

STATE OF ORIGIN

COUNTRY NAME: Cabo Verde

PROFILE UPDATED ON: 08.10.2024

PART I: CENTRAL AUTHORITY

1. Contact details ¹	
Name of office:	Procuradoria-Geral da República
Acronyms used:	PGR
Address:	Achada Sto. António, Zona da Capela - C.P. 268 Santiago - Praia - Cabo Verde
Telephone:	+(238) 2615748; +(238) 2617855
Fax:	+(238) 2614733
E-mail:	cai@pgr.gov.cv /Autoridade.Central@prg.gov.cv
Website:	http://www.ministeriopublico.cv/
Contact person(s) and direct contact details (please indicate language(s) of communication):	Isolina Teixeira (português/inglês); Telephone (+238) 333 8333 Cátia Cardoso (português/inglês); Telephone: (+238) 333 8336
<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? <i>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 >).</i>	01/01/2010

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>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>- Lei nº 57/VIII/2014, de 3 de Fevereiro; - Lei nº 50/VIII/2013 - Estatuto da Criança e do Adolescente (ECA), de 26 de dezembro; - Código Civil de Cabo Verde - Decreto-Lei n. 31-A/99, de 30 de agosto.</p>
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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 type="checkbox"/> Bilateral agreements (please specify):</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>

PART III: THE ROLE OF AUTHORITIES AND BODIES

4. Central Authority(ies)	
<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 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>A Procuradoria-Geral da República é a Autoridade Central encarregue de dar cumprimento às obrigações decorrentes da Convenção, em todo o território nacional. O Conselho para a Adopção Internacional (CAI) que, enquanto organismo da Autoridade Central para a Adopção Internacional é entidade administrativa competente para a prática, aprovação e autorização de actos relativos à adopção internacional, entre outras atribuições, com jurisdição em todo o território nacional: -Cooperar com as AC dos Estados Contratantes para assegurar a proteção das crianças e alcançar os objetivos da Convenção;</p> <p>- Proporcionar às AC dos demais Estados partes na Convenção informações sobre a</p>

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>legislação cabo-verdiana aplicável às Adopções Internacionais;</p> <ul style="list-style-type: none"> - Acompanhar todo o processo de integração social e familiar das crianças adoptadas ou que tenham sido transferidas de Cabo Verde para um outro Estado, ou vice versa, no quadro de um processo de Adopção Internacional; - Assegurar que, em caso algum, a Adopção Internacional envolva para qualquer das partes, benefícios materiais indevidos; - Estabelecer que uma criança residente em CV está em condições de ser adoptada; - Receber candidaturas de pessoas ou casais estrangeiros diretamente enviados por outras AC ou autoridades devidamente credenciadas pelo Estado receptor; - Declarar um organismo como estando devidamente acreditado para colaborar com a Autoridade Central nos processos de adoção internacional. <p>Art.º 6º, 7º, 17º e 20º da Lei nº 57/VIII/2014.</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>Art.º 25º da Lei nº 57/VIII/2014:</p> <ul style="list-style-type: none"> - Os Tribunais cabo-verdianos são internacionalmente competentes para instruírem e julgarem um processo de adoção, desde que tenha ocorrido em Cabo Verde qualquer fato que integre a causa de pedir. - Residindo os adotantes ou os adotandos no estrangeiro, à data da instauração do processo, é competente internamente, o Tribunal da Comarca da Praia.

6. National accredited bodies³	
<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</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <u>go to Question 7</u></p>

³ “National accredited bodies” in this Country Profile means adoption bodies based within your State (State of origin) 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.*

<i>your State to the Permanent Bureau of the HCCH (see Art. 13).⁴</i>	
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	
c) Please briefly describe the role of national accredited bodies in your State.	
6.1 The accreditation procedure (Arts 10-11)	
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> .	
6.2 Monitoring of national accredited bodies⁶	
a) Which authority is competent to monitor / supervise national accredited bodies in your State? <i>See Art. 11(c).</i>	
b) Please briefly describe how national accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (<i>i.e.</i> , withdrawn).	
d) If national accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i> , fine, withdrawal of accreditation): <input type="checkbox"/> No

⁴ *Ibid.*, Chapter 3.2.1 (para. 111).

⁵ *Ibid.*, Chapter 3.4.

⁶ *Ibid.*, Chapter 7.4.

7. Authorised foreign accredited bodies ⁷ (Art. 12)	
<p>a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State?</p> <p><i>N.B. the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – go to Question 8</p>
<p>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.⁸</p>	<p>- Serviço Regional para as Adoções Internacionais - Região de Piemonte (SRAI) - Itália (em processo de renovação da autorização) .</p>
<p>c) Please briefly describe the role of authorised foreign accredited bodies in your State.</p>	<p>- Efetuar procedimentos de adoção de menores originários da República de Cabo Verde, nomeadamente:</p> <p>- Encontrar no estrangeiro potenciais candidatos para as crianças que estão assinaladas para adoção internacional em Cabo Verde;</p> <p>- Depósito de pedidos de candidaturas;</p> <p>- Efetuar os procedimentos administrativos para efetivação da adoção, acompanhamento pré e pós-adoção e envio de relatórios.</p>
<p>d) Are there any requirements concerning the way foreign accredited bodies must operate in your State?</p> <p><i>Please tick any which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): OR</p> <p><input checked="" type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR</p> <p><input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in your State: OR</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>

⁷ "Authorised foreign accredited bodies" are adoption bodies based in another Contracting State to the 1993 Adoption 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, *ibid.*, Chapter 4.2.

⁸ See GGP No 2, *ibid.*, Chapter 4.4 on "limiting the number of accredited bodies authorised to act in States of origin".

7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	Autoridade Central para Adoção Internacional - Procuradoria Geral da República (Artº 20º da Lei 57/VIII/2014).
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . ⁹ If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	<p>Procedimentos:</p> <ol style="list-style-type: none"> 1. Analisar os documentos enviados pelo organismo (Certificado/Declaração da Autoridade Central do seu país que a autoriza a efetuar procedimentos de adoção; Estatuto da organização; Relatórios de atividades); 2. Emissão do parecer do presidente do CAI; 3. Despacho de Autorização pela Autoridade Central; 4. Notificação ao OAA e HCCH 4. Publicação da Autorização no Bolitim Oficial de Cabo Verde. <p>Crítérios:</p> <ol style="list-style-type: none"> 1. Certificado/Declaração da Autoridade Central do seu país que a autoriza a efetuar procedimentos de adoção; 2. Ser uma organização sem fins lucrativos; 3. Ser dirigido e administrado por pessoas qualificadas pela sua integridade e pela sua formação ou experiência para trabalhar em matéria de Adoção Internacional; 4. Estiver submetido ao controlo da Autoridade Central de Cabo Verde no que se refere à sua composição, funcionamento e situação financeira.
c) For how long is authorisation granted?	2 anos, renováveis.
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	<ol style="list-style-type: none"> 1. Certificado/Declaração da Autoridade Central do seu país que a autoriza a efetuar procedimentos de adoção; 2. Estatuto da organização; 3. Relatórios de atividade do biénio anterior; 4. Ser uma organização sem fins lucrativos; 5. Ser dirigido e administrado por pessoas qualificadas pela sua integridade e pela sua formação ou experiência para trabalhar em matéria de Adoção Internacional; 6. Estiver submetido ao controlo da Autoridade Central de Cabo Verde no que se refere à sua composição, funcionamento e situação financeira.

⁹ In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹⁰	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – go to Question 8
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	Autoridade Central para a Adoção Internacional - Procuradoria Geral da República.
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).	1. Relatório de atividades da organização; 2. Certificado/Declaração da Autoridade Central do seu país que a autoriza a efetuar procedimentos de adoção; 3. Estatuto da organização. 4. Análise de processos de adoção
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (i.e., withdrawn).	1. Se não forem cumpridos os critérios indicados no ponto 7.1, alínea d); 2. Caso houver alguma denúncia de má prática; 3. Se não respeitar os princípios da Convenção de Haia de 1993, em matéria de Adoção Internacional.
e) If authorised foreign accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input checked="" type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of authorisation): Revogação de acreditação para atuar em Cabo Verde. <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2)) ¹¹	
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. 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. 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)).¹²</i>	<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
b) Is the involvement of approved (non-accredited) persons <i>from other Contracting States</i> permitted in intercountry adoption procedures in your State?	<input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State: <input checked="" type="checkbox"/> No, our State has made a declaration according to Article 22(4).

¹⁰ *Ibid.*, Chapter 7.4 and, in particular, para. 290.

¹¹ *Ibid.*, Chapter 13.

¹² *Ibid.*, Chapter 13.2.2.5.

N.B. see Art. 22(4) and check whether your State has made a declaration according to this provision. You can verify this on the [Status Table](#) for the 1993 Adoption Convention, available on the [Adoption Section](#) of the HCCH website.

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
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).	<ul style="list-style-type: none"> - Crianças com idade compreendida entre os 0 (zero) e 17 (dezessete) anos e 11 (onze) meses de idade; - Órfãos; - Abandonadas; - Filhos de pais incógnitos ou falecidos.
10. The adoptability of a child (Art. 4(a))	
a) Which authority is responsible for establishing that a child is adoptable?	Art.º 17º da Lei nº 57/VIII/2014 - Autoridade Central para Adoção Internacional - CAI.
b) Which criteria are applied to determine whether a child is adoptable?	<p>Art.º 16º da Lei nº 57/VIII/2014:</p> <ul style="list-style-type: none"> - Ser filha de pais incógnitos ou falecidos; - Se os pais a tiverem abandonado; - Se tiver havido consentimento prévio para adoção; - Se os pais puserem em perigo grave a segurança, a saúde, a formação, a educação ou o desenvolvimento do menor; - Se forem esgotadas todas as possibilidades da criança ser colocada numa família de forma permanente em Cabo Verde, ou seja, se forem esgotadas todas as respostas nacionais.
<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><i>N.B. the issue of consent is dealt with at Question 12 below.</i></p>	<p>Art.º 5º, 18º da Lei nº 57/VIII/2014:</p> <ul style="list-style-type: none"> - Assegurar o consentimento da criança, se for maior de 12 anos. - Elaboração do relatório psicossocial da criança e do seu agregado familiar; - Assegurar que o consentimento dos pais biológicos de acordo com o artº 4 da Convenção de Haia. - Procura de respostas nacionais.
11. The best interests of the child and subsidiarity (Art. 4(b))	

<p>a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (<i>e.g.</i>, through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).</p>	<p>Art.º 17º/1 b) da Lei nº 57/VIII/2014.</p> <ul style="list-style-type: none"> - Existem um conjunto de respostas, respeitando o princípio de subsidiariedade, tais como: Acolhimento emergencial; reinserção na família biológica ou alargada; família de acolhimento; adoção nacional; adoção internacional e por último acolhimento institucional a longo prazo. - Os serviços de apoio são fornecidos pelo Instituto Caboverdiano da Criança e do Adolescente (ICCA), pela Direção Geral de Inclusão Social, Serviço Social das Câmaras Municipais; - Organizações da sociedade Civil, nomeadamente, Aldeias Infantis SOS, ACRIDES, Fundação Infância Feliz, etc.
<p>b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?</p>	<p>Art.º 18º e 19º da Lei nº 57/VIII/2014 - Autoridade Central.</p>
<p>c) Please briefly explain how that decision is reached (<i>e.g.</i>, whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.</p>	<ul style="list-style-type: none"> -O ICCA, através dos técnicos sociais, elabora o relatório psicossocial da criança e do seu agregado familiar; - O CAI solicita aos Procuradores da República a tomada de declarações dos pais ou encarregados de educação e instituições, quando for necessário, para efeitos de consentimento; - O CAI analisa o processo e decide sobre a adoptabilidade da criança.

12. Counselling and consents (Art. 4(c) and (d))	
<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios – where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (iv) One or both parents have been deprived of his / her / their parental responsibilities (<i>i.e.</i>, the 	<ul style="list-style-type: none"> (i) Ambos os progenitores são ouvidos; (ii) O progenitor conhecido; (iii) Quem tiver guarda efectiva da criança; (iv) É ouvido quem tem o poder paternal. Art.º 17º da Lei 57/VIII/2014.

<p>rights and responsibilities which attach to being a parent).</p> <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>	
<p>b) Please describe the procedure for:</p> <p>(i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and</p> <p>(ii) obtaining their consent(s) to an adoption.¹³</p>	<p>(i) As pessoas, instituições e autoridades, cujo consentimento para adoção, são convenientemente aconselhadas e devidamente informadas sobre as consequências do seu consentimento;</p> <p>(ii) As pessoas, instituições ou autoridades exprimeam o seu consentimento na forma legalmente prevista e este consentimento é manifestado por escrito (Art.º 17º/1. d) da Lei 57/VIII/2014. O CAI solicita ao Procurador da República da Comarca competente a audição dos pais, da família biológica e das instituições.</p>
<p>c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the HCCH?</p> <p><i>The model form is available on the Adoption section of the HCCH 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: Não temos formulário.</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>Art.º 17º/1. g) da Lei 57/VIII/2014:</p> <p>- Assegura-se que a criança prestou o seu consentimento de forma livre e consciente, por escrito, desde que tenha atingido a idade de 12 anos. A criança é ouvida pelo Procurador da República da Comarca da sua residência.</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</p>	<p>Art.º 17º/1. g) da Lei 57/VIII/2014; 1925º do Cod. Civil; 180º do ECCA:</p> <p>- A criança deve prestar o seu consentimento desde que tenha atingido a idade de 12 anos ou tenha mauturidade suficiente para o efeito.</p>

¹³ See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Adoption Convention.

used to ensure that the child has been counselled and duly informed of the effects of the adoption. <i>See Art. 4(d)(1).</i>	
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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”.	<p>O Conselho para Adoção Internacional, enquanto Autoridade Central para Adoção Internacional considera crianças com Necessidades Especiais, as seguintes:</p> <ul style="list-style-type: none"> - Crianças portadoras de deficiência (física, motora e intelectual); - Crianças filhas de pais toxicodependentes; - Crianças portadoras de doenças crônicas, nomeadamente, HIV; - Crianças com idade avançada (maior de 5 anos); - Grupos de irmãos (fratrias).
b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	<ul style="list-style-type: none"> - Identificação lista de crianças com necessidades especiais necessidades especiais; -Démarche junto das Autoridades Centrais dos Estados Recetores, no sentido de encontrar um candidato com interesse em adotar crianças com necessidades especiais.

14. The preparation of children for intercountry adoption	
Is there a special procedure in your State to prepare a child for an intercountry adoption?	<p><input 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):</p> <p><input checked="" type="checkbox"/> No</p>

15. The nationality of children who are adopted intercountry¹⁴	
Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?	<p><input checked="" type="checkbox"/> Yes, always</p> <p><input 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”),</p>

¹⁴ 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](http://www.hcch.net) of the HCCH website < www.hcch.net >, at Chapter 8.4.5.

	whether the child acquires the nationality of the receiving State): <input type="checkbox"/> No, the child will never retain this nationality
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PART V: PROSPECTIVE ADOPTIVE PARENTS (“PAPs”)

16. Limits on the acceptance of files	
Does your State place any limit on the number of PAPs’ files which are accepted from receiving States? ¹⁵	<input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: <input checked="" type="checkbox"/> No

17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State ¹⁶	
<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>	<input checked="" type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption: <input checked="" type="checkbox"/> Married, heterosexual couples: <input type="checkbox"/> Married, same-sex couples: <input checked="" type="checkbox"/> Heterosexual couples in a legally registered partnership: <input type="checkbox"/> Same-sex couples in a legally registered partnership: <input checked="" type="checkbox"/> Heterosexual couples that have not legally formalised their relationship: <input type="checkbox"/> Same-sex couples that have not legally formalised their relationship: <input checked="" type="checkbox"/> Single men: <input checked="" type="checkbox"/> Single women: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No, there are no relationship status criteria for PAPs.
<p>b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?</p>	<input checked="" type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Minimum age requirements: 20 anos <input type="checkbox"/> Maximum age requirements: 60 anos <input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: Não superior a 40 anos, nem inferior a 16 anos <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No

¹⁵ See GGP No 2 (*op. cit.* note 3), Chapter 3.4.2 and, in particular, para. 121.

¹⁶ *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 Adoption Convention.

<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 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 type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>
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18. Preparation and counselling of PAPs (Art. 5(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: Ainda não regulamentado mas dá-se preferência aos FPA com preparação.</p> <p><input type="checkbox"/> No</p>

PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications	
<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	<p>Autoridade Central para Adoção Internacional.</p>
<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>

	<input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Proof of no criminal record <input type="checkbox"/> Other(s): please explain
c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure? ¹⁷	<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. ¹⁸ Please also specify at which stage(s) of the procedure an accredited body must be involved (<i>e.g.</i> , for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure): <input checked="" type="checkbox"/> No
d) Are any <i>additional</i> documents required if PAPs apply through an accredited body? <i>Please tick all which apply.</i>	<input checked="" type="checkbox"/> Yes <input checked="" 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): <input type="checkbox"/> A contract signed by the accredited body and the PAPs: <input checked="" type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
e) Please specify the language(s) in which any documents must be submitted:	Português.
f) Do any of the required documents need to be legalised or apostilled?	<input type="checkbox"/> Yes, please specify which documents: <input checked="" type="checkbox"/> No – go to Question 20
g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of</i>	<input checked="" type="checkbox"/> Yes, please specify the date of the entry into force of the Apostille Convention in your State: 20/01/2009.

¹⁷ See GGP No 1 (*op. cit.* note 14), 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.

¹⁸ See the definitions provided at notes 3 and 7 above.

<p><i>Legalisation for Foreign Public Documents (the Apostille Convention)?</i></p> <p><i>This information is available on the Status Table for the Apostille Convention (see the Apostille Section of the HCCH website).</i></p>	<input type="checkbox"/> No
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20. The report on the child (Art. 16(1)(a))	
a) Who is responsible for preparing the report on the child?	Instituto Caboverdiano da Criança e do Adolescente - ICCA.
b) Is a “standard form” used for the report on the child?	<input type="checkbox"/> Yes, please provide a link to the form or attach a copy: <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: Condições morais, sociais, económicas, sanitárias.
c) Does your State use the “Model Form – Medical Report on the Child” and the “Supplement to the general medical report on the child”?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
See GGP No 1 – Annex 7, available here .	

21. The report on the PAPs (Art. 15(2))	
a) For how long is the report on the PAPs valid in your State?	Depende do Estado emissor do relatório.
b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. E.g., does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?	Depende do Estado emissor do relatório.

22. Matching of the child and the PAPs (Art. 16(1)(d) and (2))	
22.1 The authorities and the matching procedure	
a) Who is responsible for the matching of the child and the PAPs in your State?	Autoridade Central em Matéria de Adoção Internacional.

b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?	O processo é feito pela Autoridade Central em matéria de Adoção Internacional.
c) What methodology is used for the matching in your State?	Processo feito por equipa multidisciplinar.
d) Is any preference given to PAPs who have a close connection with your State (e.g., nationals of your State who have emigrated to a receiving State)?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
e) Who is responsible for notifying the receiving State of the matching?	Autoridade Central
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	Processo conduzido pela Autoridade Central.
22.2 Acceptance of the match	
a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?	<input type="checkbox"/> Yes, please provide details of the required procedure: <input type="checkbox"/> No
b) How much time is the receiving State given to decide whether to accept a match?	Sem regulamentação.
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?	Sem regulamentação.
22.3 Information following acceptance of the match	
Once the match has been accepted, do PAPs receive information regularly concerning the child and his / her development (i.e., during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input type="checkbox"/> Yes, please specify who is responsible for providing this information: <input type="checkbox"/> No

23. Agreement under Article 17(c)	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	Autoridade Central.
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17(c) agreement to the receiving State with the proposed match; OR

	<input type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17(c) agreement; OR <input type="checkbox"/> Other (please specify):
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24. Travel of the PAPs to your State¹⁹	
<p>a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?</p>	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: No momento do pedido da confiança judicial. - How many trips are required to complete the intercountry adoption procedure: N/A - How long the PAPs need to stay for each trip: N/A - Any other conditions: <input type="checkbox"/> No
<p>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?</p>	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

25. Entrustment of the child to the PAPs (Art. 17)	
<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 (<i>e.g.</i>, counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	

26. Transfer of the child to the receiving State (Arts 5(c) and 18)	
<p>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)?</p>	<ul style="list-style-type: none"> - Decisão do tribunal de confiança judicial - Passaporte e visto
<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p>	<ul style="list-style-type: none"> - Tribunal; - Direção de Estrangeiros e Fronteiras.

¹⁹ See GGP No 1 (*op. cit.* note 14), Chapter 7.4.10.

Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.	
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?	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No

27. Final adoption decision and the Article 23 certificate	
a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?	<input checked="" type="checkbox"/> In our State – <u>go to Question 27 c)</u> <input checked="" type="checkbox"/> In the receiving State – <u>go to Question 27 b)</u>
b) Following the making of the final adoption decision in the receiving State: (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)? (ii) Which authority or body in your State should receive a copy of the Article 23 certificate issued by the receiving State?	(i) Não. (ii) Procuradoria-Geral da República - Autoridade Central. <u>Go to Question 28</u>
c) If the final adoption decision is made in your State, which competent authority: (i) Makes the adoption decision; and (ii) Issues the certificate under Article 23 of the 1993 Adoption Convention? <i>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 Adoption Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</i> <i>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.</i>	(i) Tribunal; (ii) Autoridade Central.
d) Does your State use the “Recommended model form – Certificate of conformity of intercountry adoption”?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

See GGP No 1 – Annex 7, available here .	
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?	Com a sentença de adoção, imediatamente é elaborado o Certificado de Conformidade que é enviado á Autoridade Central do ER e aos FPA, caso for solicitado.

28. Duration of the intercountry adoption procedure	
Where possible, please indicate the average time which it takes to:	(i) N/A. (ii) N/A. (iii) N/A.
(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;	
(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;	
(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).	

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”)	
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.	Quando ficar comprovado, através de certidão de nascimento o grau de parentesco entre o adotando e o adotante. Não existe limitação legal de grau de parentesco para efeitos de adoção intrafamiliar.
b) Does your State apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions? <i>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993 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>	<input checked="" type="checkbox"/> Yes – go to Question 30 <input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: . Go to Question 30 <input type="checkbox"/> No – go to Question 29 c)

<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>
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PART VIII: SIMPLE AND FULL ADOPTION²⁰

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 20 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 20 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 31</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)²¹ 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 / family²² to the conversion of a “simple” adoption into a “full” adoption (in accordance with Art. 27) when the</p>	

²⁰ 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 14), Chapter 8.8.8.

²¹ Or other person(s) whose consent to the adoption is required under Art. 4 (c) and (d) of the 1993 Adoption Convention.

²² *Ibid.*

request is made many years after the original adoption?	
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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	
a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?	Autoridade Central em Matéria de Adoção Internacional.
b) For how long is the information concerning the child's origins preserved?	30 anos - art.º 9º n. 5 da Lei nº 57/VIII/2014, de 3 de fevereiro.
<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: Não está regulamentado. <input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: Não está regulamentado. <input 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>
d) Where access to such information is provided, is any counselling or other guidance / support given in your State?	<input type="checkbox"/> Yes – please specify: <input checked="" type="checkbox"/> No
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)?	<input type="checkbox"/> Yes – please specify: <input checked="" type="checkbox"/> No

32. Post-adoption reports	
a) Is there a model form which is used by your State for post-adoption reports?	<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):

	<input checked="" type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (e.g., medical information, information about the child’s development, schooling):
<p>b) What are the requirements of your State in relation to post-adoption reports? Please indicate:</p> <p>(i) How frequently such reports should be submitted (e.g., every year, every two years);</p> <p>(ii) For how long (e.g., until the child is a certain age);</p> <p>(iii) The language in which the report must be submitted;</p> <p>(iv) Who should write the reports; and</p> <p>(v) Any other requirements.</p>	<p>(i) Não regulamentado</p> <p>(ii) Não regulamentado</p> <p>(iii) Português</p> <p>(iv) Não regulamentado</p> <p>(v)</p>
<p>c) What, if any, are the consequences in your State if post-adoption reports are either:</p> <p>(i) Not submitted at all; or</p> <p>(ii) Submitted, but not in accordance with your requirements?</p>	<p>(i) Não regulamentado</p> <p>(ii) Não regulamentado</p>
<p>d) What does your State do with post-adoption reports? (i.e., to what use are they put?)</p>	Acompanhar a integração e o desenvolvimento da criança.

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²³

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

33. The costs ²⁴ of intercountry adoption	
<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input 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:</p> <p><input checked="" 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: Apenas as Custas Judiciais.</p> <p><input type="checkbox"/> No</p>

²³ 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 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*.

²⁴ See the definition of “costs” provided in the Terminology, *ibid*.

<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:</p> <p><input type="checkbox"/> Other (please explain):</p>
<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 checked="" type="checkbox"/> Only by bank transfer:</p> <p><input type="checkbox"/> In cash:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</p>	<p>Cofre dos Tribunais.</p>
<p>f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)?</p> <p>N.B. Please also ensure that your State has completed the “Tables on the costs associated with intercountry adoption” (see above).</p>	<p><input type="checkbox"/> Yes – please indicate how this information may be accessed:</p> <p><input checked="" type="checkbox"/> No</p>

34. Contributions, co-operation projects and donations²⁵	
<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁶ to your State if it wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the “Note on the financial aspects of intercountry adoption” at Chapter 6.</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • What type of contribution is required: • Who is responsible for paying it (i.e., the Central Authority or the relevant authorised foreign accredited body): • How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process:

²⁵ See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 23.

²⁶ See further the Terminology, *supra*, note 23, 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.

	<input checked="" type="checkbox"/> No
<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. <input checked="" type="checkbox"/> Yes – it is <i>permitted</i> but not required. </p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> • What type of co-operation projects are permitted: Projetos relacionados com a aplicação da Convenção de Haia: Regulamentação da de Adoção Internacional - Lei 57/VIII/2014; Capacitação e formação dos técnicos do CAI; Assessoria técnica. • Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): Autoridade Central e OAA. • Whether such projects are monitored by an authority / body in your State: Autoridade Central. • How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: A Autoridade Central trabalha respeitando os princípios de rigor, transparência na análise dos processos, respeitando a ordem cronológica dos candidatos na lista de espera. <p><input type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p>N.B. This is <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).</p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): • What donations are used for: • Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs): • At what stage of the intercountry adoption procedure donations are permitted to be paid: • How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process:

	<input checked="" type="checkbox"/> No
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35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	Autoridade Central - Conselho para a Adoção Internacional.
b) What measures have been taken in your State to prevent improper financial or other gain?	A Autoridade Central de Cabo Verde não teve conhecimento de nenhuma situação de ganhos materiais indevidos.
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Não regulamentado.

PART XI: ILLICIT PRACTICES²⁷

36. Response to illicit practices in general	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. ²⁸	A sentença de adoção pode ser revista de acordo com o estabelecido no art.º 1932, nº 1, alíneas a), b) e c) do Código Civil.

37. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State's intercountry adoption programmes. Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).	- Lei nº 57/VIII/2014; - Código penal; - Convenção de haia sobre aspetos Cíveis do Rapto Internacional de Crianças.
b) Please explain how your State monitors respect for the above laws.	A partir de denúncias.
c) If these laws are breached, what sanctions may be applied (e.g.,	Pena de prisão, multas e revogação de autorização.

²⁷ "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 >).

²⁸ *Ibid.*

imprisonment, fine, withdrawal of accreditation)?	
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38. Private and / or independent adoptions	
<p>Are private and / or independent adoptions permitted in your State?</p> <p>N.B. “Independent” and “private” adoptions are <u>not</u> consistent with the system of safeguards established under the 1993 Adoption 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>

PART XII: INTERNATIONAL MOBILITY

39. 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 your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State²⁹ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Adoption 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: O CAI recebe as candidaturas</p> <p>- Analisa, avalia e decide sobre a idoneidade ou inidoneidade dos candidatos a AI;</p> <p>- Ordena outras diligências, se ne necessario.</p> <p><input type="checkbox"/> No</p>
<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Adoption 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 State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: Adopção internacional</p> <p><input type="checkbox"/> No</p>

²⁹ 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 14), Chapter 8.4.

³⁰ 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 (despite their common nationality). The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION³¹

40. Selection of partners	
a) With which receiving States does your State currently partner on intercountry adoption?	Portugal, Espanha, Itália.
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 Adoption Convention. <i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i>	Cabo Verde está aberto a receber candidaturas de todos os Estados membros da Convenção de Haia.
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. ³²	<input checked="" type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.
d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (<i>e.g.</i> , the conclusion of a formal agreement ³³ with that receiving State)?	<input type="checkbox"/> Yes – please explain the content of any agreements or other formalities: ³⁴ <input checked="" type="checkbox"/> No

³¹ 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.

³² See GGP No 1 (*op. cit.* note 14), 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”.

³³ 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.

³⁴ *Ibid.*