

RECEIVING STATE

COUNTRY NAME: SPAIN

PROFILE UPDATED ON: 01/12/2024

PART I: CENTRAL AUTHORITY

1. Contact details ¹	
Name of office:	MINISTERIO DE JUVENTUD E INFANCIA SUBDIRECCIÓN GENERAL DE PROGRAMAS DE INFANCIA Y ADOLESCENCIA
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Contact person(s) and direct contact details (please indicate language(s) of communication):	Silvia Fernández Cociña, Inés Palacios Campos, Ana Isabel Carrasco Blanco. Spanish, English.
<i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i>	

PART II: RELEVANT LEGISLATION

2. The 1993 Adoption Convention and domestic legislation	
a) When did the 1993 Adoption Convention enter into force in your State?	01/11/1995

¹ Please verify whether the contact details on the “Adoption Section” of the HCCH website < www.hcch.net > under “Central Authorities” are up to date. If not, please e-mail the updated contact information to < secretariat@hcch.net >.

<p>This information is available on the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</p>	
<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Adoption Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>Law 54/2007 of International Adoption, modified in some articles by the Ruling 36/2021 of the Spanish Constitutional Court, of the 18th of February, 2021.</p> <p>Royal-Decree 573/2023, of 4 July, approving the International Adoption Regulation.</p> <p>Law 26/2015, that modifies the protection system of childhood and adolescence.</p>

3. Other international agreements on intercountry adoption ²	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input checked="" type="checkbox"/> Bilateral agreements (please specify):</p> <p>Bilateral Agreement between Spain and Bolivia in the field of adoptions (21st October 2001).</p> <p>Protocol about intercountry adoptions between Spain and Philippines (12th November 2002).</p> <p>Partnership Agreement in the field of Adoption of children between Spain and Russia (9th July 2014).</p> <p>Cooperation Agreement in the field of Adoption between Spain and Vietnam (published on the Spanish Official State Newspaper 18th January 2008).</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>

PART III: THE ROLE OF AUTHORITIES AND BODIES

4. Central Authority(ies)

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

<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Adoption Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>The National Central Authority (Central Authority for communication) is in charge of:</p> <p>According to article 4 of 54/2007 Law, on International Law, the national government together with the Public Entities, shall determine the initiation of procedures for adoptions with the children's country of origin, and for suspending or halting them.</p> <p>It also has the communication and the coordination competence.</p> <p>It is as well in charge of the coordination of the monitoring and control of the accredited bodies actions in the countries of origin.</p> <p>It has also the competence of creating and organizing the National Register of Accredited bodies for Intercountry Adoption and the Register of Claims and Incidents.</p> <p>In accordance with article 5 of Law 54/2007 on International Adoption, the role of the Public Entities in the sphere of intercountry adoption is as follows:</p> <p>The public entities are responsible for receiving the adoption applications of people who are usually resident in their territory and issuing the suitability reports.</p> <p>They are also in charge of accrediting the bodies to intermediate in intercountry adoptions, as well as the monitoring and control for their activities.</p>
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5. Public and competent authorities	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p>The State Government has the following competences:</p> <ul style="list-style-type: none"> - General Communication with the Central Authorities from the countries of origin about intercountry adoption. - General Communication between the Central Authorities from the countries of origin and the ones in Spain, about intercountry adoption. - Fostering forum of collaboration and coordination among regional Central Authorities and with the different Ministries directly related with intercountry adoption

	<p>(Ministry of Foreign Affairs, Ministry of Justice and Ministry of Interior).</p> <ul style="list-style-type: none"> - Coordinating the control and monitoring of the intermediation activities of the Accredited Bodies in the children's country of origin. - In case there is a close number of accredited bodies established by the country of origin, the Central Authority could define, with the collaboration of the public entities, which International Adoption Bodies are the ones accredited in the country of origin. - Initiation, suspension or closing of the intercountry adoption proceeding. - Establishing the maximum number of intercountry adoption files to be sent every year to the different countries of origin, with the collaboration of the public entities. - Designing the basic contract template among the accredited bodies and those who want to adopt, also with the collaboration of the public entities. <p>The regional Central Authorities have the following competencies:</p> <ul style="list-style-type: none"> - To receive the adoption applications of persons who are usually resident in their territory. To provide information and training to the adoption applicants. - To process the adoption files directly or via accredited bodies. To issue certificates of suitability. To receive the matchings and issue the conformity or not conformity to continue the adoption proceeding. - To issue the commitment to send the follow-up reports and to elaborate the reports or entrust their elaboration to the accredited bodies. - To foster the adoption before the Spanish judicial competent authority when the adoption takes place in Spain. - To keep the adoption files. - To enact protection measures in the cases where following with the adoption proceeding does not match the best interest of the child, once the child has already moved from his or her country of origin. - To issue the certificate of conformity with The Hague Convention.
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	<ul style="list-style-type: none"> - To foster the collaboration of the competent authorities within their territory. - To enact the necessary measures in order to prevent economic benefits related with an adoption. - Accreditation of the bodies based on their territories that will intermediate in Intercountry Adoptions. -The public entities that have accredited intermediation bodies shall exercise the functions of monitoring and control with regard to the general functioning of the accredited body in the territory of the Autonomous Community (region), as well as those relating to the activity carried out in the country of origin. For the development of the latter, they shall coordinate with the Directorate General, which shall forward requests for collaboration from public entities to the Directorate General in charge of consular affairs of the Ministry for Foreign Affairs, European Union and Cooperation. - The monitoring and control of the accredited body that carried out the processing of an adoption file shall correspond to the public entities that have processed (or are processing) the file of those who offer to adopt. - Competences to establish support resources after the adoption and intermediation for the persons adopted to seek their origins. These competences could also be entrusted to accredited bodies. - To offer technical support during the adoption procedure both to the adopted children and to those who want to adopt, in particular, in cases of children with special needs. - To provide statistical information about the processing of the intercountry adoption. <p>Courts have the following competences:</p> <p>In cases when children arrive with preadoptive guardianship, to request full adoption before the corresponding jurisdiction (for example, Philippines or Thailand).</p>
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6. National accredited bodies ³	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p>N.B. the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH (see Art. 13).⁴</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – <u>go to Question 8</u></p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.⁵</p>	<p>14</p> <p>The Directorate General competent on rights of children and adolescents, after consulting the Sectoral Commission, will establish annually the maximum number of accredited bodies that can carry out their activity in each of the countries of origin.</p> <p>The following criteria will be taken into account:</p> <ol style="list-style-type: none"> 1. The information available on the needs for international adoption in the countries of origin and the profile of adoptable children. 2. The number of international adoptions constituted by residents in Spain in each of the countries of origin in the last two years, in relation to the number of adoption applications for these countries in that period of time, and the number of bodies already accredited by other receiving countries. In cases of initiation of the processing of adoptions in a new country, this number shall be fixed according to the available information on adoption expectations with that country, taking into account the number of adoptions constituted by third countries in the last two years. 3. The limitation, if any, that may be established by each country of origin as to the number of foreign entities that may provide intermediary services in the country. 4. The requirement, if any, that each country of origin may impose that intercountry

³ “National accredited bodies” in this Country Profile means adoption bodies based within your State (receiving State) which have been accredited under the 1993 Adoption Convention by the competent authorities in your State. See further *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (“GGP No 2”), available on the [Adoption Section](#) of the HCCH website < www.hcch.net > at Chapters 3.1 *et seq.*

⁴ *Ibid.*, Chapter 3.2.1 (para. 111).

⁵ *Ibid.*, Chapter 3.4.

	<p>adoptions in that country be processed only through accredited bodies.</p> <p>5. The number of Spanish intermediary bodies that have accreditation in force.</p>
c) Please briefly describe the role of national accredited bodies in your State.	<p>Accreditation for intercountry adoption shall be available only to non-profit entities registered and whose object according to their statutes is child protection, which have the necessary material resources and multidisciplinary teams on Spanish territory to carry out the functions assigned, and which are directed and staffed by qualified professionals with ethical standards, training or experience to work in the field of intercountry adoption.</p> <p>The functions to develop are essentially the following ones:</p> <ul style="list-style-type: none"> - Informing those interested about intercountry adoption. - Advising, instructing and supporting prospective adoptive parents as regards what adoption means and involves, regarding significant cultural aspects and the formalities to be carried out in Spain and in the children's countries of origin. - Intermediation in the processing of adoption applications amongst the competent Spanish and foreign authorities. - Contributing to the processing and implementation of postadoption measures in order to comply with the post-adoption obligations provided for adopters in the legislation of the adopted child's country of origin, whose functions shall be assigned as determined by Spanish Public Entity where the adopting family resides.
6.1 The accreditation procedure (Arts 10-11)	
a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?	Regional Central Authorities (public entities).
b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i> .	<p>It is determined by the legislation of the Autonomous Community where the accredited body is based.</p> <p>The accreditation criteria will be determined by the legislation on intercountry adoption of the Autonomous Community where the accredited body is based.</p>

	<p>The general and most important criteria are:</p> <p>a) The experience and development of activities in the area of intercountry adoption.</p> <p>b) The track record developing the accredited body activities in order to achieve their statutory goals.</p> <p>c) The material and personal resources for developing intermediation activities on intercountry adoptions.</p> <p>d) The activity project.</p> <p>e) The economical planning, with a good balance between the quality of the service and its cost.</p>
c) For how long is accreditation granted in your State?	It is determined by the legislation of the Autonomous Community where the accredited body is based.
d) Please briefly describe the criteria and the procedure used to determine whether the accreditation of a national adoption body will be <i>renewed</i> .	It is determined by the legislation of the Autonomous Community where the accredited body is based.
6.2 Monitoring of national accredited bodies⁶	
<p>a) Which authority is competent to monitor / supervise national accredited bodies in your State?</p> <p><i>See Art. 11(c).</i></p>	The Regional Central Authorities (public entities).
b) Please briefly describe how national accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	It is regulated in the legislation on intercountry adoption of each Autonomous Community for the accredited bodies based on its territory and coordinated by a Technical Commission for Monitoring and Control.
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (<i>i.e.</i> , withdrawn).	It is regulated in the legislation on intercountry adoption of each Autonomous Community.
d) If national accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<p><input checked="" type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i>, fine, withdrawal of accreditation): Withdrawal of accreditation.</p> <p><input type="checkbox"/> No</p>

7. Authorisation of national accredited bodies to work in other Contracting States (Art. 12)⁷

7.1 The authorisation procedure

⁶ *Ibid.*, Chapter 7.4.

⁷ In relation to authorisation of accredited bodies, *ibid.*, Chapter 4.2.

a) Which authority / body in your State is responsible for the authorisation of national accredited bodies to work with, or in, other Contracting States?	The Regional Central Authorities are responsible for the authorisation. Each of them authorises the accredited bodies based on its territory.
b) Is authorisation granted as part of the accreditation procedure or is a separate authorisation procedure undertaken?	<input checked="" type="checkbox"/> Authorisation is granted as part of the accreditation procedure. <input type="checkbox"/> A separate procedure is undertaken for authorisation.
c) Is authorisation granted to national accredited bodies to work in <i>all</i> States of origin or must national accredited bodies apply for authorisation to work in specific, pre-identified State(s) of origin?	<input type="checkbox"/> Authorisation is granted generally: once authorised, national accredited bodies are able to work in <i>all</i> States of origin. <input checked="" type="checkbox"/> Authorisation is granted specifically: national accredited bodies must apply for authorisation to work in one or more pre-identified State(s) of origin.
<p>d) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i>.⁸</p> <p>If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.</p> <p>Please also explain whether your State has any criteria concerning how the national accredited body must establish itself in the State(s) of origin or whether this is left entirely to the requirements of the State of origin (<i>e.g.</i>, requirements that the body must have a local representative in the State of origin, or must establish a local office).</p>	<p>According to the procedures described in the Regulation for Intercountry Adoption, each accreditation is only for one country of origin.</p> <p>The general criteria are the following ones:</p> <ul style="list-style-type: none"> a) Experience and development of activities in the area of intercountry adoption. b) Accredited bodies' track record in the development of activities in order to achieve their statutory goals. c) Material and personal resources for developing intermediation activities on intercountry adoptions. d) Accredited body activity project. e) The economical planning, with a good balance between the quality of the service and its cost. <p>The requirements and functions are regulated at a regional level, so that the accredited bodies can intermediate in the field of intercountry adoptions in the countries of origin where they are authorized.</p> <p>Their basic obligations are:</p> <ul style="list-style-type: none"> a) To collaborate with the competent authorities and the Spanish consular office or section, answering every application or request received regarding intercountry adoption procedures.

⁸ In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

	<p>b) To keep the country of origin authorities informed about the situation of the adoption files.</p> <p>c) To train, escort and supervise the agent of the accredited body in the country of origin.</p> <p>d) To avoid the intermediation body staff pressing in any way the country of origin.</p> <p>e) To represent the PAPs before the competent bodies in the country of origin.</p> <p>f) To collect updated information about the children matched on request of the competent Public Entities.</p> <p>g) To guide and support the PAPs during all their stay in the country of origin, providing them with services and assurances through their agents or through partners, especially if there is any unexpected situation regarding the children during their stay in the country of origin.</p> <p>h) To guarantee, in collaboration with the country of origin, the meeting and the initial adaptation amongst the children and the PAPs, in accordance to the best interest of the child and never before the matching.</p> <p>i) To participate in the development of good practices regarding intercountry adoption in order to avoid relevant difficulties.</p> <p>j) To elaborate the postadoption reports and send them to the competent body in the country of origin.</p> <p>Nevertheless, the criteria and specific obligations of each country of origin will be established by these countries when giving the authorization to each intermediation body.</p>
e) For how long is authorisation granted?	It is regulated in the legislation on intercountry adoption in each Autonomous Community.
f) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	It is regulated in the legislation on intercountry adoption in each Autonomous Community.
7.2 Monitoring the work of your authorised national accredited bodies in other Contracting States	
a) Please briefly describe how your State ensures that authorised national accredited bodies (including their representatives, co-workers and any	The activities of the accredited bodies are monitored by the Regional Central Authorities and the activities of the accredited body in the country of origin are coordinated by the National Central Authority.

other staff ⁹ in the State of origin) are monitored / supervised by your State in relation to their work / activities <i>in the State of origin</i> .	Also, in order to ensure an accurate supervision, the monitoring at national level is coordinated by the Technical Commission of Monitoring and Control.
b) Please briefly describe the circumstances in which the authorisation of national accredited bodies can be revoked (<i>i.e.</i> , withdrawn).	<p>The Public Entity that has authorised the accredited body for a country of origin can revoke the accreditation by a reasoned resolution, with a contradictory proceeding and after hearing the accredited body. It will proceed in the way and in the cases determined the regional legislation, and always, when there is one of this cases:</p> <p>a) If the accredited body does not meet the requirements and conditions demanded any more.</p> <p>b) If the accredited body does not observe the established obligations and/or functions.</p> <p>c) If the accredited body is disqualified by the competent authority from the country of origin where it was authorised.</p> <p>The Public Entity can also decide to suspend temporarily the activity of intermediation of the accredited body by not assigning new intercountry adoption files, by a reasoned resolution that establishes the period for time of the suspension.</p>

8. Approved (non-accredited) persons (Art. 22(2)) ¹⁰	
<p>Is the involvement of approved (non-accredited) persons permitted in intercountry adoption procedures in your State?</p> <p>N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Adoption Convention, available on the Adoption Section of the HCCH website.</p> <p>If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the HCCH should be informed of the names and addresses of these bodies and persons (Art. 22(3)).¹¹</p>	<p><input type="checkbox"/> Yes, our State has made a declaration under Article 22(2) and the involvement of approved (non-accredited) persons is possible. Please specify their role:</p> <p><input checked="" type="checkbox"/> No</p>

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The adoptability of a child (Art. 4(a))
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⁹ For an explanation of the terminology used concerning the staff of the national accredited body working in the State of origin, *ibid.*, Chapters 6.3 and 6.4.

¹⁰ *Ibid.*, Chapter 13.

¹¹ *Ibid.*, Chapter 13.2.2.5.

<p>Does your State have its own criteria concerning the adoptability of a child (<i>e.g.</i>, maximum age) which must be applied <i>in addition to</i> the requirements of the State of origin?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: In accordance with article 175.2. of the Spanish Civil Code: "Only non-emancipated minors may be adopted. As an exception, it shall be possible to adopt a person of legal age or an emancipated minor if, immediately prior to the emancipation, an uninterrupted situation of foster care or of cohabitation of at least one year has existed".</p> <p><input type="checkbox"/> No, there are no additional criteria concerning adoptability – the requirements of the State of origin are determinative.</p>
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10. The best interests of the child and subsidiarity (Art. 4(b))

<p>Does your State request information / evidence from the State of origin to satisfy itself that the State of origin has respected the principle of subsidiarity (<i>i.e.</i>, proof that family reunification was attempted, or that the possibility of in-country permanent family placements has been explored)?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: According to article 4.2 of Law 54/2007 on Inter-country Adoption, after the reform implemented by Law 26/2015:</p> <p>"Offerings for adoption will not be processed in cases of children from other countries or with habitual residence in another State in the following circumstances: c) Where the country does not have adequate guarantees for adoption and its practices and formalities do not respect the child's interests or do not comply with the international ethical and legal principles referred to in article 3 of this Law".</p> <p>In fact, in the Preamble, the Law describes intercountry adoption as a measure for protecting children that can not find a family in their countries of origin, and establishes the essential and appropriate guarantees to ensure that the intercountry adoptions performed are in the best interest of the child and respecting his/her rights.</p> <p><input type="checkbox"/> No</p>
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11. Children with special needs

<p>Does your State have its own definition of the term "special needs children" which is applied in intercountry adoption cases?</p>	<p><input checked="" type="checkbox"/> Yes – please provide the definition used in your State: It is not defined by the State, but in some regional Decrees.</p> <p><input type="checkbox"/> No – the definition used in the State(s) of origin is determinative.</p>
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12. The nationality of children who are adopted intercountry ¹²	
Do children who are adopted intercountry to your State acquire the nationality of your State?	<p><input checked="" type="checkbox"/> Yes, always. Please specify:</p> <p>(i) At what stage nationality is acquired by the child: Article 19 of the Spanish Civil Code: "1. The foreign child who is under eighteen, adopted by a Spanish citizen, acquires the Spanish nationality from the moment of the adoption. 2. When the adopted person is over eighteen, he/she will be able to choose the Spanish nationality of origin within two years from the adoption date. 3. Regardless what point 1 determines, if there is an agreement with the judicial system in the country of origin, the adopted child retains his/her nationality that will also be recognised in Spain" ; and</p> <p>(ii) The procedure which must be undertaken (or whether acquisition of nationality is <i>automatic</i> upon the occurrence of a particular event, <i>e.g.</i>, the making of the final adoption decision): It is automatic, the child under eighteen adopted by a Spanish citizen acquires the Spanish nationality from the moment of the adoption.</p> <p><input type="checkbox"/> It depends – please specify which factors are taken into consideration (<i>e.g.</i>, the nationality of the prospective adoptive parents ("PAPs"), whether the child loses his / her nationality of the State of origin):</p> <p><input type="checkbox"/> No, the child will never acquire this nationality.</p>

PART V: PROSPECTIVE ADOPTIVE PARENTS ("PAPs")

13. Limits on the acceptance of files	
a) Does your State place any limit on the total number of applications for intercountry adoption which are accepted at any one time?	<p><input checked="" type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined:</p> <p>The Directorate General, after consulting the Sectoral Commission, shall establish annually the number of new files that may</p>

¹² Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* ("GGP No 1"), available on the [Adoption Section](#) of the HCCH website < www.hcch.net >, at Chapter 8.4.5.

	<p>be processed with each country of origin, in accordance with:</p> <ol style="list-style-type: none"> 1. The needs for intercountry adoption in that country and the profile of adoptable children. 2. The number of adoptions constituted by third countries in the last two years. 3. The reports of national and international, public or private bodies on the political and social stability of the country of origin, as well as on the legal security and the practices used in the processing of intercountry adoption procedures. <p>In cases of continuity in the processing of adoptions in a country where they are already being processed, in order to determine the annual number of new files to be forwarded, in addition to the above criteria, the following shall be taken into account:</p> <ol style="list-style-type: none"> 1. The average number of adoptions made in the last two years. 2. The number of files that have not yet been assigned. 3. The number of files with a country cannot be more than three times the average number of adoptions made in the last two years, unless changes in legislation, practices and policies on international adoption in the countries of origin justify it. <p><input type="checkbox"/> No</p>
<p>b) Does your State allow PAPs to apply to adopt from more than one State of origin at the same time?</p>	<p><input type="checkbox"/> Yes, please specify whether any limits are applied:</p> <p><input checked="" type="checkbox"/> No – PAPs may only apply to adopt from one State of origin at any one time.</p>

14. Determination of the eligibility and suitability of PAPs wishing to undertake an intercountry adoption¹³ (Art. 5(a))	
14.1 Eligibility criteria	
<p>a) Do PAPs wishing to undertake an intercountry adoption have to fulfil any criteria in your State concerning their relationship status(es)?</p>	<p><input checked="" type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption:</p> <p><input checked="" type="checkbox"/> Married, heterosexual couples: In some regions the time of cohabitation</p>

¹³ *I.e.*, this section refers to the eligibility criteria applied, and suitability assessment undertaken, in relation to PAPs who are habitually resident in your State and who wish to adopt a child who is habitually resident in another Contracting State to the 1993 Adoption Convention: see further Art. 2 of the Convention.

<p><i>Please tick any / all boxes which apply and indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</i></p>	<p>required is 1 year minimum, in other regions the minimum is 3 years</p> <p><input checked="" type="checkbox"/> Married, same-sex couples: In some regions the time of cohabitation required is 1 year minimum, in other regions the minimum is 3 years.</p> <p><input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership: In some regions the time of cohabitation required is 1 year minimum, in other regions the minimum is 3 years.</p> <p><input checked="" type="checkbox"/> Same-sex couples in a legally registered partnership: In some regions the time of cohabitation required is 1 year minimum, in other regions the minimum is 3 years.</p> <p><input checked="" type="checkbox"/> Heterosexual couples that have not legally formalised their relationship: In some regions the time of cohabitation required is 1 year minimum, in other regions the minimum is 3 years.</p> <p><input checked="" type="checkbox"/> Same-sex couples that have not legally formalised their relationship: In some regions the time of cohabitation required is 1 year minimum, in other regions the minimum is 3 years.</p> <p><input checked="" type="checkbox"/> Single men:</p> <p><input checked="" type="checkbox"/> Single women:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No, there are no relationship status criteria for PAPs.</p>
<p>b) Are there any age requirements in your State for PAPs wishing to undertake an intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Minimum age requirements: The Spanish legislation determines that the PAP must be over 25 years. When a couple wants to adopt it is enough if one of them has reached this age.</p> <p><input checked="" type="checkbox"/> Maximum age requirements: It is not established in our legislation. The only technical criterium used in some regions is suitability.</p> <p><input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: The current Spanish legislation (article 175 of the Civil Code, modified by Law 26/2015) determines as the minimum difference of age 16 years. Regarding the maximum age, 45 is the maximum permitted. In case of couples it is enough if one of them does not have</p>

	<p>the maximum difference of age established with the adopted child. If the adoptants are willing to adopt groups of siblings or children with special needs, the maximum difference of age could be increased.</p> <p>Respecting this requirement of minimum/maximum age will not be necessary when the adoptee is in one of the following circumstances:</p> <ol style="list-style-type: none"> 1. Being orphan and related for consanguinity or affinity until third degree to the adoptant. 2. Being son or daughter of the couple of the adoptant. 3. Having the preadoptive guardianship for more than one year when adopting is the goal or having been under the guardianship of the adoptant during the same time. 4.^a Being of legal age or an emancipated minor. <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>c) Are there any <i>other</i> eligibility criteria which your State requires PAPs to fulfil?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify): According to article 176.3 of the Spanish Civil Code, suitability is understood as the appropriate capability, aptitude and motivation in order to behave with parental responsibility, to meet the needs of the children that will be adopted and to undertake the peculiarities, consequences and responsibilities that adoption implies. This is the general criterium that operates also in cases of children with special needs.</p> <p><input type="checkbox"/> Couples must supply evidence of infertility:</p> <p><input type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>

14.2 Suitability assessment¹⁴	
a) Which body(ies) / expert(s) perform the assessment of whether the PAPs are suitable persons to undertake an intercountry adoption?	Central Authorities assess the suitability, either directly, through their technical teams comprised of psychologists and social workers, or delegating the psychosocial reports elaboration to collaborating partner where psychologists and social workers work. Nevertheless, the authorities in charge of the suitability report are the competent Central Authorities exclusively; without the possibility of delegation of this competence.
b) Please briefly describe the procedure which is used to assess the PAPs and determine their suitability to undertake an intercountry adoption.	<p>The PAPs suitability is determined after the training phase. There are an average of four interviews to the applicants and a fifth one to give the report back to PAPs . In the first four interviews objective data will be obtained, such as their personal and familiar profile, with the elaboration of a social, economic, labour, relational and a health trigenational genogram. It will also include a home visit in order to assess the characteristics of habitability, space, location and access to social, educational and medical resources of the house and its surroundings. If there is any other person that lives with the PAPs (biological or adopted sons or daughters), they will include observations of the relationships, communication and interaction amongst them, as well as their opinions regarding the arrival of the adopted. In the different interviews they will try to explore and assess their psychological characteristics, as well as their personalities, ways of dealing with difficulties and conflicts, overcoming losses or infertility, etc.</p> <p>The interviews will also include a study and analysis of the adoptive project, the motivation, expectations, understanding of children's needs (physical, affective, emotional, educational, inclusion and links originated in the past and that can come in the future), as well as the PAPs capacities to face these needs. Besides, the assessment process is intended to be a way of fostering reflection, decision</p>

¹⁴ This suitability assessment will usually form one part of the report on the PAPs (Art. 15): as to which, see GGP No 1 (*op. cit.* note 12), Chapter 7.4.3 and Question 17 below.

	making and strengthening the adoptive project of the applicants.
14.3 Final approval	
Which body / person gives the final approval that the PAPs are eligible and suited to undertake an intercountry adoption?	The suitability report for the adoption will be formalized through the competent authority resolution in each region. (Articles 176 of the Civil Code and 5.d of Law 54/2007).

15. Preparation and counselling of PAPs (Art. 5(b))

<p>a) In your State, are courses provided to prepare PAPs for intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please specify the following:</p> <ul style="list-style-type: none"> - Whether the courses are mandatory: Yes, it is. Those who wish to adopt must attend the training and preparation sessions managed by the competent Central Authority or the collaborating entity authorised (Article 176.3 of the Civil Code), depending also on the regional legislation. - At what stage of the adoption procedure they are offered: On regular basis, before the suitability assessment. - Who provides the courses: Generally, the Central Authorities, but in some cases they are provided by private collaborating entities contracted to this end. - Whether they are provided to PAPs individually or collectively (<i>i.e.</i>, in a group): In a group. Sometimes the counseling can be individual in more advanced phases of the adoption process - Whether they are provided “in person” or electronically: In person. - How many hours the courses last: During an average of 8 to 20 hours, depending on each region, distributed in weekly sessions during a month. - The content of the courses: The training content is quite extensive. It usually includes general information about the adoptive procedures and the protective measures for minors, the reality of the countries of origin and the minors waiting to be adopted, the requests, the processing and the procedures. It also includes training about motivation, expectations, differences between biological and adoptive paternity, parental resources and abilities, educational tasks, emotional control, preparing the meeting and the arrival, family adaptation, integration, attachment and affective links, disclosure and seek of origins. - Whether there are specific courses for PAPs wishing to adopt a child with special needs: Some competent Central Authorities plan specific training and workshops for adoptions of children with
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	<p>special needs; others include this training in a general training session, and some others offer this training only when demanded by some PAPs.</p> <ul style="list-style-type: none"> - Whether the courses are (or can be) targeted at preparing PAPs for the adoption of a child from specific States of origin: Not in general, only when the accredited bodies prepare PAPs for the adoption. <p><input type="checkbox"/> No</p>
<p>b) Aside from any courses provided, what, if any, (other) counselling or preparation is provided to individual PAPs (e.g., meeting with adoptive parents, language and culture courses)? Please specify, in each case:</p> <ul style="list-style-type: none"> (i) If it is mandatory for PAPs to use the service; (ii) Who provides the service; and (iii) At what stage in the adoption procedure the service is provided. 	<p>Almost all the Central Authorities provide counseling to PAPs in every phase of the procedure (from the application until the post-adoption) and the kind of counseling depends on the specific demand from the PAPs, that can be addressed on the basis of legal, psychological, educational, medical aspects, etc. Generally, they are provided by technical staff depending on Central Authorities or contracted entities. When the adoption is processed by the accredited body, they also provide with the required counseling.</p>

PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

16. Applications	
a) To which authority / body should PAPs apply for an intercountry adoption?	The initial application is submitted to the competent Central Authority from the territory where the applicants are habitually resident.
<p>b) Please indicate which documents your State requires to be included within the PAPs' file for transmission to the State of origin:¹⁵</p> <p><i>Please tick all which apply.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> An application form for adoption completed by the PAPs <input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority <input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15) <input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents <input checked="" type="checkbox"/> Copies of the PAPs' birth certificates <input checked="" type="checkbox"/> Copies of the birth certificates of any children living with the PAPs

¹⁵ Please remember that a specific State of origin may have other / additional requirements concerning the documentation that must be submitted to it. A list of documents required by the specific State of origin can be found in the State of origin's Country Profile.

	<p><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances):</p> <p><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required):</p> <p><input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required):</p> <p><input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required):</p> <p><input checked="" type="checkbox"/> Proof of no criminal record</p> <p><input checked="" type="checkbox"/> Other(s): please explain : Census certificate in the municipality where the applicants are habitually resident, as well as a negative certification from the Central Registry of Sexual Offenders, according to article 13.5 of Law 26/2015, that modifies the protection system for infancy and adolescence.</p>
<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?¹⁶</p>	<p><input type="checkbox"/> Yes, please specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to the State of origin, for all stages of the procedure):</p> <p><input checked="" type="checkbox"/> No. Please specify who assists PAPs if no accredited body is involved in the adoption procedure: Spanish legislation determines that the adoption can be processed in two different ways:</p> <p>Directly through the competent Central Authorities in Spain or through an accredited body. Nevertheless, the same law establishes the possibility of processing only through accredited bodies when it is confirmed that in a specific State there is an evident risk in following the other procedure due to the lack of appropriate guarantees. In other cases, the countries of origin demand the processing be done through an accredited body; in this case, this is the only way of acting.</p>

¹⁶ See GGP No 1 (*op. cit.* note 12), paras 4.2.6 and 8.6.6: “independent” and “private” adoptions are not consistent with the system of safeguards established under the 1993 Adoption Convention.

<p>d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a written document provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption):</p> <p><input checked="" type="checkbox"/> A contract signed by the accredited body and the PAPs:</p> <p><input type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
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17. The report on the PAPs (Arts 5(a) and 15(1))	
<p>a) Which body(ies) / expert(s) prepare the report on the PAPs?</p> <p>Please include all those involved with the preparation of any of the documents which are included within such a report.</p>	<p>The Central Authorities have exclusive competence to issue the applicants Suitability Certificates based on the psychosocial reports. The rest of documents of the file are managed by the applicants assisted by the accredited bodies, if they are processing the adoption, consulting agencies or in person.</p>
<p>b) Is a “standard form” used for the report on the PAPs in your State?</p>	<p><input type="checkbox"/> Yes, please provide a link to the form or attach a copy:</p> <p><input checked="" type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which must be included in the report on the PAPs and / or the documentation which must be attached to it:</p>
<p>c) For how long is the report on the PAPs valid in your State?</p>	<p>The suitability and the psychosocial reports have, according to the International Law Adoption (54/2007), a three years validity maximum, as long as there are not significant modifications of the applicants' personal and family situation.</p>
<p>d) Who is responsible in your State for renewing the report on the PAPs if the period of validity expires before the intercountry adoption is completed and what is the procedure for renewal?</p>	<p>The renewal of suitability report is elaborated by the competent Central Authorities in the territory where the PAPs are habitually resident.</p>

18. Transmission of the PAPs' file to the State of origin	
a) Who sends the finalised application file of the PAPs to the State of origin?	The file is sent through the Central Authorities or the competente accredited bodies.
b) If no accredited body is involved with the intercountry adoption application (see Question 16(c) above), who assists the PAPs with compiling and transmitting their application file?	<input checked="" type="checkbox"/> Not applicable – an accredited body will always be involved (see response to Question 16(c) above).

19. Receipt of the report on the child (Art. 16(2)) and acceptance of the match (Art. 17(a) and (b))	
19.1 Receipt of the report on the child (Art. 16(2))	
Which authority / body in your State receives the report on the child from the State of origin?	The match report is received by the Central Authorities or the accredited bodies, depending on the way the adoption application is managed. The report must be previously analysed by the Central Authorities that have issued the Suitability Reports and it is given to the applicants afterwards.
19.2 Acceptance of the match	
a) Does your State require that the matching be accepted by a competent authority in your State?	<input checked="" type="checkbox"/> Yes, please provide the following details: <ul style="list-style-type: none"> - Which authority determines whether to accept the match (e.g., the Central Authority or another competent authority): Central Authorities and - The procedure which is followed (e.g., the report on the child is transmitted <u>first</u> to the competent authority to determine whether the match is accepted and only if this authority accepts the match is the report sent to the PAPs): <u>Go to Question 19.2 b)</u> <input type="checkbox"/> No. Please explain the procedure which is followed once the authority / body referred to in Question 19.1 has received the report on the child from the State of origin: <u>Go to Question 19.2 c)</u>
b) Which criteria must be fulfilled for the relevant authority in your State to accept the match?	The child match must have been made by the competent Authority; the reports must provide the information gathered in article 16, the child profile has to suit the one the PAPs have been declared suitable for and it must also count with the PAPs' compliance.

c) Does your State impose any requirements on PAPs concerning the length of time they are given to decide whether to accept a match?	<input type="checkbox"/> Yes, in addition to any requirements of the State of origin, our State has a time-limit – please specify: <input checked="" type="checkbox"/> No, the requirements of the State of origin are determinative in this regard.
d) Do PAPs receive any kind of assistance from your State when deciding whether to accept a match?	<input checked="" type="checkbox"/> Yes – please specify what type of assistance is provided (<i>e.g.</i> , counselling): Technical support is provided during the whole adoption procedure. <input type="checkbox"/> No

20. Agreement under Article 17(c)

a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	Competent Central Authorities.
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<input type="checkbox"/> Our State waits for the State of origin to provide its agreement first OR <input checked="" type="checkbox"/> Our State sends its agreement to the State of origin with a notice that the match has been accepted OR <input type="checkbox"/> Other (please specify):

21. Travel of the PAPs to the State of origin¹⁷

a) Does your State impose any travel requirements / restrictions on PAPs in addition to those imposed by the State of origin?	<input checked="" type="checkbox"/> Yes, please specify the additional requirements / restrictions: When the accredited body is in charge of processing the adoption, as determined in the fourth clause of the model contract authorised, they will have to show a proper behaviour during they stay in the country of origin, so that the image of the Spanish adoptants or the accredited body does not deteriorate, taking into account that the adoption will take place in a country of origin with different circumstances and services from the ones in our country. <input type="checkbox"/> No
b) Does your State permit an escort to be used to bring the child to the adoptive parents in your State in any circumstances?	<input checked="" type="checkbox"/> Yes, please specify in which circumstances: Depending on the family circumstances, the PAPs may be escorted by a person they trust. <input type="checkbox"/> No

22. Authorisation for the child to enter and reside permanently (Arts 5(c) and 18)

¹⁷ See GGP No 1 (*op. cit.* note 12), Chapter 7.4.10.

<p>a) Please specify the procedure to obtain authorisation for the child to enter and reside permanently in your State.</p>	<p>When the adoption request file is initially sent, the applicants ask the competent Government body (Delegaciones del Gobierno) to issue a document in the name of the applicants which contains the requirements for entry into Spain of a minor adopted according to Spanish legislation.</p>
<p>b) Which documents are necessary for a child to be able to enter and reside permanently in your State (<i>e.g.</i>, passport, visa)?</p>	<p>Once the adoption is constituted, the adoptive parents go to the Consulate of Spain in the country of origin where they can request the registration of the child's birth and the marginal adoption. Then the child can be documented with a passport or, where appropriate, with a pass to travel to Spain. However, if the child cannot leave the country of origin with a Spanish passport, and they must do it with a passport from their country of origin, a visa may be issued.</p> <p>Thus, if the adoption is full, a "family reunification visa in a community regime" will be processed since it can be understood that the minor is a descendant of Spanish or a community citizen.</p> <p>In the event that the adoption is not full, a temporary residence authorization must then be processed for family reunification, family reunification and "residence visa".</p>
<p>c) Which of the documents listed in response to Question 22(b) above must be issued by your State? Please indicate which public / competent authority is responsible for issuing each document.</p>	<p>- Residence authorization by the competent body (Delgación del Gobierno/ Government Delegation).</p> <p>- Passport or pass in special cases.</p>
<p>d) Once the child has arrived in your State, what is the procedure, if any, to notify the Central Authority or accredited body of his / her arrival?</p>	<p>When the adoption is not processed through accredited body, the adoptive family must communicate their arrival in Spain with the adopted child. If it has been processed through an accredited body, the latter communicates to the competent Central Authority.</p>

23. Final adoption decision and the Article 23 certificate

<p>a) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the final adoption decision; and</p>	<p>(i) The competent court of the Autonomous Community in which the minor resides. If there is a preadoptive guardianship, full adoption shall be constituted later.</p>
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<p>(ii) Issues the certificate under Article 23?</p> <p>N.B. According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Convention. The designation (or any modification to a designation) should be notified to the depositary of the Convention.</p> <p>The answer to (ii) above should therefore be available on the Status Table for the 1993 Adoption Convention (under “Authorities”), available on the Adoption Section of the HCCH website.</p>	<p>(ii) The certificate is issued by the Public Entity of the Autonomous Community in which the adoptive family permanently reside.</p>
<p>b) Does your State use the “Recommended model form – Certificate of conformity of intercountry adoption”?</p> <p>See GGP No 1 – Annex 7.</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>c) Please briefly describe the procedure for issuing the Article 23 certificate.</p> <p>E.g., how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the State of origin?</p>	<p>The procedure is the competence of the Public Entities of the Autonomous Communities.</p>
<p>d) In cases in which the Article 23 certificate is issued in the State of origin, which authority or body in your State should receive a copy of this certificate?</p>	<p>In the case that the certificate is issued by the country of origin, the Public Entity of the Autonomous Community in which the adoptive family permanently reside will receive a copy.</p>

PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

24. Procedure for the intercountry adoption of a child who is a relative of the PAPs (“intra-family intercountry adoption”)	
<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an “intra-family intercountry adoption” in your State.</p> <p>Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a “relative” of those PAPs.</p>	<p>In Spain there is a broad family concept that includes different types of family units. Regarding the consideration of family members, the kinship bond established by consanguinity or affinity must be understood.</p>
<p>b) Does your State apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions?</p> <p>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993</p>	<p><input type="checkbox"/> Yes – go to Question 25</p> <p><input checked="" type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: The procedure of the Convention is applied. In some Central Authorities the</p>

<p><i>Adoption Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</i></p>	<p>file management time is shorter when the PAPs are exempted from the preparation phase prior to the assessment of suitability. In any case, the applicants must be submitted to the valuation and suitability statement for adoption. <u>Go to Question 25</u></p> <p><input type="checkbox"/> No – <u>go to Question 24 c)</u></p>
<p>c) If your State does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p> <p>(i) The counselling and preparations which PAPs must undergo in your State;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i) Families receive adoption preparation consisting of a course of 16 or 20 hours depending on the characteristics of the minor (special needs or age over 5 years).</p> <p>(ii) See answers 24 a and b.</p> <p>(iii) See answers 24 a and b.</p> <p>(iv) See answers 24 a and b.</p>

PART VIII: SIMPLE AND FULL ADOPTION¹⁸

25. Simple and full adoption	
<p>a) Is “full” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 18 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is “simple” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 18 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only (<i>e.g.</i>, for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) Does the law in your State permit “simple” adoptions to be converted into “full” adoptions in accordance with Article 27 of the 1993 Adoption Convention?</p> <p><i>See Art. 27(1)(a).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken and please specify whether this is done on a regular basis when a State of origin grants a “simple” adoption or only in specific cases: In accordance with Law 54/2007 on International Adoption, in its article 30.4, the simple or not full adoption constituted by a competent foreign authority may be converted into the adoption regulated by Spanish law when</p>

¹⁸ According to the 1993 Adoption Convention, a **simple** adoption is one in which the legal parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his / her adoptive parents is established. A **full** adoption is one in which the pre-existing legal parent-child relationship is terminated. See further Arts 26 and 27 and GGP No 1 (*op. cit.* note 12), Chapter 8.8.8.

	<p>the requirements established for it are met, through a file of voluntary jurisdiction. The conversion shall be governed by the law determined in accordance with the law of its constitution.</p> <p>In any case, for the conversion of a simple or not full adoption into a full adoption, the competent Judge must examine the concurrence of the following points:</p> <ul style="list-style-type: none"> a) That the persons, institutions and authorities whose consent is required for adoption have been properly advised and informed about the consequences of their consent, on the effects of the adoption and, in particular, on the extinction of legal ties between the minor and his family of origin. b) That such persons have freely expressed their consent, in the manner provided by law and that this consent has been given in writing. c) That the consents have not been obtained through payment or compensation of any kind and that such consents have not been revoked. d) That the consent of the mother, when required, has been given after the birth of the child. e) That taking into account the child's age and maturity level, he has been properly advised and informed about the effects of the adoption and, when required, of his consent to it. f) That taking into account the child's age and maturity level, the child has been heard. g) That when the consent of the minor is to be obtained in the adoption, it is examined that he or she expressed it freely, in the manner and with the formalities provided by law, and without any price or compensation of any kind. <p><input type="checkbox"/> No – go to Question 26</p>
<p>d) If conversion of a “simple” adoption into a “full” adoption is sought in your State following an intercountry adoption, how does your State ensure that the consents referred to in Article 4(c) and (d) of the 1993 Adoption Convention have been given in the State of origin to a “full” adoption (as required by Art. 27(1)(b))?</p>	<p>See previous answer.</p>

<i>See Art. 27(1)(b) and Art. 4(c) and (d).</i>	
e) Following a conversion in your State, please explain which authority is responsible for issuing the Article 23 certificate in relation to the conversion decision. Please also explain the procedure which is followed.	<input type="checkbox"/> The competent authority and the procedure is the same as stated in response to Question 23 above. <input checked="" type="checkbox"/> Other (please specify): The competent Judge, as detailed in the answer to section c) above.

PART IX: POST-ADOPTION MATTERS

26. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child	
a) Which authority in your State is responsible for preserving information concerning the child's origins, as required by Article 30?	According to the Spanish legislation, the competent Central Authorities will ensure the preservation of the information related to the child's origins. The accredited bodies have to inform the competent Central Authorities about the data related to the child's origins at their disposal, according to article 12 of Law 54/2007 on Intercountry Adoption.
b) For how long is the information concerning the child's origins preserved?	<p>In accordance with article 12 of Law 54/2007 and article 180, points 5 and 6 of the Civil Code, Public Entities will ensure the preservation of the information they have regarding the child's origins, in particular the information regarding the identity of their parents, as well as the medical history of the child and his/her family, and will be kept for at least fifty years after the time the adoption has been finalized. Conservation will be carried out for the sole purpose that the adopted person may exercise the right referred to in the following section.</p> <p>The adopted persons, reached the age of majority or during their minority through their legal representatives, will have the right to know the data on their biological origins. The Public Entities, prior notification to the affected persons, will provide through their specialized services the advice and help they need to enforce this right.</p>
c) Does your State permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child: (i) the adoptee and / or his / her representative(s);	(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: Adoptees, upon reaching 18 years or during their minority, if they are represented by their parents, have the right to know the information on their origins held by the Public Entities for minors' protection (the competent Central Authorities), no matter the limitations that

<p>(ii) the adoptive parent(s); (iii) the birth family; and / or (iv) any other person(s)?</p> <p>If so, are there any criteria which must be met for access to be granted (<i>e.g.</i>, age of the adopted child, consent of the birth family to the release of information concerning the child's origins, consent of the adoptive parents to the release of information concerning the adoption)?</p> <p><i>See Art. 9(a) and (c) and Art. 30.</i></p>	<p>could derive from the legislation of the minors' countries of origin, in accordance with the aforementioned article 180, point 6 of the Civil Code.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input type="checkbox"/> Yes – please explain any criteria: <input checked="" type="checkbox"/> No</p> <p>(iii) <input type="checkbox"/> Yes – please explain any criteria: <input checked="" type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria: <input checked="" type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input type="checkbox"/> Yes – please specify: According to the Spanish legislation for the exercise of this right, advisory, help and mediation services will be provided through specialized services of the regional Central Authorities and organizations authorized for this purpose that offer legal, psychological and social advice and intermediation and support.</p> <p><input type="checkbox"/> No</p>
<p>e) Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (<i>e.g.</i>, regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input type="checkbox"/> Yes – please specify: The same professional workers specified in the previous answer.</p> <p><input type="checkbox"/> No</p>

27. Post-adoption reports

<p>a) Absent specific requirements of the State of origin in this regard, who is responsible in your State for <i>writing</i> post-adoption reports and <i>sending</i> such reports to the State of origin?</p>	<p>The competent Central Authorities acquire the commitment before the competent authorities from the country of origin and the commitment of post-adoptive monitoring, when the country of origin demands it. The reports are elaborated by professional workers from the Central Authorities or they delegate to accredited bodies.</p>
<p>b) Absent any specific requirements of the State of origin in this regard, is there a</p>	<p><input type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it</p>

model form which is used by your State for post-adoption reports?	<p>may be accessed (<i>e.g.</i>, provide a link or attach a copy):</p> <p><input checked="" type="checkbox"/> No – in which case, please specify the content expected by <i>your</i> State in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling): The basic content the post-adoptive monitoring report must include as one of the obligations the accredited bodies have, is based in article 13 of the Intercountry Adoption Regulation that establishes: "The accredited body must elaborate post-adoptive monitoring reports about the minor and his/her adaptation to the new family, with the periodicity that the country of origin establishes".</p>
c) How does your State ensure that the requirements of the State of origin in relation to post-adoption reporting are fulfilled?	Both article 11.2 in Law 57/2007, on Intercountry Adoption, and the model contract authorised to operate between the accredited body and the PAPs, include the commitment to elaborate monitoring reports.

28. Post-adoption services and support (Art. 9(c))	
<p>Apart from the matters raised in Question 26 above, what, if any, post-adoption services and support is / are provided by your State to the child and / or PAPs following completion of an intercountry adoption (<i>e.g.</i>, counselling, support to preserve cultural links)?</p> <p>In particular, please state whether any specific post-adoption services or support are provided in your State in the case of special needs children.</p>	<p>The post-adoptive services are aimed at adoptive families and adopted persons. They provide counseling, guidance, assessment and therapeutic intervention when needed, as well as referral to other services. They also provide support, counseling and intermediation for seeking origins. Some post-adoptive services organize training workshops for parents and counseling for other professional workers.</p> <p>This services are mainly external staff hired by the Public Administration to this end. The parents' or adopted children's consultations are directly treated by professional workers from the competent Central Authorities, in some cases, or may be derived to other professional workers, or to the health care system, depending on the case and the available resources.</p> <p>In cases of children with special needs, they are derived to more specialised services.</p>

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION¹⁹

¹⁹ See the tools developed by the "Experts' Group on the Financial Aspects of Intercountry Adoption", available on the [Adoption Section](#) of the HCCH website: *i.e.*, the *Terminology adopted by the Experts' Group on the financial aspects of intercountry adoption* ("Terminology"), the *Note on the financial aspects of intercountry adoption* ("Note"), the *Summary list of good practices on the financial aspects of intercountry adoption* and the *Tables on the costs associated with intercountry adoption*.

Receiving States are also kindly requested to complete the “Tables on the costs associated with intercountry adoption”, available on the [Adoption Section](#) of the HCCH website.

29. The costs ²⁰ of intercountry adoption	
a) Are the costs of intercountry adoption regulated by law in your State?	<input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (e.g., link to a website or attach a copy). Please also briefly explain the legal framework: The costs of intercountry adoption will be approved by the regional Central Authorities, in accordance with its autonomous regulation. <input type="checkbox"/> No
b) Does your State monitor the payment of the costs of intercountry adoption?	<input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: The regional Central Authorities monitor the payment of the costs of intercountry adoption and the Technical Commission for Monitoring and Control, attached to the Sectoral Committee, has the function of coordinating the actions of accredited bodies. <input type="checkbox"/> No
c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 16 (c) above) or directly by the PAPs themselves? <i>See the “Note on the financial aspects of intercountry adoption” at para. 86.</i>	<input checked="" type="checkbox"/> Through the accredited body: In accordance with the ninth clause of the model contract between the accredited body and the prospective adoptive parents, approved by the Delegated Committee, the costs of intercountry adoption are paid through the accredited body. <input type="checkbox"/> Directly by the PAPs: <input type="checkbox"/> Other (please explain):
d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer? <i>See the “Note on the financial aspects of intercountry adoption” at para. 85.</i>	<input checked="" type="checkbox"/> Only by bank transfer: <input type="checkbox"/> In cash: <input type="checkbox"/> Other (please explain):
e) Which body / authority in your State receives the payments?	The accredited body which prospective adoptive parents sign the contract with, counting on the further monitoring by regional Central Authorities and Sectoral Commission for Monitoring and control.
f) Does your State provide PAPs (and other interested persons) with information about the costs of	<input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: Table on the costs associated with intercountry adoption are included (described in detail) as an

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See the definition of “costs” provided in the harmonised Terminology, *ibid.*

<p>intercountry adoption (e.g., in a brochure or on a website)?</p> <p><i>N.B. Please also ensure that your State has completed the “Tables on the costs associated with intercountry adoption” (see above).</i></p>	<p>attachment to the contract to be concluded between prospective adoptive parents and an accredited body.</p> <p>Table on the costs associated with intercountry adoption will also be included (described in detail) in the National Public Register of accredited bodies (currently under development).</p> <p>Accredited bodies must also publish table on the costs on their website.</p> <p><input type="checkbox"/> No</p>
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30. Contributions, co-operation projects and donations²¹

<p>a) Does your State permit contributions²² to be paid (either through your State’s Central Authority or a national accredited body) to a State of origin in order to engage in intercountry adoption with that State?</p> <p><i>For good practices relating to contributions, see the “Note on the financial aspects of intercountry adoption” at Chapter 6.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> - What type of contribution is permitted by your State: - 1. So called "official fees" : contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. - 2. Contributions demanded by the accredited bodies for particular children's institutions (for maintenance costs of the child in an orphanage, for example). - Who is permitted to pay it (i.e., the Central Authority or a national accredited body): All these types of contributions are included in the attachment to the contract to be concluded between prospective adoptive parents and an accredited body. The accredited body is allowed to pay them. - How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: This type of payment
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²¹ See the definitions of these terms provided in the harmonised Terminology. In addition, on contributions and donations, see Chapter 6 of the Note (*op. cit.* note 19).

²² See further the harmonised Terminology, *supra*, note 19, which states that there are two types of contributions: (1) contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. The amount is set by the State of origin. These contributions are managed by the authorities or others appropriately authorised in the State of origin which decide how the funds will be used; (2) contributions demanded by the accredited body from PAPs. These contributions may be for particular children’s institutions (e.g., for maintenance costs for the child) or for the co-operation projects of the accredited body in the State of origin. The co-operation projects may be a condition of the authorisation of that body to work in the State of origin. The amount is set by the accredited body or its partners. The payment may not be a statutory obligation and accredited bodies may present the demand in terms of “highly recommended contribution”, but in practice it is “mandatory” for the PAPs in the sense that their application will not proceed if the payment is not made.

	<p>does have no influence on the adoption process.</p> <p><input type="checkbox"/> No</p>
<p>b) Does your State undertake (either through the Central Authority or national accredited bodies) co-operation projects in any States of origin?</p>	<p><input checked="" type="checkbox"/> Yes - please explain:</p> <ul style="list-style-type: none"> - What type of co-operation projects are permitted by your State: In the field of adoption, any cooperation project for the development of children's rights and child welfare. - Who undertakes such projects (<i>i.e.</i>, the Central Authority and / or national accredited bodies): Accredited bodies. - Whether such projects are mandatory according to the law of your State: No. - Whether such projects are monitored by an authority / body in your State: Yes. - How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: The autonomous communities have supervisory and audit competence over the accredited bodies. Likewise, the Government agency in international cooperation matters ensures the correct execution of the projects. <p><input type="checkbox"/> No</p>
<p>c) If permitted in the State of origin, does your State permit PAPs or accredited bodies to make donations to orphanages, institutions or birth families in the State of origin?</p> <p><i>N.B. This is <u>not</u> recommended as a good practice: see further the "Note on the financial aspects of intercountry adoption" at Chapter 6 (in particular, Chapter 6.4).</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> - To whom donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): - What donations are intended to be used for: - Who is permitted to pay donations (<i>e.g.</i>, only accredited bodies or also PAPs): - At what stage of the intercountry adoption procedure donations are permitted to be paid: - How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption procedure: <p><input checked="" type="checkbox"/> No</p>

31. Improper financial or other gain (Arts 8 and 32)

a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	<p>The public entities that have accredited intermediation bodies shall exercise the functions of monitoring and control with regard to the general functioning of the accredited body in the territory of the Autonomous Community, as well as those relating to the activity carried out in the country of origin. For the development of the latter, they shall coordinate with the Ministry, which shall forward requests for collaboration from public entities to the Ministry of Foreign Affairs.</p> <p>- The monitoring and control of the accredited body that has carried out the processing of an adoption file shall correspond to the public entities that have processed (or are processing) the file of the persons who offer to adopt.</p>
b) What measures have been taken in your State to prevent improper financial or other gain?	<p>Control, in any case, is carried out by the autonomous communities.</p> <p>The new international adoption regulation provides the creation of a technical commission to coordinate the monitoring and control activities of the accredited bodies, carried out by the public entities.</p>
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	It would be considered the possible withdrawal of the accreditation of the accredited body by the public entity.

PART XI: ILLICIT PRACTICES²³

32. Response to illicit practices in general	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. ²⁴	Central Authority of each public entity reports the cases to Public Prosecutor and also to the embassy/consulate of the child's country of origin.
33. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your intercountry adoption programmes.	-Law 54/2007 of International Adoption, in accordance with the Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption.

²³ "Illicit practices" in this Country Profile refers to "situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child's origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)" (from p. 1 of the *Discussion Paper: Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases*, available on the [Adoption Section](http://www.hcch.net) of the HCCH website < www.hcch.net >).

²⁴ *Ibid.*

Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).	-Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, of 25-5-2000 (ratified by Spain 5-12-2001). -Law 10/1995, of Penal Code.
b) Please explain how your State monitors respect for the above laws.	In the event that the State Administration knows about such cases, will report to Prosecuting Attorney and also to the Ministry of Foreign Affairs.
c) If these laws are breached, what sanctions may be applied? (e.g., imprisonment, fine, withdrawal of accreditation.)	The corresponding penalties will be applied at the criminal level, in accordance with the crimes committed.

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

PART XII: INTERNATIONAL MOBILITY

35. The scope of the 1993 Adoption Convention (Art. 2)	
<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: Indian PAPs are habitually resident in the USA and wish to adopt a child habitually resident in India.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State²⁵ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: It would be considered as an intercountry adoption.</p> <p><input type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child also habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Indian PAPs are habitually resident in the USA and wish to adopt a child also habitually resident in the USA.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State²⁶ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: It would be considered a domestic adoption.</p> <p><input type="checkbox"/> No</p>

²⁵ According to the 1993 Adoption Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAPs and the child. The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1 (*op. cit.* note 12), Chapter 8.4.

²⁶ According to the 1993 Adoption Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1 (*op. cit.* note 12), Chapter 8.4.

<p>c) If a State of origin treats an adoption by PAPs habitually resident in your State as a <i>domestic</i> adoption when, in fact, it should be processed as an intercountry adoption under the 1993 Adoption Convention, how does your State deal with this situation?</p> <p><i>Example: PAPs who are nationals of State X habitually reside in your State. They wish to adopt a child from State X. Due to their nationality, the PAPs are able to adopt a child in State X in a domestic adoption procedure (in breach of the Convention). They then seek to bring the child back to your State.</i></p>	<p>It would be considered as an intercountry adoption. Habitual residence in Spain shall in all events be taken into account when an application to adopt is filled.</p> <p>It usually contacts the State of origin to clarify the correct procedure and prevent that such cases do not repeat in the future.</p> <p>In any case, concrete circumstances are studied, trying to take the final decision in the best interest of the child.</p>
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PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION²⁷

36. Selection of partners	
<p>a) With which States of origin does your State currently partner on intercountry adoption?</p>	<p>Albania, Bolivia, Brazil, Bulgaria, Burkina Faso, Chile, Ivory Coast, Costa Rica, Ecuador, El Salvador, Philippines, Honduras, Hungary, India, Kazakhstan, Lithuania, Madagascar, Mexico, Panama, Peru, Poland, Portugal, Czech Republic, Dominican Republic, Romania, Senegal, Serbia, Thailand, Tunisia, Venezuela, Colombia, Republic of Moldova, Vietnam.</p>
<p>b) How does your State determine with which States of origin it will partner?</p> <p>In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p> <p><i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the Status Table for the Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i></p>	<p>To determining the initiation of adoptions files, after consulting public entities, the national government shall gather information on the accredited bodies. It may also gather information on any third countries that have initiated, suspended or halted the adoptions with any country of origin, and also with the Permanent Bureau of the Hague Conference on Private International Law.</p> <p>Applications to adopt children that are nationals of, or habitually resident in, another country shall not be processed in the following circumstances:</p> <p>a) Where the country in which the child to be adopted is habitually resident is in armed conflict or undergoing a natural disaster.</p> <p>b) If there is no specific authority in the country to oversee and guarantee the adoption and to send the Spanish authorities a matching proposal with information on the child's adoptability .</p> <p>c) Where the country does not have adequate guarantees for adoption and its practices and</p>

²⁷ In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2 (*op. cit.* note 3), Chapter 3.5.

	formalities do not respect the child's interests or do not comply with the international ethical and legal principles.
c) If your State also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the 1993 Adoption Convention are complied with in these cases. ²⁸	<p>Our country acts in accordance with the principles of the 1993 Adoption Convention and our legislation on international adoption includes these principles, establishing the circumstances in which a country will not be able to process international adoptions, conditioning the opening of the country, or its closure, in the case of a country that is already processing international adoptions.</p> <p><input type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p>
d) Are any formalities required in order to commence intercountry adoptions with a particular State of origin (e.g., the conclusion of a formal agreement ²⁹ with that State of origin)?	<p><input checked="" type="checkbox"/> Yes – please explain the content of any agreements or other formalities:³⁰ In accordance with Intercountry Adoption regulation, the procedure is as follows:</p> <ol style="list-style-type: none"> 1. The national government, together with the Public Entities, shall determine the initiation of procedures for adoptions with each country of origin of the children, and for suspending or halting them. The Directorate General competent on the rights of children and adolescents shall request a report from Ministry of Foreign Affairs. The report, that must be issued in a month, must include the following information: <ol style="list-style-type: none"> a) Country of origin legislation on intercountry adoption. b) Ensure that there is a specific authority in the country of origin to oversee and guarantee the adoption and to send the Spanish authorities a matching proposal with information on the child's adoptability, and if so, identification of it, as well as a detailed description of its involvement in the intercountry adoption procedure. c) Assessment of existence in the country of origin of adequate guarantees for adoption and its practices and formalities respect the child's interests and comply with the international ethical and legal principles of

²⁸ See GGP No 1 (*op. cit.* note 12), Chapter 10.3 regarding the fact that "[i]t is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions".

²⁹ See note 2 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Adoption Convention.

³⁰ *Ibid.*

	<p>the Convention on the Rights of the Child of 20 November 1989, the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Inter-country Adoption, the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children, the Council of Europe Convention on the Adoption of Children done at Strasbourg on 27 November 2008, and Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.</p> <p>d) Number of intercountry adoptions granted by that country in the last three years and main receiving countries.</p> <p>e) Profile of adoptable minors.</p> <p>f) Main foreign diplomatic representations report of their experience in the processing of international adoptions, and about the guarantees of the procedures.</p> <p>2. In addition, the Directorate General competent on rights of children and adolescents shall gather information on the accredited bodies about that country and any third countries that have initiated, suspended or halted the processing of adoptions with that country, also with the Permanent Bureau of the Hague Conference on Private International Law and , with any national or international body, whether public or private, and associations of adoptive families in the country, if appropriate.</p> <p>3. The national government, together with the Public Entities, shall determine the number of intercountry adoption applications to be submitted each year to each country of origin of the children, taking account of the average number of adoptions granted over the last two years and the number of applications pending the matching of a child. In the event that such processing is initiated with a new country, this number shall be set according to the information available on the prospects for adoptions with that country.</p>
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	<p>Spanish Government has formal agreements with Bolivia, Venezuela and Russian Federation .</p> <p><input type="checkbox"/> No</p>
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