

## COUNTRY PROFILE

### 1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION<sup>1</sup>

#### STATE OF ORIGIN

**COUNTRY NAME:** REPUBLIC OF CROATIA

**PROFILE UPDATED ON:** 20 APRIL 2018

#### PART I: CENTRAL AUTHORITY

1. Contact details <sup>2</sup>	
Name of office:	Ministry for Demography, Family, Youth and Social Policy
Acronyms used:	MDOMSP/MDFYSP
Address:	Tgr Nevenke Topalušć 1, 10 000 ZAGREB
Telephone:	+385 1 555 7111
Fax:	+385 1 555 7222
E-mail:	ministarstvo@mdomsp.hr
Website:	www.mdomsp.hr
Contact person(s) and direct contact details (please indicate language(s) of communication):	<p>Ms Jasna Palić Babić, tel: +385 1 555 7125            jasna.palic.babic@mdomsp.hr (English language)</p> <p>Ms Martina Tutić, tel: +385 1 555 7348            martina.tutic@mdomsp.hr (English language)</p> <p>Ms Margareta Pleško, tel: +385 1 555 7067            margareta.plesko@mdomsp.hr (English language)</p>
<p><i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i></p>	

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

<sup>2</sup> Please verify whether the contact details on the Hague Conference website < [www.hcch.net](http://www.hcch.net) > under “Intercountry Adoption Section” then “Central Authorities” are up to date. If not, please e-mail the updated contact information to < [secretariat@hcch.net](mailto:secretariat@hcch.net) >.



## PART II: RELEVANT LEGISLATION

<b>2. The 1993 Hague Intercountry Adoption Convention and domestic legislation</b>	
<p>a) When did the 1993 Hague Intercountry Adoption Convention enter into force in your State?</p> <p><i>This information is available on the <a href="#">Status Table</a> for the 1993 Hague Intercountry Adoption Convention (accessible via the <a href="#">Intercountry Adoption Section</a> of the Hague Conference website &lt; <a href="http://www.hcch.net">www.hcch.net</a> &gt;).</i></p>	<p>1 April 2014</p>
<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>Family Act (Official Gazette No. 103/15) - entry into force 1 November 2015</p> <p>Act on Conflict of Laws in Certain Relationships with the Other States (Official Gazette No. 53/91, 88/01) - entry into force 8 October 1991</p> <p>Act on Ratification of the Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoption (Official Gazette - International Contracts No. 5/13 and 13/13), entry into force 1 April 2014</p> <p>Rulebook on Elements Relating to Eligibility and Suitability for Adoption, the Content of Expert Opinion About the Eligibility and Suitability for Adoption, the Methods of Determining the Eligibility and Suitability for Adoption, the Content of the Report on the Child, Keeping the Register on the Prospective Adoptive Parents and the Method of Keeping the Register of Adoptions (Official Gazette No. 106/2014), entry into force 2 September 2014)</p>

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

## PART III: THE ROLE OF AUTHORITIES AND BODIES

<sup>3</sup> 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).

<b>4. Central Authority(ies)</b>	
<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>In accordance with Article 6 of the Convention the Ministry for Demography, Family, Youth and Social Policy(hereinafter: Ministry) is designated to discharge the duties which are imposed by the Convention upon central authorities and performs functions under Article 7 of the Convention. Also, Ministry receives the intercountry adoption applications, sends a report on the child, receives report on prospective adoptive parents and other documents, gives an approval that the adoption may proceed in accordance with Article 17 c), issues a certificate from Article 23 that the adoption has been made in accordance with the Convention and takes other appropriate measures with regard to Convention.</p>

<b>5. Public and competent authorities</b>	
<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 adoption procedure is carried out by the team of experts from the centre for social welfare. In this procedure the centre for social welfare carries out functions set out in the Article 4, 5 and 30 of the Convention. Adoption may take place if it is in the best interest of the child. In the procedure of adoption the characteristics of the adoptive parent are estimated in comparison to the well-being of the child. Centres for Social Welfare also perform functions set out in the Article 9 of the Convention, in cooperation with Central Authority. According to Croatian laws, there are no other authorities beside the Centres for Social Welfare and no other bodies in charge to perform the functions determined in the Convention.</p>

<b>6. National accredited bodies<sup>4</sup></b>	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p><b>N.B.</b> the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the Hague Conference (see Art. 13).<sup>5</sup></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <b><u>go to Question 7</u></b></p>
<p>b) Please indicate the number of national accredited bodies in your State,</p>	

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

<sup>5</sup> See GGP No 2, *ibid.*, Chapter 3.2.1 (para. 111).

including whether this number is limited and, if so, on what basis. <sup>6</sup>	
c) Please briefly describe the role of national accredited bodies in your State.	
<b>6.1 The accreditation procedure (Arts 10-11)</b>	
a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?	
b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i> .	
c) For how long is accreditation granted in your State?	
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> .	
<b>6.2 Monitoring of national accredited bodies<sup>7</sup></b>	
a) Which authority is competent to monitor / supervise national accredited bodies in your State?  <i>See Art. 11 c).</i>	

<sup>6</sup> See GGP No 2, *supra*, note 4, Chapter 3.4.

<sup>7</sup> See GGP No 2, *supra*, note 4, Chapter 7.4.

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

<b>7. Authorised foreign accredited bodies<sup>8</sup> (Art. 12)</b>	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State?  <i><b>N.B.</b> the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the Hague Conference.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – <b><u>go to Question 8</u></b>
b) Please indicate the number of foreign accredited bodies authorised to work with, or in, your State. If this number is limited in any way, please indicate on what basis your State limits the number. <sup>9</sup>	4 accredited bodies
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	The authorized foreign accredited bodies can send the requests for intercountry adoption of a child from the Republic Croatia and required documentation to the Central Authority of the Republic of Croatia and cooperate with the Republic of Croatia in the individual intercountry adoption cases.
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State?  <i>Please tick any which apply.</i>	<input type="checkbox"/> Yes: <input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): <b>OR</b> <input type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: <b>OR</b> <input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in your State: <b>OR</b>

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

<sup>9</sup> See GGP No 2, *supra*, note 4, Chapter 4.4 on "limiting the number of accredited bodies authorised to act in States of origin".

	<p><input checked="" type="checkbox"/> Other (please specify): The foreign accredited body must be in direct contact only with the Central Authority and can not have an office or a representative in the Republic of Croatia</p> <p><input type="checkbox"/> No</p>
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<b>7.1 The authorisation procedure</b>	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	Central Authority
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . <sup>10</sup> If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	The Decision on determining the criteria for establishing cooperation with accredited bodies of other Contracting States of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague, 1993) defines the authorization criteria and procedure for granting the authorisation.
c) For how long is authorisation granted?	
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	The procedure is the same as the procedure for authorisation. All criteria have to be meet by accredited bodie in order to renewed the authorisation.
<b>7.2 Monitoring of authorised foreign accredited bodies</b>	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? <sup>11</sup>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – <b><u>go to Question 8</u></b>
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	Central Authority
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State ( <i>e.g.</i> , if inspections are undertaken, how frequently).	Central Authority monitors the cooperation in specific intercountry adoption casese of children from the Republic of Croatia and compliance with the Convention and Croatia's national regulations
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked ( <i>i.e.</i> , withdrawn).	Centra Authority may revoke accredited body's authorisation if the body does not observe the requirements of the Convention, Croatia's national regulations, and if other irregularities or shortcomings of the accredited body's operation are established, and in other justifiable circumstances
e) If authorised foreign accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input checked="" type="checkbox"/> Yes, please specify possible sanctions ( <i>e.g.</i> , fine, withdrawal of authorisation): Withdrawal of the authorisation <input type="checkbox"/> No

<b>8. Approved (non-accredited) persons (Art. 22(2))<sup>12</sup></b>	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State?  <i>N.B.</i> see Art. 22(2) and check whether your State has made a declaration according to	<input type="checkbox"/> Yes, our State has made a declaration according to Article 22(2). Please specify the role of these approved (non-accredited) persons in your State:  <input checked="" type="checkbox"/> No

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

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

<sup>12</sup> See GGP No 2, *supra*, note 4, Chapter 13.



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

## PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
<p>Please briefly describe the general profile of the children usually in need of intercountry adoption in your State (e.g., age, sex, state of health).</p>	<p>There are only few (2-5) cases of intercountry adoption in Republic of Croatia per year. However, the practice has shown that the children in intercountry adoption are older children and children in need of special care.</p>

10. The adoptability of a child (Art. 4 a))	
<p>a) Which authority is responsible for establishing that a child is adoptable?</p>	<p>The competent Centre for Social Welfare of the habitual residence or residence of the child</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>Following criteria are applied to determine whether the child is adoptable: age of the child, child is without parental care, necessary consents for adoption are provided and not withdrawn, adoption would be in the best interest of the child, etc.</p>
<p>c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (e.g., search for the child's birth family).</p> <p><b>N.B.</b> the issue of consent is dealt with at Question 12 below.</p>	<p>The Centre for Social Welfare within the procedure of adoption examines the following requirements: that the child is without parental care; that the parents and legal representatives gave the consent to adoption; that the parents are deprived of the right to parental care by valid and final court decision; that the parents are deprived of legal capability; there is no possibility that the child will be raised in his/her family. These requirements are evidenced by the appropriate documents (eg. birth certificate, court decision, written consent, etc).</p>

<sup>13</sup> See GGP No 2, *supra*, note 4, Chapter 13.2.2.5.

<b>11. The best interests of the child and subsidiarity (Art. 4 b))</b>	
a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (e.g., through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).	In every adoption procedure, the adoption may take place if it is in the best interest of the child. Team of experts (a social worker, a psychologist and a lawyer) from the centre for social welfare estimates the characteristics of the adoptive parent in relation to the well-being of the child. In each case the decision is reached on the basis of the expertise which is governed by the best interest of the child and in accordance with the Family Act. If the prospective adoptive parent is a foreigner, the adoption may take place only if the prior approval of the ministry competent for social welfare is provided. As a rule, intercountry adoption will be considered if there are no suitable adoptive parents in Croatia.
b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?	Centre for Social Welfare and Central Authority.
c) Please briefly explain how that decision is reached (e.g., whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.	See answer under a)

<b>12. Counselling and consents (Art. 4 c) and d))</b>	
a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios – where: <ul style="list-style-type: none"> <li>(i) Both parents are known;</li> <li>(ii) One parent is unknown or deceased;</li> <li>(iii) Both parents are unknown or deceased;</li> <li>(iv) One or both parents have been deprived of his / her / their parental responsibilities (i.e., the rights and responsibilities which attach to being a parent).</li> </ul> <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.</p>	<ul style="list-style-type: none"> <li>(i) The consent of both parents and a child older than 12 years if he or she can understand the meaning of the adoption is required. In each case, the parent who has not yet reached the age of majority gives consent for adoption if he or she can understand the meaning of the adoption. The consent of a parent deprived of his/her parental rights is not required (child's guardian has to consent to the adoption of a child).</li> <li>(ii) The consent of the other parent and a child older than 12 years if he or she can understand the meaning of the adoption is required. See answer i).</li> <li>(iii) The consent of the child's guardian and a child older than 12 years if he or she can understand the meaning of the adoption is required.</li> <li>(iv) The consent of the child's guardian and a child older than 12 years if he or she can understand the meaning of adoption is required.</li> </ul>
b) Please describe the procedure for: <ul style="list-style-type: none"> <li>(i) counselling and informing the birth parents / family regarding the</li> </ul>	<ul style="list-style-type: none"> <li>(i) In the adoption procedure the centre for social welfare will counsel the child's parents, the adoptive parents and a child which</li> </ul>

<p>consequences of a domestic / intercountry adoption; and</p> <p>(ii) obtaining their consent(s) to an adoption.<sup>14</sup></p>	<p>is older than twelve years about the legal effects of adoption. The Centre draws minutes on performed counselling. Adoption leads to the establishment of an indivisible relationship of kinship and all rights and duties that derive from this between the adoptive parent and his relatives on one side and the adopted child and her/his descendants on the other side. In the same time, with the adoption the reciprocal rights and duties between the adopted child and her/his blood relatives cease. However, if child is adopted by the stepmother or by the stepfather, the rights and duties between the adopted child and the parent married to the adoptive parent do not cease, nor with the blood relatives of that parent.</p> <p>(ii) In accordance with the Family Act the parent can give the consent for adoption after the child is at least six weeks old. Before the parent gives its consent to adoption, the centre for social welfare shall introduce him/her to legal consequences of the consent and the adoption. The consent is given in written form (minutes). See answer i).</p>
<p>c) Does your State use the model form “Statement of consent to the adoption” developed by the Permanent Bureau of the Hague Conference?</p> <p><i>The model form is available on the <a href="#">Intercountry Adoption section</a> of the Hague Conference website.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child’s wishes and opinions when determining whether an intercountry adoption should proceed.</p> <p><i>See Art. 4 d) 2).</i></p>	<p>If the child reached 12 years of age and it is capable to understand the meaning of adoption, his/her consent is required. Having regard to the age and degree of maturity of the child, in any adoption case the attention is given to the opinion of the child.</p>
<p>e) Please briefly describe the circumstances in which a child’s <u>consent</u> to an intercountry adoption is required in your State.</p> <p>Where the child’s consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.</p>	<p>See answer d). The center for social welfare informs and counsels the child of the effects of the adoption and states the wishes and opinion of the child having regard to the age and degree of maturity of the child. The consent of the child is given without the presence of parents and persons who wish to adopt the child.</p>

<sup>14</sup> See also Part VIII below on “Simple and Full Adoption” and Art. 27 of the 1993 Convention.

See Art. 4 d) 1).	
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### 13. Children with special needs

a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".	There is no definition of children with special needs. There is only a definition for child with developmental difficulties. Definition covers the child which due to the physical, sensory, communication, organoleptic or intellectual difficulties needs extra support in learning and development in order to achieve the best possible outcome of development and for the social inclusion.
b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	There is no specific procedure to expedite the adoption of a child with special needs. Every adoption case is carefully approached by the team of experts from the centre for social welfare regarding the best interests of the child.

### 14. The preparation of children for intercountry adoption

Is there a special procedure in your State to prepare a child for an intercountry adoption?	<input checked="" type="checkbox"/> Yes, please provide details ( <i>e.g.</i> , the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used):  The centre for social welfare prepares the child for an intercountry adoption during the process of adoption. The preparation begins in the matching stage when the team of experts makes the decision about matching the prospective adoptive parents and the child. Children are prepared for adoption through the conversations with psychologist and persons that care for a child. After the matching, the child meets the adoptive parents and spends some time with them. The opinion of the child is taken into consideration before the final adoption decision is made.  <input type="checkbox"/> No
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### 15. The nationality of children who are adopted intercountry<sup>15</sup>

Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration ( <i>e.g.</i> , the nationality of the foreign resident prospective adoptive parents ("PAPs"), whether the child acquires the nationality of the receiving State):
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<sup>15</sup> Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (hereinafter, "GGP No 1"), available on the [Intercountry Adoption Section](#) of the Hague Conference website < [www.hcch.net](http://www.hcch.net) >, at Chapter 8.4.5.

	<p>In the case of intercountry adoption of a child from the Republic of Croatia by the Croatian citizen with the habitual residence in the foreign State the child will retain the Croatian nationality.</p> <p>The child can retain the Croatian nationality unless his adoptive parents request the release from Croatian citizenship.</p> <p><input type="checkbox"/> No, the child will never retain this nationality</p>
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## PART V: PROSPECTIVE ADOPTIVE PARENTS (“PAPs”)

<b>16. Limits on the acceptance of files</b>	
<p>Does your State place any limit on the number of PAPs’ files which are accepted from receiving States?<sup>16</sup></p>	<p><input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined:</p> <p><input checked="" type="checkbox"/> No</p>

<b>17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State<sup>17</sup></b>	
<p>a) Do PAPs wishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)?</p> <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><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:</p> <p><input type="checkbox"/> Married, same-sex couples:</p> <p><input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership:</p> <p><input type="checkbox"/> Same-sex couples in a legally registered partnership:</p> <p><input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:</p> <p><input checked="" type="checkbox"/> Single men: if adoption is of particular benefit to the child</p> <p><input checked="" type="checkbox"/> Single women: if adoption is of particular benefit to the child</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 for PAPs wishing to undertake an intercountry adoption in your State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Minimum age requirements:</p> <p>The prospective adoptive parent must be minimum 21 years old and at least 18 years older than the adopted child. If there are particularly justified reasons an adoptive parent may be a person</p>

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

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

	<p>younger than 21 years and at least 18 years older than the adopted child.</p> <p><input type="checkbox"/> Maximum age requirements:</p> <p><input checked="" type="checkbox"/> Difference in years required between the PAPs and the child:</p> <p>The prospective adoptive parent must be at least 18 years older than the adopted child.</p> <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 PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify):</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 checked="" type="checkbox"/> Other (please specify):</p> <p>A blood relative in direct line can not be adopted nor can a brother or sister or the child of minor parents.</p> <p>A guardian may not adopt the child under her/his guardianship or until she/he is relieved of her/his duties as guardian.</p> <p>A person may not adopt a child if:</p> <ul style="list-style-type: none"> <li>- she/he has been deprived of the rights to exercise parental care or</li> <li>- is deprived of legal capability or</li> <li>- a persons's previous behaviour and characteristics show that she/he is not appropriate person for parental responsibility.</li> </ul> <p><input type="checkbox"/> No</p>

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

## PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

<b>19. Applications</b>	
<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	<p>In accordance with Article 14 of the Convention the PAPs shall apply to the Central Authority in the State of their habitual residence who shall then forward the request and the report to the Ministry</p>

	as the Central Authority of the State of Origin.
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</p> <p><input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority in the receiving State</p> <p><input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15)</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' birth certificates</p> <p><input checked="" type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</p> <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>Health certificate</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>Certificate of salary and other regular income</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>Employment certificate</p> <p><input checked="" type="checkbox"/> Proof of no criminal record</p> <p><input checked="" type="checkbox"/> Other(s): please explain</p> <p>Certificate confirming that the PAPs have not been deprived of the right to exercise parental care</p> <p>Certificate confirming that PAPs are not deprived of legal capability or not under guardianship</p>
<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?<sup>18</sup></p>	<p><input type="checkbox"/> Yes, please specify whether it must be a <i>national</i> accredited body, a <i>foreign authorised</i> accredited body or whether it may be either of these accredited bodies.<sup>19</sup> Please also specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure):</p> <p><input checked="" type="checkbox"/> No</p>

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

<sup>19</sup> See the definitions provided at notes 4 and 8 above.

<p>d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input type="checkbox"/> Yes</p> <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 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 checked="" type="checkbox"/> No</p>
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>The documents have to be translated by court interpreter into Croatian language.</p>
<p>f) Do any of the required documents need to be legalised or apostilled?</p>	<p><input checked="" type="checkbox"/> Yes, please specify which documents:</p> <p><input type="checkbox"/> No – <b>go to Question 20</b></p>
<p>g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Hague Apostille Convention)?</p> <p><i>This information is available on the <a href="#">Status Table</a> for the Hague Apostille Convention (see the <a href="#">Apostille Section</a> of the Hague Conference website).</i></p>	<p><input checked="" type="checkbox"/> Yes, please specify the date of the entry into force of the Hague Apostille Convention in your State: 23 April 1993</p> <p><input type="checkbox"/> No</p>

20. The report on the child (Art. 16(1) a))	
<p>a) Who is responsible for preparing the report on the child?</p>	<p>In accordance with Article 16 of the Convention, the report on the child prepares the competent centre for social welfare.</p>
<p>b) Is a “standard form” used for the report on the child?</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 should be included in the report on the child and / or the documentation which should be attached to it:</p>
<p>c) Does your State use the “<i>Model Form – Medical Report on the Child</i>” and the “<i>Supplement to the general medical report on the child</i>”?</p> <p><i>See GGP No 1 – Annex 7, available <a href="#">here</a>.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>



<b>21. The report on the PAPs (Art. 15(2))</b>	
a) For how long is the report on the PAPs valid in your State?	The report is valid for one year.

<p>b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. <i>E.g.</i>, does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</p>	<p>The report has to be updated by the authority that made it and circumstances of prospective adoptive parents have to be reassessed.</p>
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<b>22. Matching of the child and the PAPs (Art. 16(1) d) and (2))</b>	
<b>22.1 The authorities and the matching procedure</b>	
<p>a) Who is responsible for the matching of the child and the PAPs in your State?</p>	<p>The Center for Social Welfare. However, communication goes through the Central Authority.</p>
<p>b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?</p>	<p>The team of experts of the competent centre for social welfare (social worker, psychologist, lawyer) performs matching.</p>
<p>c) What methodology is used for the matching in your State?</p>	<p>The team of experts in the Centre for Social Welfare use the Register of prospective adoptive parents and search for the prospective adoptive parents who could best meet the needs of a child, analyse their documentation and interview them. After thorough assessment they make a decision about matching.</p>
<p>d) Is any preference given to PAPs who have a close connection with your State (<i>e.g.</i>, nationals of your State who have emigrated to a receiving State)?</p>	<p><input checked="" type="checkbox"/> Yes, please specify: A due consideration is given to the heritage of upbringing, ethnic origin, cultural background and the native language of the child; therefore, the priority to adopt the child is given to Croatian national residing abroad and their descendants.</p> <p><input type="checkbox"/> No</p>
<p>e) Who is responsible for notifying the receiving State of the matching?</p>	<p>Central Authority.</p>
<p>f) How does your State ensure that the prohibition on contact in Article 29 is respected?</p>	<p>In accordance with the Family Act, a parent may give the consent for the child to be adopted by an unknown adoptive parent. Exceptionally, only if the adoptive parent is the step-father or the step-mother, the parent may give the consent for the child to be adopted by known adoptive parent.</p>
<b>22.2 Acceptance of the match</b>	
<p>a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?</p>	<p><input checked="" type="checkbox"/> Yes, please provide details of the required procedure: Yes, we require the general approval of the Central Authority of the receiving State in order to continue the process of adoption.</p> <p><input type="checkbox"/> No</p>
<p>b) How much time is the receiving State given to decide whether to accept a match?</p>	<p>In practice, 30 days.</p>

c) If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in your State?	None. It is possible for PAPs to stay in the Register.
<b>22.3 Information following acceptance of the match</b>	
Once the match has been accepted, do PAPs receive information regularly concerning the child and his / her development ( <i>i.e.</i> , during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input checked="" type="checkbox"/> Yes, please specify who is responsible for providing this information: Central Authority. <input type="checkbox"/> No

<b>23. Agreement under Article 17 c)</b>	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17 c)?	Ministry for Demography, Family, Youth and Social Policy as the Central Authority.
b) At what point in the adoption procedure is the Article 17 c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17 c) agreement to the receiving State with the proposed match; <b>OR</b> <input checked="" type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17 c) agreement; <b>OR</b> <input type="checkbox"/> Other (please specify):

<b>24. Travel of the PAPs to your State<sup>20</sup></b>	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> <li>- At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: The first time in the matching process. The second time when the adoption process is completed and adoption decision is made.</li> <li>- How many trips are required to complete the intercountry adoption procedure: Two .</li> <li>- How long the PAPs need to stay for each trip: It can depend on each case.</li> <li>- Any other conditions:</li> </ul> <input type="checkbox"/> No
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

<b>25. Entrustment of the child to the PAPs (Art. 17)</b>	
<p>After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs?</p> <p>Please include an explanation of the procedures used to prepare the child for entrustment (e.g., counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>In accordance with the declaration made by Republic of Croatia, only the child who is adopted pursuant to a final and enforceable decision of the competent authority of the Republic of Croatia will be able to leave the territory of the Republic of Croatia. The experts from the centre for social welfare prepare the child for entrustment to PAPs. If the child is in institution or foster care family, these persons will prepare the child for entrustment to adoptive parents but they are advised and assisted by the experts from the centre for social welfare.</p>

<b>26. Transfer of the child to the receiving State (Arts 5 c) and 18)</b>
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<sup>20</sup> See GGP No 1, *supra*, note 15, Chapter 7.4.10.

a) Which documents does your State require in order for the child to be permitted to leave your State and travel to the receiving State ( <i>e.g.</i> , passport, visa, exit permit)?	Final and valid adoption decision, birth certificate, visa, passport or travel certificate, etc.
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<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<p>Final and valid adoption decision (centre for social welfare), birth certificate (birth register office), passport (police directorate).</p>
<p>c) Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave your State and travel to the receiving State?</p>	<p><input type="checkbox"/> Yes, please specify:  <input checked="" type="checkbox"/> No</p>

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

<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g.</i>, how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</p>	<p>The Central Authority of Republic of Croatia is responsible for issuing the certificate which will be issued to adopters and to the Central Authority of the receiving state.</p>
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## 28. Duration of the intercountry adoption procedure

<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable;</p> <p>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</p>	<p>(i) It depends on the case (from few months to a year or more).</p> <p>(ii) Not applicable.</p> <p>(iii) The final adoption decision is made in a few months after the matching (it depends on each case).</p>
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## PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

### 29. Procedure for the intercountry adoption of a child who is a relative of the PAPs ("intra-family intercountry adoption")

<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an "<i>intra-family intercountry adoption</i>" in your State. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a "relative" of those PAPs.</p>	<p>Regarding the adoption of a child by relatives according to Croatian Family Act a blood relative in the direct line, brother or sister, can not be adoptive parent. Other relatives can adopt the child.</p>
<p>b) Does your State apply the procedures of the 1993 Convention to intra-family intercountry adoptions?</p> <p><b>N.B.</b> <i>If the child and PAPs are habitually resident in different Contracting States to the 1993 Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</i></p>	<p><input checked="" type="checkbox"/> Yes – <b><u>go to Question 30</u></b></p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: <b><u>Go to Question 30</u></b></p> <p><input type="checkbox"/> No – <b><u>go to Question 29 c)</u></b></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 the receiving State;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>

## PART VIII: SIMPLE AND FULL ADOPTION<sup>21</sup>

30. Simple and full adoption	
<p>a) Is "full" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is "simple" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <b>go to Question 31</b></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) If a "simple" adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family's consent(s)<sup>22</sup> to a "full" adoption where this is in the child's best interests (<i>i.e.</i>, so that a "conversion" of the adoption may be undertaken in the receiving State if the other conditions in Art. 27(1) are fulfilled)?</p> <p><i>See Art. 27(1) b) and Art. 4 c) and d).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input type="checkbox"/> No</p>
<p>d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family<sup>23</sup> to the conversion of a "simple" adoption into a "full" adoption (in accordance with Art. 27) when the request is made many years after the original adoption?</p>	

## PART IX: POST-ADOPTION MATTERS

31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child	
<p>a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?</p>	<p>The Centre for Social Welfare</p>
<p>b) For how long is the information concerning the child's origins preserved?</p>	<p>Documentation is kept permanently.</p>

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

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

<sup>23</sup> *Ibid.*



<p>c) Does your State permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child:</p> <p>(i) the adoptee and / or his / her representative(s);</p> <p>(ii) the adoptive parents;</p> <p>(iii) the birth family; and / or</p> <p>(iv) any other persons?</p> <p>If so, are there any criteria which must be met for access to be granted (<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>(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: An adult adoptee will be allowed to look into the files of adoption and the register of births. A minor adopted child will be allowed to look into the files of adoption and a register of birth, if the centre for social welfare determines that an insight into adoption files and the registrar of birth is in the child's interest.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria:</p> <p><input type="checkbox"/> No</p> <p>(iii) <input checked="" type="checkbox"/> Yes – please explain any criteria: Close blood relatives of the adult adoptee will be allowed to see the files of adoption if the Centre for Social Welfare obtains the consent of an adult adoptee.</p> <p><input type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" 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 checked="" type="checkbox"/> Yes – please specify: Further assistance could be provided in cooperation with Central Authority.</p> <p><input type="checkbox"/> No</p>

### 32. Post-adoption reports

<p>a) Is there a model form which is used by your State for post-adoption reports?</p>	<p><input type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it 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 in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling):</p> <p>A report is expected to contain information on the current situation of the child in respect of the child's development, adjustment to the new environment, medical information, schooling and other relevant information about the child (as well as the photo).</p>
<p>b) What are the requirements of your State in relation to post-adoption reports? Please indicate:</p>	<p>(i) Once a year</p> <p>(ii) Two years after adoption.</p> <p>(iii) Report must be submitted in original language with translation</p>

<ul style="list-style-type: none"> <li>(i) How frequently such reports should be submitted (<i>e.g.</i>, every year, every two years);</li> <li>(ii) For how long (<i>e.g.</i>, until the child is a certain age);</li> <li>(iii) The language in which the report must be submitted;</li> <li>(iv) Who should write the reports; and</li> <li>(v) Any other requirements.</li> </ul>	<p>to Croatian language. English may be accepted.</p> <ul style="list-style-type: none"> <li>(iv) The report should be written by the competent body or central authority of the receiving state</li> <li>(v) No</li> </ul>
<p>c) What, if any, are the consequences in your State if post-adoption reports are either:</p> <ul style="list-style-type: none"> <li>(i) Not submitted at all; or</li> <li>(ii) Submitted, but not in accordance with your requirements?</li> </ul>	<ul style="list-style-type: none"> <li>(i) Further cooperation with receiving state may be reconsidered.</li> <li>(ii) Additional explanations will be requested.</li> </ul>
<p>d) What does your State do with post-adoption reports? (<i>i.e.</i>, to what use are they put?)</p>	<p>The reports are required for the purposes of the Central Authorities' and competent centres' for social welfares follow-up of the child's integration in his new environment.</p>

## PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION<sup>24</sup>

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

33. The costs <sup>25</sup> of intercountry adoption	
<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (<i>e.g.</i>, link to a website or attach a copy). Please also briefly explain the legal framework: The intercountry adoption is in the Republic of Croatia free of charge. However, PAPs have to bear the costs of translations, costs of travel and accommodation as well as the administrative fees required by Croatian laws.</p> <p><input type="checkbox"/> No</p>
<p>b) Does your State monitor the payment of the costs of intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: The payment is monitored by competent government bodies.</p> <p><input type="checkbox"/> No</p>
<p>c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c) above) or directly by the PAPs themselves?</p> <p><i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 86.</i></p>	<p><input type="checkbox"/> Through the accredited body:</p> <p><input checked="" type="checkbox"/> Directly by the PAPs: There are only costs of translation of documents, administration fees and travel and accommodation costs. There are no other costs regarding the intercountry adoption.</p> <p><input type="checkbox"/> Other (please explain):</p>

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

<sup>25</sup> See the definition of "costs" provided in the Terminology, *ibid.*

<p>d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer?</p> <p><i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 85.</i></p>	<p><input type="checkbox"/> Only by bank transfer:  <input checked="" type="checkbox"/> In cash:  <input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</p>	<p>Administrative fees are paid to a competent register office and police station, other costs are paid to the service providers (translation, accommodation), services of Central Authority and centre for social welfare regarding the intercountry adoption are currently free of charge.</p>
<p>f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)?</p> <p><b>N.B.</b> Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).</p>	<p><input type="checkbox"/> Yes – please indicate how this information may be accessed:  <input checked="" type="checkbox"/> No</p>

<b>34. Contributions, co-operation projects and donations<sup>26</sup></b>	
<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution<sup>27</sup> to your State if it wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the "Note on the financial aspects of intercountry adoption" at Chapter 6.</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> <li>• What type of contribution is required:</li> <li>• Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body):</li> <li>• How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input checked="" type="checkbox"/> No</p>
<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in your State?</p>	<p><input type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> <li>• What type of co-operation projects are permitted:</li> <li>• Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies):</li> <li>• Whether such projects are monitored by an authority / body in your State:</li> <li>• How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p><b><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></b></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> <li>• To whom may donations be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families):</li> <li>• What donations are used for:</li> <li>• Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs):</li> <li>• At what stage of the intercountry adoption procedure donations are permitted to be paid:</li> </ul>

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

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

	<ul style="list-style-type: none"> <li>• How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <input checked="" type="checkbox"/> No
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<b>35. Improper financial or other gain (Arts 8 and 32)</b>	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	Central Authority, Center for Social Welfare, Ministry of Interior, Ministry of Justice, State Attorney, courts and other competent bodies.
b) What measures have been taken in your State to prevent improper financial or other gain?	The procedure of intercountry adoption is carried out by experts of public authorities in Croatia competent for protection of children who are guided by the laws of the Republic of Croatia, code of ethics and professional standards. They are supervised by the Ministry for Demography, Family, Youth and Social Policy (inspection and administrative supervision).
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Disciplinary sanctions, criminal sanctions.

## PART XI: ILLICIT PRACTICES<sup>28</sup>

<b>36. Response to illicit practices in general</b>	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. <sup>29</sup>	Any unlawful acts are reported to the competent bodies of criminal prosecution.

<b>37. The abduction, sale of and traffic in children</b>	
<p>a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State's intercountry adoption programmes.</p> <p>Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).</p>	<p>Family Act, Criminal Act.</p> <p>The mentioned laws target professionals employed in centres for social welfare, children's institutions, PAPs and other persons and competent authorities.</p>

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

<sup>29</sup> *Ibid.*

b) Please explain how your State monitors respect for the above laws.	Any unlawful acts are reported to the competent bodies of criminal prosecution (police, state attorney, courts). All necessary documentation must be in original, issued by competent authorities, translated into Croatian language by the court interpreter, only children with legal assumption for adoption can be adopted, only PAPs approved by competent centre for social welfare as eligible and suited for adoption can adopt a child, etc. It is being monitored throughout the process of adoption.
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	Sanctions may be different - disciplinary or criminal, including imprisonment.

### 38. Private and / or independent adoptions

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

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

<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State<sup>30</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p>Foreign national PAPs, habitually resident in the Republic of Croatia can adopt a child habitually resident in the Republic of Croatia if adoption would be in a special interest of a child and if the ministry responsible for social welfare gives prior approval for adoption. This case would be treated as domestic adoption. The PAPs submit an application for adoption to the competent Centre for Social Welfare. In the process of adoption provisions of Croatian Conflict Law shall apply. Information may be requested from the Contracting State of PAPs citizenship.</p> <p><input type="checkbox"/> No</p>
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<sup>30</sup> According to the 1993 Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1, *supra*, note 15, Chapter 8.4.

<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in India.</i></p>	<p><input checked="" type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p>The procedure is the same as for the Croatian citizens and they can use all services of the Centre for Social Welfare and Central Authority. In this case Croatia would be receiving state, the adopted child may obtain the entry permit to the Republic of Croatia but regarding the nationality of the child, adoptive parents have to resolve that issue in the state of their citizenship. In the process of adoption provisions of Croatian Conflict Law shall apply. Information shall be requested by the Contracting State of the PAPs citizenship and the State of origin.</p> <p><input type="checkbox"/> No</p>
<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Convention, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Guinean national PAPs are habitually resident in Germany and wish to adopt a child habitually resident in Guinea.</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 State<sup>31</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p>This case would be treated as intercountry adoption and the provisions of 1993 Convention would be implement.</p> <p><input type="checkbox"/> No</p>

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

## PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION<sup>32</sup>

40. Selection of partners	
a) With which receiving States does your State currently partner on intercountry adoption?	Sweden, Germany, United States of America, Austria, Malta
b) How does your State determine with which receiving States it will partner?  In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Convention.  <i>To see which States are Contracting States to the 1993 Convention, please refer to the <a href="#">Status Table</a> for the 1993 Convention (accessible via the <a href="#">Intercountry Adoption Section</a> of the Hague Conference website &lt; <a href="http://www.hcch.net">www.hcch.net</a> &gt;).</i>	
c) If your State also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the 1993 Convention are complied with in these cases. <sup>33</sup>	In accordance with the Croatia Family Act any adoption of a child from the Republic of Croatia can not be established without the prior approval of the ministry competent for social welfare.  <input type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Convention.
d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (e.g., the conclusion of a formal agreement <sup>34</sup> with that receiving State)?	<input type="checkbox"/> Yes – please explain the content of any agreements or other formalities: <sup>35</sup> <input checked="" type="checkbox"/> No

<sup>32</sup> In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2, *supra*, note 4, Chapter 3.5.

<sup>33</sup> See GGP No 1, *supra*, note 15, 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”.

<sup>34</sup> See note 3 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Convention.

<sup>35</sup> *Ibid.*