____

A. INFORMATION ABOUT THE CHILD, THE ADOPTIVE FAMILY AND THE ADOPTION

1. Full name of the child before the adoption: _____
2. Full name of the child after the adoption: _____
3. Date of birth of the child: _____
4. Current age of the child: _____
5. Place of birth (city and State) of the child: _____
6. Competent authority which issued the adoption decision: _____
7. Date of the adoption decision: _____
8. Date of arrival of the child in the receiving State: _____
9. Nationality of the child:
 - a. Has the child acquired the nationality of one or both of the adoptive parents:
 - Yes. Please specify the nationality acquired: _____
 - No. Please explain why not: _____
 - b. Has the child acquired another nationality:
 - Yes. Please specify which nationality: _____
 - No.
10. Full name(s) of adoptive parent(s): _____
11. Name(s) and age(s) of the other children of the family (if applicable): _____
12. Name(s) of other members of the family and relationship with the child (if applicable): _____

B. THE CHILD’S HEALTH AND SPECIAL NEEDS

Please provide information about the child’s current health, any health issues or conditions, any special needs, and how they are / have been addressed: _____

C. THE CHILD AND THE ADOPTIVE FAMILY

Please provide information about the child and the adoptive family (e.g., current relationship of the child with family members (each parent, and if applicable, siblings)), extended family, friends; any challenges and how they are / have been addressed: _____

⁵ A follow-up post adoption report refers to the subsequent reports that may be requested by the State of origin after the initial report. For further information see [Guide to Good Practice No 1](#), Chapter 9.3.

Please provide information about any significant change in the family since the child was adopted, and how the adoptive parents reflect upon their child’s adoption: _____

D. SOCIAL, EMOTIONAL, MENTAL AND OTHER DEVELOPMENTS

Please provide information about the child’s social, emotional and other developments (e.g., current social and self-awareness; any challenges that the child had or is having (including behavioural issues), and how they are / have been addressed): _____

Please provide information about the child’s mental development (e.g., the child’s cognitive development, intelligence, problem solving, creativity, ability to learn, ability to occupy themselves alone, ability to deal with moments of boredom; any challenges that the child had or is having and how they are / have been addressed): _____

E. EDUCATION / CHILDCARE

Please provide information about the child’s education or childcare (e.g., child’s progress at school, information about the grade the child is attending, if the child is in the normal range for their age, if the child requires special assistance or tutoring; extracurricular activities; relationship with teachers, peers and friends; any challenges and how they are / were addressed): _____

F. THE CHILD’S ORIGINS

Please provide information about the child’s origins (e.g., what has been / is being done regarding the child’s understanding and appreciation of their State of origin, as well as the maintenance of the child’s connection to their culture of origin; any challenges and how they are / were addressed; if the child has any contact with their birth family, and how this is going): _____

G. ADDITIONAL COMMENTS / RECOMMENDATIONS

Please provide any other comments, feedback or recommendations, if applicable: _____

H. CHECKLIST OF DOCUMENTS TO ATTACH TO THIS REPORT (as applicable)

Where possible, and in consultation with the child according to their age and maturity and the prospective adoptive parents, you may wish to attach the following documents to this report:

- Recent photograph(s) of the child
- Any updating medical report(s) (if not confidential)
- Any updating educational report(s) (e.g., school reports, copies of certificates)

ANNEX 5

DRAFT RECOMMENDED MODEL FORM “AGREEMENT THAT THE ADOPTION MAY PROCEED”

Article 17 of the 1993 Adoption Convention

Article 17(c)

Any decision in the State of origin that a child should be entrusted to prospective adoptive parents may only be made if - [...]

c) the Central Authorities of both States have agreed that the adoption may proceed; [...]

1. What has been included in this draft Recommended Model Form?

This draft Form includes information about which authority issues the agreement that the adoption may proceed; the verifications that have been made; the agreement of the prospective adoptive parents; the approval of the decision of entrustment if applicable, and the agreement of both authorities that the adoption may proceed.

2. When should this agreement be issued?

This agreement should be given before the State of origin decides to entrust a child to prospective adoptive parents. Therefore, it should be done before the prospective adoptive parents travel to the State of origin to meet the child.

3. Is this draft Model Form compulsory?

No, it is only a recommended Model Form which may need to be adapted by each State.

TIMING OF THE AGREEMENT¹

The agreement under Article 17(c) of the 1993 Adoption Convention may be first provided by the State of origin, or first by the receiving State. In this particular adoption, please specify what is the situation:

State of origin first:

STATE OF ORIGIN	RECEIVING STATE
The State of origin sends first the Article 17(c) agreement to the receiving State with the proposed match.	After the reception of the Article 17(c) agreement of the State of origin, then the receiving State provides its agreement.

OR

receiving State first:

STATE OF ORIGIN	RECEIVING STATE
After the reception of the Article 17(c) agreement of the receiving State, then the State of origin provides its agreement.	The receiving State sends first its Article 17(c) agreement to the State of origin with a notice that the match has been accepted.

¹ The timing as to when this form is issued, and of the agreement by the Central Authorities of both the receiving State and the State of origin that the adoption can proceed, in conformity with Art. 17(c) of the 1993 Adoption Convention, may follow different patterns according to national practice, so long as all the requirements for agreement under the Convention have been met.

1. AUTHORITY

STATE OF ORIGIN	RECEIVING STATE
The undersigned _____ Address: _____	The undersigned _____ Address: _____
<input type="checkbox"/> Central Authority <input type="checkbox"/> Public Authority (acting under the authority of the Central Authority) <input type="checkbox"/> Adoption Accredited Body (acting under the authority of the Central Authority)	<input type="checkbox"/> Central Authority <input type="checkbox"/> Public Authority (acting under the authority of the Central Authority) <input type="checkbox"/> Adoption Accredited Body (acting under the authority of the Central Authority)
of _____ (name of the State)	of _____ (name of the State)

2. IDENTITY OF THE CHILD AND THE PROSPECTIVE ADOPTIVE PARENT(S)

a. Identity of the child

Family name: _____
 First name(s): _____
 Gender: _____
 Date of birth: _____
 Place of birth: _____
 State of habitual residence at the time of the adoption: _____
 Address: _____
 Nationality: _____

b. Identity of the prospective adoptive parent(s)

Family name of the prospective adoptive parent: _____
 First name(s): _____
 Gender: _____
 Date of birth: _____
 Place of birth: _____
 State of habitual residence at the time of the adoption: _____
 Address: _____
 Other contact details: _____
 Nationality: _____

If the child is to be adopted by a couple:

Family name of the second prospective adoptive parent: _____
 First name(s): _____
 Gender: _____
 Date of birth: _____
 Place of birth: _____
 State of habitual residence at the time of the adoption: _____
 Address: _____
 Other contact details: _____
 Nationality: _____

3. VERIFICATIONS OF THE ADOPTION PROCEDURE**STATE OF ORIGIN**

- The **habitual residence** of the child and the habitual residence of the prospective adoptive parents have been verified (see Section 2, above);
- Due consideration was given to the **possibilities** for **domestic placement** of the child in accordance with the principle of subsidiarity;
- The necessary **consents** from persons, institutions and authorities were obtained in accordance with the requirements of the Convention;
- Having regard for the age and degree of maturity of the **child**, the child was properly **counselled**, consideration was given to the child’s **wishes** and **opinions**, and the child’s **consent** to being adopted in general was obtained;³

RECEIVING STATE

- The **habitual residence** of the child and the habitual residence of the prospective adoptive parents have been verified (see Section 2, above);
- The **prospective adoptive parents** are **eligible** and **suited** to adopt (Arts 5(a)&(b), 15(1) and 17(d));
- The **report** on the **prospective adoptive parents**,² including the home study conducted by the appropriate social welfare authorities, contains the information required by the Convention, is complete and up to date, and was transmitted to the State of origin (Art. 15(2));
- The **prospective adoptive parents** were properly **counselled** (Art. 4(c)(1));

² It is recommended to use the Recommended Model Form on the Report on the prospective adoptive parents.

³ Consent should, ideally, be obtained at two stages of the adoption:

- First, **general consent prior to the child being considered for adoption**. It is important that they consent to being adopted generally (*i.e.*, in order for the child to be mentally prepared to the idea of a possible adoption, but also in order to prevent situations where a child is declared adoptable while that child refuses to be adopted).
- Second, **consent to a specific adoption**, after the child has been matched with prospective adoptive parents. Indeed, a general consent does not fulfil the requirement under Art. 4(d)(1) of the Convention, as this requirement for consent must be given in light of the particular prospective adoption. For further information, see G. Parra-Aranguren, Explanatory Report on the 1993 Adoption Convention (“Explanatory Report”), para. 161: “[T]he consent of the child, having regard to his or her age and maturity, shall be given not to the adoption in general, but for the specific adoption in a particular case, since it would be against his or her fundamental rights to have the child adopted without even knowing who the adoptive parents are going to be”.

Taking this into consideration, the consent referred to in this section refers to the *first* consent and **not** to the consent required under Art. 4 of the 1993 Adoption Convention.

- | | |
|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> The child was declared adoptable for intercountry adoption by the appropriate authorities; <input type="checkbox"/> The report on the child⁴ contains the information required by the Convention, is complete and up to date, and was transmitted to the receiving State; <input type="checkbox"/> The report on the prospective adoptive parents, including the home study conducted by the appropriate social welfare authorities, contains the information required by the Convention, and was transmitted to the State of origin by the receiving State; <input type="checkbox"/> The matching was done in the receiving State. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> The matching was done in the State of origin: <ul style="list-style-type: none"> <input type="checkbox"/> it was conducted according to a multidisciplinary and impartial procedure; <input type="checkbox"/> it was conducted in accordance with an impartial procedure and taking into consideration the Reports on the child and the prospective adoptive parents. <input type="checkbox"/> the prospective adoptive parents have been matched with the child for their apparent capacity to take care of the child’s needs;
<ul style="list-style-type: none"> <input type="checkbox"/> The child has obtained or will obtain permission to leave the State of origin;⁵ <input type="checkbox"/> No illicit practices in the adoption process have been identified at the stage of giving this agreement; <input type="checkbox"/> The State of origin respected the procedures and fundamental principles of the Convention; and <input type="checkbox"/> The envisaged placement is in the best interests of the child. | <ul style="list-style-type: none"> <input type="checkbox"/> The report on the child contains the information required by the Convention, and was transmitted to the receiving State by the State of origin (Art. 16); <input type="checkbox"/> The matching was done in the State of origin. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> The matching was done in the receiving State: <ul style="list-style-type: none"> <input type="checkbox"/> it was conducted according to a multidisciplinary and impartial procedure; <input type="checkbox"/> it was conducted in accordance with an impartial procedure and taking into consideration the Reports on the child and the prospective adoptive parents; <input type="checkbox"/> the prospective adoptive parents have been matched with the child for their apparent capacity to take care of the child’s needs; <input type="checkbox"/> The child is or will be authorised to enter and reside permanently in the receiving State (Art. 17(d)). <input type="checkbox"/> No illicit practices in the adoption process have been identified at the stage of giving this agreement; <input type="checkbox"/> The receiving State respected the procedures and fundamental principles of the Convention; and <input type="checkbox"/> The receiving State has been informed by the State of origin that the envisaged placement is in the best interests of the child. |
|---|--|

⁴ It is recommended to use the Recommended Model Form on the Report on the child.

⁵ *I.e.*, the child has the ability to leave the State of origin.

4. AGREEMENT OF THE PROSPECTIVE ADOPTIVE PARENTS

STATE OF ORIGIN	RECEIVING STATE
<input type="checkbox"/> The prospective adoptive parents agree to the adoption (Art. 17(a)).	<input type="checkbox"/> The prospective adoptive parents agree to the adoption.

5. APPROVAL OF THE DECISION OF ENTRUSTMENT

- The Central Authority of the State of origin requires that the Central Authority of the receiving State approves the decision to entrust the child:

STATE OF ORIGIN	RECEIVING STATE
	<input type="checkbox"/> The Central Authority of the receiving State has approved the decision to entrust the child to the prospective adoptive parents (Art. 17(b)).

OR

- The law of the receiving State requires that the Central Authority of the receiving State approves the decision to entrust the child:

STATE OF ORIGIN	RECEIVING STATE
	<input type="checkbox"/> The Central Authority of the receiving State has approved the decision to entrust the child to the prospective adoptive parents (Art. 17(b)).

OR

- Neither the Central Authority of the State of origin nor the law of the receiving State require the Central Authority of the receiving State to approve the decision to entrust the child.

6. AGREEMENT THAT THE ADOPTION MAY PROCEED

STATE OF ORIGIN	RECEIVING STATE
<input type="checkbox"/> Agrees that the adoption may proceed (Art. 17(c)):	<input type="checkbox"/> Agrees that the adoption may proceed (Art. 17(c)):

7. COMMENTS

Please add any relevant comments:

STATE OF ORIGIN	RECEIVING STATE
_____	_____

8. SIGNATURE / SEAL

STATE OF ORIGIN

Name: _____

Title: _____

Authority: _____

Done at _____ (city, State) on _____ (date)

Signature / Seal: _____



RECEIVING STATE

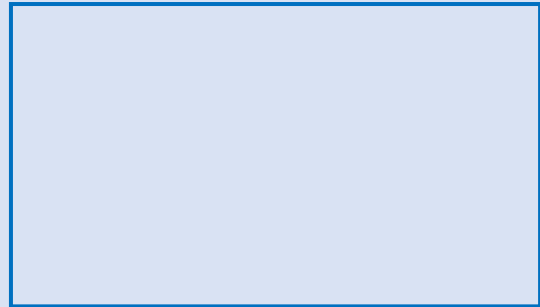
Name: _____

Title: _____

Authority: _____

Done at _____ (city, State) on _____ (date)

Signature / Seal: _____



ANNEX 6

DRAFT RECOMMENDED MODEL FORM “CERTIFICATE OF CONFORMITY FOLLOWING THE CONVERSION OF A SIMPLE ADOPTION TO A FULL ADOPTION”¹

RECEIVING STATES ONLY

Article 27 of the 1993 Adoption Convention

Article 27

(1) Where an adoption granted in the State of origin does not have the effect of terminating a pre-existing legal parent-child relationship, it may, in the receiving State which recognises the adoption under the Convention, be converted into an adoption having such an effect -

a) if the law of the receiving State so permits; and

b) if the consents referred to in Article 4, sub-paragraphs (c) and (d), have been or are given for the purpose of such an adoption.

(2) Article 23 applies to the decision converting the adoption.

1. What has been included in this draft Recommended Model Form?

This draft Form includes information about what needs to be included in the new Certificate of Conformity of an adoption when a simple adoption has been converted into a full adoption in the receiving State.

2. When should the Certificate of Conformity be issued?

The Certificate of Conformity should only be used in cases where a simple adoption made under the 1993 Adoption Convention has been converted into a full adoption in a receiving State.

3. Is this draft Model Form compulsory?

No, it is only a recommended Model Form, which may need to be adapted by each State.

A. AUTHORITY PROVIDING THE CERTIFICATION IN THE RECEIVING STATE

Receiving State	Name _____
Authority / body providing the certification	Name: _____ Address: _____
Official completing the form	Name: _____ Title: _____ Contact details: _____

¹ This Certificate of Conformity is to be completed in the receiving State only, to be issued after the conversion of a simple adoption to a full adoption in the receiving State in accordance with Art. 27 of the 1993 Adoption Convention.

A **simple adoption** is an adoption which does NOT sever the legal ties between the child and their biological parents or legal guardian(s).

A **full adoption** is an adoption which severs the legal ties between the child and their biological parents or legal guardian(s). For further information, see 1993 Adoption Convention and the [Guide to Good Practice No 1](#), Chapter 8.8.8.

B. THE CHILD

1. Full name at birth: _____
2. Current full name: _____
3. Date of birth: _____
4. Place of birth: _____
5. Gender: _____
6. Address: _____
7. Date of arrival of the child in the receiving State: _____

C. THE ADOPTIVE FAMILY

Full name(s) of adoptive parents: _____

D. THE SIMPLE ADOPTION GRANTED IN THE STATE OF ORIGIN

Note: Please attach a copy of the simple adoption decision to this certificate.

1. Competent authority which granted the **simple adoption decision**: _____
2. Date of the **simple adoption decision**: _____
3. **Birth parents** of the child at the time of the simple adoption (with whom a legal tie has been retained until the full adoption): _____

E. GENERAL VERIFICATIONS TO CONVERT A SIMPLE ADOPTION INTO A FULL ADOPTION

- The simple adoption was granted in the State of origin.
- The simple adoption did not have the effect of terminating a pre-existing legal relationship between the child and their mother and father (Arts 26(1)(c) and 27(1)).
- The simple adoption was automatically recognised by the receiving State under the 1993 Adoption Convention (Art. 27(1)).
- The law of the receiving State permits the conversion of the simple adoption to a full adoption (Art. 27(1)(a)).²

F. CONSENTS TO CONVERT A SIMPLE ADOPTION INTO A FULL ADOPTION

The following consents have been or are given for the purpose of a full adoption:³

- Consent of the **persons, institutions and authorities** whose consent is necessary for adoption (Art. 4(c)). Please attach the relevant statement of consent for a full adoption or for the conversion into a full adoption.
- Consent of the **child**, where required by law. Please attach the relevant statement of consent for a full adoption or for the conversion into a full adoption.

² The receiving State shall apply its own law to decide whether or not it should take place.

³ See Art. 27(1)(b) of the 1993 Adoption Convention, which requires that the “consents referred to in Article 4, subparagraphs (c) and (d), have been or are given for the purpose of such an adoption.” The relevant competent authorities are encouraged to use an adapted version of the recommended model form on consent (*i.e.*, statement of consent to the adoption; statement of consent of the child to the adoption).

- Having regard to their age and level maturity, the child has been duly **counselled** and **informed** of the effects of a full adoption and of their consent.

G. FULL ADOPTION

Note: please attach the decision on the conversion of the simple to full adoption to this certificate.

1. Name of the competent authority which converted the simple adoption into a **full adoption decision**: _____
2. Date of the **full adoption conversion decision**: _____

H. CERTIFICATION

Name: _____

Title: _____

Authority: _____

- I hereby certify that the conversion of the simple to full adoption for _____ (child's full name) has been done in conformity with Article 27 of the 1993 Adoption Convention.
- I hereby certify that the adoption was made in accordance with the 1993 Adoption Convention.

Done at _____ on _____
City, State Date

Signature / Seal: _____