

QUESTIONNAIRE ON THE PRACTICAL OPERATION OF THE 1993 ADOPTION CONVENTION
Prel. Doc. 3 of February 2020 for the Special Commission meeting in 2021

Name of State:	PERU
Information for follow-up purposes	
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1. POST-ADOPTION MATTERS

1.1. Preservation of, and access to, information

Both States of origin and receiving States

1.1.1. Preservation of information and use of data

1.	<p>Has your State centralised, in a public facility, information concerning the child's origins and the adoption of the child?</p> <p><input checked="" type="checkbox"/> Yes. Please specify where the information is centralised:</p> <p>All the records of Adoption of minors in vulnerability and adoptability, processed under the Hague Convention of 1993, are in the General Directorate of Adoptions of the Ministry of Women and Vulnerable Populations and, where appropriate, if they are adoptions by exception indicated in Art 128 of the Code of Children and Adolescents are found in the Central Archive of the Judicial Power of Peru.</p> <p>Since January 2020, the Ministry of Women and Vulnerable Populations (MIMP) registers the acts and persons related to the adoption procedure in the National Registry of Adoptions and the Judicial Power, through the Specialized or Mixed Courts, is obliged to refer to the Directorate General of Adoptions of the Ministry of Women and Vulnerable Populations (MIMP), the judicial resolutions that provide for the adoption of children and adolescents (art 142 of Emergency Decree No. 001-2020 amending Legislative Decree 1297 - January 2020).</p> <p><input type="checkbox"/> No. Please specify where the information is stored:</p> <p>Please insert text here</p>
2.	<p>Has your State encountered situations where personal data obtained during the intercountry adoption process has been misused (see Art. 31 of the Convention)?</p> <p><input type="checkbox"/> Yes. Please provide details of the types of situations your State encountered and the action(s) taken in response:</p> <p>Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>

1.1.2. Search for origins

3.	<p>Is there a specialised programme or section in the Central Authority which deals with the search for the origins of an adoptee?</p> <p><input checked="" type="checkbox"/> Yes. Please provide its name and explain the services provided:</p> <p>The MIMP General Adoption Directorate has a specialized team in the Information Training and Registration Directorate (DCRI). The right of the adoptee to know its origins is</p>
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	<p>incorporated in art. 128 of Legislative Decree No. 1297 and its regulations. The advisory and information service is provided to adoptees who request the search for origins and accompaniment to the biological family. The minor adopted person can request the information regarding their identity, without the need for representation.</p> <p>The procedure includes the following actions:</p> <ol style="list-style-type: none"> Evaluation of the origin search request. Search of referential data in the administrative adoption files. Psychological preparation of the adopted person and preparation of the parent for the meeting. Development of the meeting between the applicant and his / her parent. Psychological support for integration of life experiences. Follow-up of the case to assess the impact of the meeting on both parties <p><input type="checkbox"/> No. Please specify how the search for the origins is handled: Please insert text here</p>
4.	<p>Has your State developed any good practices to ensure that Recommendation No 21¹ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>In 2016, General Directive No. 009-2016-MIMP was authorized through Ministerial Resolution 120-2016-MIMP, which approves the "Technical Guidelines for the Attention of Requests for Search of Origins of Adopted Persons". This process culminates when it is recognized by Legislative Decree No. 1297 and its regulations D.S. N ° 001-2018 MIMP</p> <p>In all the stages of preparation, evaluation, adoption and post adoption, management strategies are incorporated, about the possibility that an adopted child or adolescent wishes to know about their origins.</p> <p>In the workshops for families in the post-adoptive stage, the communication of the adoption to their own children is emphasized. The Adoption and Post Adoption Directorate (DAPA) coordinates with the Adoption Training and Registration Directorate (DCRI) to obtain the most detailed information in the file, if applicable, the referential case that operates in the Peruvian Judiciary. When the adopted person searches for his origins, he and his biological family have psychological support.</p> <p><input type="checkbox"/> No. Please specify any reasons: Please insert text here</p>
5.	<p>If your State allows for the use of DNA testing to search for origins, please specify:</p> <p>(a) which body is in charge of the DNA testing (e.g., government, private companies, NGOs); N/A</p> <p>(b) where the data is stored, and whether it is stored by a public or private entity; N/A</p> <p>(c) the average cost of a DNA test in your State and whether any subsidy is available;</p>

¹ ["Conclusions and Recommendations adopted by the Fourth Meeting of the Special Commission on the practical operation of the 1993 Hague Intercountry Adoption Convention \(8-12 June 2015\)"](#), C&R No 21 (hereinafter, "C&R of the 2015 SC"):

"The SC recommended that the possibility of a child searching for his or her origins be **included** in the **counselling and preparation** of the prospective adoptive parents. When an adopted child or an adult adoptee undertakes such a search, **professional support** at all stages is recommended" [emphasis added].

	<p>N/A</p> <p>(d) details of any challenges and / or good practices your State may have developed with respect to the issues identified in this question and DNA testing in general.</p> <p>N/A</p>
6.	<p>What is your State's practice when the background information of an adoption is incomplete or non-existent? How does your State support adoptees in such situations?</p> <p>Our practice consists of executing actions to favor the reconstruction of their personal history based on the information that can be deduced from the file, even if it is scarce, guiding the process to emphasize the interest and emotional need of the person who initiates the process</p>
7.	<p>What is the procedure in your State when illicit practices are discovered during a search for origins? Please provide details of any challenges and / or good practices.</p> <p>In any process in which an unlawful practice is detected, the competent authority must be notified so that the case is evaluated and the pertinent investigations and legal actions are initiated. There are no experiences of illegal practices</p>
8.	<p>If statistics are available in your State regarding the number of adoptees who are searching / have searched for their origins, please specify:</p> <p>(a) how many of these searches were successful (e.g., the adoptee found his birth family);</p> <p>In the adoption cases after the signing of the 1993 Hague Convention approved in Peru in 1995, the search has been completed in all its stages. Contact and follow-up of the adopted applicant, with his biological family have been made. It is referred to the Judiciary when applicable.</p> <p>(b) how many were not successful and what were the reasons.</p> <p>None. All requests based on the need of the interested person and availability of the file in our files had the required professional intervention</p>
9.	<p>Has your State encountered any challenges with regard to access to information due to the confidentiality of the identity of the birth parents?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the challenges and how your State addressed them:</p> <p>There is no regulation on the limits to the confidentiality of the parents' identity</p> <p><input type="checkbox"/> No.</p>
10.	<p>Does your State make a distinction between the disclosure of identifying versus non-identifying information?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>The interested party is given the identity data of the biological parents and other non-identifying data such as: socioeconomic, medical, numbers of siblings, etc. are only given when their authorization has been obtained and it has been assessed that they will help the adopted child in their process of building his identity</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>Please insert text here</p>
11.	<p>What is the procedure in your State for processing requests from the birth family to receive information concerning the adoption of their child? Does your State have a specific programme / database to handle such requests?</p> <p>The biological parents, having lost parental authority and filial ties, do not have access to information about the adoptive family. However, in case, someone from the family of origin of a boy or girl presents himself to request information, he will be able to write a letter in which he</p>

will include his basic contact information, which will be placed in the adoptive file. In case in the future the interest to know his/her origin arises, the boy or girl will find the contact letter. This is done taking into account the best interests of the child.

1.1.3. Guidelines and good practices

12.	<p>Has your State developed any guidelines (e.g., procedures, manuals) and / or good practices regarding preservation of information and search for origins?</p> <p><input checked="" type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>In the operational part and with regard to the preservation of information, in 2018 a process of digitalizing files was started in order to maintain a digital file. There has been a great regulatory advance. Thus, with Ministerial Resolution 120-2016-MIMP, General Directive No. 009-2016-MIMP, "Technical Guidelines for Attention to Search Requests for the Origin of Adopted Persons" was approved. In 2016, it was incorporated into national regulations with the rank of law in Legislative Decree No. 1297 "for the protection of children and adolescents who are unprotected or at risk of losing protection" which is regulated in its article No. 145 and in its regulation: DS N ° 01-2018 MIMP Chapter IV-Arts. 214 and 215; source:https://www.mimp.gob.pe/homemimp/direcciones/dga/normas.php</p> <p><input type="checkbox"/> No.</p>
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1.2. Post-adoption services²

Both States of origin and receiving States

13.	<p>Has your State developed any good practices to ensure that Recommendation No 18³ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>A phase of accompaniment to families is carried out after the end of the post-adoptive follow-up. Directive No. 06-2017 MIMP numbers 6.8.1 and 6.9. On the Other hand, after the post-adoption follow-up, an official letter is sent to the family where future care services are provided.</p> <p><input type="checkbox"/> No. Please specify any reasons: Please insert text here</p>
14.	<p>If your State provides specialised post-adoption services, please specify:</p> <p>(a) the type of services provided and to whom they are provided (e.g., child and adult adoptees, birth families, adoptive families);</p> <p>The principal object of the international post-adoption follow-up is to ensure the well-being of the child or adolescent and his/her future development in the adoptive family. It is carried out through the evaluation of the semi-annual reports of the Central Authorities, accredited bodies, and in general the bodies authorized by the General Directorate of Adoptions carry out and remit in accordance with the dispositions that said authority issues for such effect. The international post-adoption follow-up lasts 4 years, except as provided</p>

² Post-adoption services may be provided to adoptees, birth families and adoptive families.

³ C&R No 18 of the 2015 SC:

"The SC recognised that post-adoption services are essential and should take into account the **lifelong nature** of adoption. States are encouraged to develop **specialised post-adoption services**, in addition to the general services already in place" [emphasis added].

	<p>in international conventions currently in effect. The national post-adoption process, the Post-Adoptive Accompaniment, implies psychological intervention aimed at adopted children and adolescents, and at their adoptive families. According to the needs of each case, this approach is combined with interdisciplinary care in the areas of physical health, mental health, and education.</p> <ul style="list-style-type: none"> - Post-adoptive workshops: done with respect to upbringing and coexistence for adoptive families - Search for origins for adopted adults and their biological families <p>(b) who provides the services (<i>e.g.</i>, social welfare administration, school, health personnel); The support service is provided by the Adoption and Post Adoption Directorate of the General Adoption Directorate of the MIMP. It is supported by public and private health and education assistance services, according to the particular needs and circumstances of each case attended.</p> <p>(c) whether the professionals involved in the post-adoption services are the same as those involved in the preparation of the prospective adoptive parents (PAPs); They are not the same. Some professionals who provide post-adoption services participate, when required, in preparation workshops for prospective adoptive parents. Generally speaking, all professionals in post-adoption services have current or past experience working in preparation workshops for prospective adoptive parents.</p> <p>(d) how, if there are different services, these various services are coordinated; Meetings are held to exchange experiences among professionals at the national level, such as those at headquarters: The General Directorate deals with the cases that arise and the needs of the services. There is no established formal procedure</p> <p>(e) how the post-adoption services are financed (<i>e.g.</i>, the government funds its own services, the government funds Adoption Accredited Bodies (AAB) services, adoptees and their families pay for the services themselves, other); Post-adoption services provided by the Adoption and Post-Adoption Directorate to adoptive families are entirely free, financed by the Peruvian government through the public treasury. (Article 135 of Legislative Decree No. 1297)</p> <p>(f) the length of time this support is available. The international post-adoptive follow-up lasts 4 years. The national has a duration of 03 years, without prejudice to it, if after that period any family has a situation in which they require support, they can go to the Adoption and Post Adoption Directorate and request the support they may require. The search for origins is carried out at the request of the adopted person.</p>
15.	<p>Please provide details of any good practices in your State which ensure that adoptees, adoptive families and birth families are adequately informed about, and can easily access, post-adoption services.</p> <p>Currently, information and communication technologies (TICS) are being incorporated to carry out national and international post-adoptive follow-up, such as interviews through video conference systems. Dissemination of the activities of the post adoption service during the adoption process by electronic means. At the end of the adoption process, guidance is provided to adoptive families and Accredited Bodies in order to communicate with the post-adoption area to attend to particular conditions as they deem appropriate. There is direct communication with national adoptive families through emails and calls to report on post-adoptive workshops.</p>
16.	<p>In setting up post-adoption services in your State, were the voices of adoptees considered?</p> <p><input type="checkbox"/> Yes. Please specify in what way their voices were considered:</p>

	<p>Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
17.	<p>Has research been carried out in your State in the past five years assessing post-adoption services?</p> <p><input checked="" type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p style="padding-left: 20px;">If a diagnostic study of national frustrated adoptions has been completed, which is still at the stage of validation before the internal authorities, then its disclosure is not appropriate.</p> <p><input type="checkbox"/> No.</p>

Receiving States only

18.	<p>Please specify any challenges your State encounters in ensuring that adequate support is in place for adoptees and the adoptive family following an intercountry adoption, including where parents have adopted a child with special needs. Please also share any good practices your State has developed to overcome such challenges.⁴</p> <p>Please insert text here</p>
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1.3. Post-adoption reports

Receiving States only

19.	<p>Does the preparation of PAPs in your State include the provision of information on post-adoption report requirements of the State where the PAPs (would like to) adopt?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p style="padding-left: 20px;">Please insert text here</p> <p><input type="checkbox"/> No. Please specify when and how PAPs are otherwise informed:</p> <p style="padding-left: 20px;">N A</p>
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Both States of origin and receiving States

20.	<p>Has your State encountered situations where the adopted child refused or objected to the obligation to comply with the post-adoption report requirements?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the types of situations and what action your State has taken to address this type of situation:</p> <p style="padding-left: 20px;">Recently, we have had a case of an adopted person who reached the age of majority and communicated his decision not to continue with the post-adoptive follow-up. The case is under evaluation to determine the most appropriate measures based on the opinion of the person adopted.</p> <p><input type="checkbox"/> No.</p>
21.	<p>What has been your State's recent experience regarding post-adoption reports? Please provide details of any challenges and / or good practices in this regard.</p> <p style="padding-left: 20px;">Challenges: International families that were cared for by an Accredited Body of the United States of America that canceled their operations, refuse to continue with the post-adoptive</p>

⁴ If applicable, you may wish to refer to your State's response to Question 17 of "[Prel. Doc. No 2 of October 2014 - Questionnaire No 2 on the practical operation of the 1993 Hague Intercountry Adoption Convention](#)" (hereinafter "[2014 Questionnaire](#)").

follow-up despite the interventions of their Central Authority. Reports forwarded with missing documents (medical certificates, therapy reports or school records). Delayed reporting. This condition occurs more frequently when the reports are prepared by the Central Authorities of the receiving countries. International reports that present the minimum information that according to Peruvian regulations should be sent.

Good practice: Direct coordination of collaborative work between the post-adoption services of Central Authorities. It is considered important to have a direct contact to facilitate the coordination of actions to solve difficulties regarding post-adoptive reports. Application of information technologies, in special cases, for direct post-adoptive follow-up interviews with international and national families. It should be noted in this regard, that the data recorded on the website of The Hague Convention has been supportive of this management, however in some cases they do not have updated information.

1.4. Adoption breakdowns

Both States of origin and receiving States

22. If your State has had any experience regarding **intercountry adoptions which have broken down**, please specify:⁵
- (a) what have been the main **causes** of the breakdowns;⁶
- Problems of coexistence to adapt to the new family life that had repercussions in the construction of the emotional bond between the child or adolescent and his adoptive parents.
 - An inadequate evaluation of the FPA regarding their motivation for adoption.
 - Difficulty of the adoptive family to manage the behavior of adopted children or adolescents.
 - Tension conditions are reported between parents and children that generate concern about the occurrence of situations of aggression.
 - Problems in faulty reports on the child's family and health history.
- (b) how your State **has addressed** these situations and whether your State has any good practices to share in this regard;⁷
- Prevention actions are sought by following up the maximum period established by law during the post-adoptive stage, when these types of situations have been detected. Improvements have been made to the level of assessments required of FPAs and minors. Legislative Decree No. 1297 and Directive No. 008-2017-MIMP "Technical and Operational Criteria and Procedures for the Evaluation of Children and Adolescents, Declaration of Aptitude of Applicants and Priority Adoptions" allow the comprehensive evaluation and preparation of children and adolescents so that they can develop a better process during adoption, as well as the assessment of future adoptive parents. As a central authority, we have maintained contact with the adoptee despite the critical situations generated through the adoption that have even allowed us to support these adoptees through institutions such as the Ministry of Foreign Affairs of Peru, which facilitates their better quality life. In 2016, Legislative Decree 1297 was approved, in which Article 140, referring to the protection measure in cases of failure of an international adoption, incorporated the Ministry of

⁵ If the Central Authority in your State is not informed about this information because it relates to a child protection measure which is a different department / institution than the Central Authority, we would be grateful if you could request this information from the relevant authorities in your State.

⁶ If applicable, you may wish to refer to your State's response to Question 18(a) of the [2014 Questionnaire](#).

⁷ If applicable, you may wish to refer to your State's response to Question 18(b) of the [2014 Questionnaire](#).

Foreign Affairs in support of the MIMP. Thus, in all international adoption procedures in the event that the adopted child or adolescent is a victim of family vulnerability. The Ministry of Women and Vulnerable Populations, with the support of the Ministry of Foreign Affairs, through its organs of the foreign service, coordinates with the competent authorities of the country of residence of the girl, boy or adolescent, to resolve the best measure of comprehensive protection in their favor.” As the State of origin, the actions were aimed at carrying out articulation activities to have the necessary information to know the state of the child or adolescent. Thus, the following were considered:

a) Request the collaboration of the entities involved in the care of the child or adolescent to the receiving countries.

Require the entities viable data to be obtained related to the established protection measure, information on the state of the child by the professionals who care for it and request direct intervention that allows us to know the opinion of the child or adolescents.

b) Request information about the psychological support that will be provided to the child or adolescent in the future, the treatment work plan and intervention that will be carried out.

(c) what **support** is available for the adoptee and the adoptive family to prevent and / or respond to the breakdown of intercountry adoptions;

The adoptee and the family have the support provided by the post-adoption service of the Accredited Bodies or the Central Authority of the receiving State. According to our experience, there are Accredited Bodies or Central Authorities that have greater support resources than others.

(d) whether your State has developed any good practices to ensure that **Recommendation No 19⁸** of the 2015 Special Commission is implemented:

Yes. Please specify any good practices developed in this regard:

Post-Adoption Services: A structure is followed in the post-adoptive reports of areas to be evaluated contemplated in Directive 006-2017-MIMP-DGA. The aforementioned Directive, formalizes the use of technological means of communication (TICS) to establish virtual contact with families according to the needs and coordination that are made. Determine sector professionals to attend cases, with the aim of having the same professional follow up on an adopted child or adolescent, contributing to a particular understanding of their personal and family development. Case studies are carried out to provide feedback on the work of other areas carried out during the adoption process.

No. Please specify any reasons:

Please insert text here

(e) whether your State has experienced breakdown cases in which it was determined that it was in the child’s best interests to **return** to the State of origin, and if so, what the situations were and how they were handled;

No

(f) **how many** cases of breakdown in intercountry adoptions have been reported in your State between 2015 and the present date;

Three (03) adoptions of which two belong to the dissolved adoptions during the post-

⁸ C&R No 19 of the 2015 SC:

“The SC recognised that appropriate evaluations, preparation, reports, matching and post-adoption support, in relation to both the child and prospective adoptive parents, will reduce the risk of the breakdown of intercountry adoptions.”

	<p>adoptive period and one outside the post-adoptive period.</p> <p>(g) how many of these cases included a new placement (e.g., foster care, new adoption) for the child;</p> <p>In the cases of an Italian and an American family, a new family placement with third parties took place.</p> <p>In some countries, when failure occurs, the receiving country no longer reports information, while privacy laws in the country do not allow it.</p> <p>(h) how many cases of breakdowns were intercountry adoptions done (a) under the 1993 Adoption Convention ; and (b) outside of the Convention (i.e., prior to the entry into force of the Convention in your State or with non-State Party);</p> <p>All of them occurred within the framework of The Hague Convention</p> <p>(i) in line with Recommendation No 20⁹ of the 2015 Special Commission, whether your State has applied the 1996 Child Protection Convention to enhance cooperation between States of origin and receiving States in cases of breakdown, and if so, please explain.</p> <p>No</p>
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Receiving States only

23.	<p>Is your State's Central Authority informed and involved / consulted when an intercountry adoption breaks down?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>NA</p> <p><input checked="" type="checkbox"/> No. Please specify whether the staff of the child protection services include workers specialised in adoption:</p> <p>NA</p>
24.	<p>Do your State's authorities consult with the Central Authority of the child's State of origin:</p> <p>(a) if an adoption breaks down?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p>NA</p> <p><input checked="" type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p>NA</p> <p><input checked="" type="checkbox"/> No.</p>

States of origin only

25.	Is your State's Central Authority (or other competent authority) informed or involved /
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⁹ C&R No 20 of the 2015 SC:

"The SC encouraged States to consider ratification of, or accession to, the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children* (hereinafter, "the 1996 Hague Convention") in view of its relevance in enhancing cooperation to protect children in many different situations, including following the breakdown of intercountry adoptions."

	<p>consulted by the competent authorities of the child's receiving State:</p> <p>(a) if an adoption breaks down?</p> <p><input checked="" type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p>If they are within the post-adoption period, we receive information from the OAAs about the failure situation and the protection measures, with very specific data. But we do not have details of the emotional and legal situation of the adopted child or adolescent. Therefore, we have to require this information. The central authority does not participate, it may be because it is not regulated in the 1993 Hague Convention and does not oblige to comply with a post-adoption stage of control by the central authority. If the post adoption period (4 years) has ended, neither the authorities of the receiving State nor implicate or consult us on actions they take to protect the cases of children or adolescents. Except in cases where child abuse has been committed.</p> <p><input type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input checked="" type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p>They only give us little information. In the same way, we request that they provide us with more data. In some cases we have had to insist and implicate institutions involved in their process to have this information. The authorities of the receiving State do not implicate or consult us. It is our Consulate in the country of residence that, in application of article 140 of Legislative Decree 1297, intervenes in the monitoring of the new protection measure.</p> <p><input type="checkbox"/> No.</p>
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1.5. Other post-adoption matters

States of origin only

26.	<p>Are adoptees, who did not retain the nationality of their State of origin, permitted to regain it at a later stage?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the conditions to regain nationality:</p> <p>In the case of Peru, those adopted retain their nationality, since according to article 53 of the 1993 Peruvian Constitution; Peruvian nationality is not lost, except by express resignation before Peruvian authority. In this regard, it is worth mentioning that Law No. 26574 "Nationality Law" and its Regulations approved by Supreme Decree No. 004-97-IN, regulate legal, political and social ties, concerning Peruvian nationality in accordance with the precepts of the Political Constitution and Treaties in force concluded by the State. In this sense, according to article 9 of the Nationality Law, Peruvians by birth who adopt the nationality of another country do not lose their nationality, unless they expressly renounce to it before the competent authority. This being the reason why Peru accepts dual nationality. Given this, it should be noted that Peruvians by birth who enjoy dual nationality, do not lose the exclusive rights granted by the Constitution. However, in the event that any Peruvian by birth has expressly renounced to Peruvian nationality, Article 8 of the aforementioned law establishes that they have the right to recover it, if they meet the following requirements: 1. Establish their domicile in the territory of the Republic, for at least one uninterrupted year. 2. Expressly declare their will to regain Peruvian nationality. 3. Regularly exercise profession, art, trade or business activity; or accredit the next performance of these activities. 4. Have good conduct and moral solvency. On the other hand, the girl, boy and adolescent have the right to retain their nationality and the rights inherent in it, in accordance with article 128 of our Legislative Decree No. 1297.</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>Please insert text here</p>
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Both States of origin and receiving States

27.	<p>Has your State encountered situations where adoptees have sought to regain the nationality of their State of origin?</p> <p><input type="checkbox"/> Yes. Please specify the situations and how they were handled: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
28.	<p>Please give the reasons, if any, why your State would or would not support the development of a Guide to Good Practice on post-adoption.</p> <p>It is considered important to have guidance documents between countries in order to guarantee the well-being of the child and to find the best measures according to each case of international adoption. This would make it possible to standardize criteria and strategies for post-adoptive follow-up. However, it should be borne in mind that the guide should be only guiding and not binding, while also maintaining a margin of flexibility, taking into account the different social, cultural and historical realities of each state party and the diversity of regulations involved. Collaboration and strengthening of systems among Central Authorities. It would lead to improving the process of guaranteeing the rights of adopted children and adolescents. The provisions of the Good Practice Guidelines allow the development of continuous improvement activities for both international and national post-adoption services.</p>

2. PREVENTING AND ADDRESSING ILLICIT PRACTICESBoth States of origin and receiving States

29.	<p>Have illicit practices in intercountry adoption been discovered since 2015 in your State?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) the type of illicit practices which were discovered; Please insert text here</p> <p>(b) when the illicit practices were discovered (<i>i.e.</i>, during or after the adoption procedure); Please insert text here</p> <p>(c) whether the illicit practices were done under or outside the scope of the 1993 Adoption Convention; Please insert text here</p> <p>(d) how your State handled these situations; Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
30.	<p>Please specify any good practices of your State to prevent and address illicit practices.</p> <p>The Hague Convention of 1993 has not regulated sanctions for violations during international adoption. Thus, there is no rule that obliges States to include in their criminal systems crimes related to the bad practices of international adoption related to child trafficking. Our country has taken an important step in preventing child trafficking by ratifying the Optional Protocol to the Convention on the Rights of the Child related to the sale of children, child prostitution and the use of children in pornography. Likewise, at the regional level, our country is a party of the Inter-American Convention on International Traffic in Minors. Legislative Decree No. 1297, Legislative Decree for the Protection of Girls, Boys and Adolescents without Parental Care or at Risk of Losing them, has been issued, which regulates administrative sanctions for those who exert bad practices; but we have nothing specific in criminal matters except the generic crime</p>

on child trafficking provided for in the Law against Trafficking in Persons and Smuggling of Migrants.

31. Is it possible in your State to **annul** an intercountry adoption?

Yes. Please specify:

(a) the **authority** which has jurisdiction to do so;

The Vice-ministerial Office of Vulnerable Populations of the Ministry of Women is the hierarchical Superior of the General Directorate of Adoptions that resolves a nullity of the administrative legal act. The nullity of office can only be declared by the hierarchical official superior to the one that issued the act that will be invalidated. The authority can decide on the merits of the matter to have sufficient elements for it. In this case, this point can only be reconsidered. When it is not possible to rule on the merits of the case, the reinstatement of the procedure is provided at the time the vice occurred. Art 202.2 of the TUO Law No. 27444. Nullity should be distinguished ex officio from that declared upon the request of an administrator. The first constitutes in itself an act of review that has a volitional origin from the public administration itself, while the second arises within the framework of the review provided by the appeals made by those administered (appeal and reconsideration), as in itself it does not constitute a challenging resource. Administrative acts that exhaust the administrative route may be challenged before the Judicial Power through the contentious-administrative process referred to in article 148 of the Political Constitution of the State (Art 228 inc. 1 law 27444). Thus, ex officio annulment of procedures is conceived as a tool of the public administration to review the acts that it issues and that, even when they have remained firm, contain irreparable vices. However, the ex officio annulment is not foreseen as a sanction for every flawed act. As it is an exceptional act, there must be a justification for the grievance. For this reason, nullity attacks transcendent vices and this vice must affect the general interest. According to our law, any administrative act, even when it is manifestly invalid or illegal, the nullity must be declared by an administrative or jurisdictional authority, as appropriate (Law 27444 art 9 °).

(b) **who** can request the annulment (*e.g.*, adoptee, adoptive parents, birth parents);

In those cases where said review is ex officio it is at the initiative of the authority that issued the administrative act. If it were for third parties, it will be the adopted, the adoptive parents, within the period established for the presentation

(c) the **grounds** upon which this may be done;

The grounds for nullity are defects of the administrative act, which cause its nullity as a matter of law. They are as follows: a) Contravention of the Constitution, laws or regulatory norms; b) The defect or omission of any of its validity requirements, except one of the cases of conservation of the act referred to in article 14TUO Law 27444 occurs; c) The express acts or those that result as a consequence of automatic approval or due to positive administrative silence, for which faculties or rights are acquired, when they are contrary to the legal system, or when the requirements, documentation or procedures do not comply with essential requisites for its acquisition; d) Administrative acts that constitute a criminal offense, or that are dictated as a consequence thereof. (Article 10 of TUO of Law No. 27444).

(d) whether there is **an age limit** for the annulment of an adoption;

The Law does not indicate any age but it is understood that it is processed in the case of children by whoever represents them.

(e) the **procedure** involved;

The administered raise the nullity of the administrative acts that concern them by means of the administrative resources provided for in Title III Chapter II of the TUO of the

Law27444. The nullity raised by means of an appeal for reconsideration or appeal will be known and declared by the competent authority to resolve it. (Text according to art 11 of TUO 27444). The procedure for the declaration of nullity establishes that the Administrative authority is obliged to grant a period of not less than five working days to the administered party favored with the act that is being questioned, so that he can exercise his right of defense.

(f) the **number of** intercountry adoptions which are on average annulled per year.

There is none.

No.

32. Is it possible in your State to **revoke** an intercountry adoption?

Yes. Please specify:

(a) the **authority** which has the jurisdiction to do so;

(b) **who** can request the revocation (*e.g.*, adoptee, adoptive parents, birth parents);

(c) the **grounds** upon which this is done;

(d) whether there is an **age limit** for the revocation of the adoption;

(e) the **procedure** involved;

(f) the **number of** intercountry adoptions which are on average revoked per year.

In our country, article 380 of the Civil Code is categorical in establishing that adoption is irrevocable. However, the adoptee may request that the adoption be rescinded within the following year of the age of majority and in such case, he would recover his blood relationship and the original birth certificate. We consider that even when this exception is contemplated, irrevocability continues to exist for adopters and it is a norm of international public order. In this way, a foreign rule that provided for the revocation of an adoption in our country could not be applied.

It is pertinent to point out that there exists the administrative revocation applied before the adoption is declared and they occur in other stages of the procedure. We are talking about the revocation of the Future Adoptive Parents (FAP) Suitability Resolution and the Revocation of the Pre-Adoptive Foster Care, provided for in Legislative Decree No. 1297.

The General Administrative Procedures Law (GAPL) in article 214 subsections 1 and 2 indicates in which cases administrative acts can be revoked. Administrative acts that declare or constitute legitimate rights or interests cannot be revoked, modified or replaced ex officio for reasons of opportunity, merit or convenience.

No.

3. INTRAFAMILY ADOPTIONS

In this Questionnaire, an “intrafamily adoption” is one in which the adoptive parent(s) are either **relatives** of the child (e.g., an aunt, a grandparent, a cousin) or a **stepparent** of the child. These adoptions are respectively referred to as “relative adoptions” and “stepparent adoptions.” The Convention applies to all intrafamily adoptions.¹⁰

3.1. General questions for intrafamily adoptions (i.e., relative and stepparent adoptions)

Both States of origin and receiving States

33.	<p>In your State, which authority is in charge of intrafamily adoptions?</p> <p><input type="checkbox"/> The Central Authority.</p> <p><input checked="" type="checkbox"/> Another competent authority. Please specify which authority and the reasons for designating a different authority:</p> <p>The Judiciary is in charge of recognizing intra-family adoption. In the case of the Peruvian State, intra-family adoption has not been regulated in positive law, however it is important to point out that domestic intra-family adoption, is known in our legal system, as adoption by exception, and it is regulated in Article 128 literal b) of the Code of Children and Adolescents, Law No. 27337.</p>
34.	<p>Has your State developed any good practices to ensure that Recommendation No 32¹¹ of the 2015 Special Commission is implemented?</p> <p><input type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>N/A</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p>Please insert text here</p>
35.	<p>Are there specific guidelines or procedures for intrafamily adoptions in your State?</p> <p><input checked="" type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>NA</p> <p><input type="checkbox"/> No.</p>
36.	<p>Has your State encountered any particular difficulties with adoptability decisions in the context of intrafamily adoptions?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the situations and how they were handled:¹²</p> <p>NA</p>

¹⁰ See Permanent Bureau of the Hague Conference on Private International Law, [Guide to Good Practice No 1: The Implementation and Operation of the 1993 Hague Intercountry Adoption Convention](#), Bristol, Family Law (Jordan Publishing Limited), 2008 (hereinafter, “[Guide to Good Practice No 1](#)”), sections 8.6.4 and 8.6.5.

¹¹ C&R No 32 of the 2015 SC:

“In relation to in-family adoption, the SC:

- recalled that in-family adoptions **fall within the scope** of the Convention;
- recalled the need to respect the **safeguards** of the Convention, in particular to **counsel** and **prepare** the prospective adoptive parents;
- recognised that the **matching** process might be **adapted** to the specific features of infamily adoptions;
- recommended that the **motivations** of all parties should be **examined** to determine whether the child is genuinely **in need of adoption**;
- recognised that it is necessary to undertake an **individualised assessment of each child’s situation** and it should **not** be **automatically assumed** that either an in-country or infamily placement is in a child’s best interests” [emphasis added].

¹² If applicable, you may wish to refer to your State's response to Question 3(b) of the [2014 Questionnaire](#).

	<input type="checkbox"/> No.
37.	<p>In your State, does the termination of the pre-existing legal relationship affect only the child and his or her mother and father, or does it also affect the other members of the family (see Art. 26(1)(c) of the Convention)?</p> <p><input type="checkbox"/> It only affects the child and his or her mother and father.</p> <p><input checked="" type="checkbox"/> It affects the child and his or her mother and father, but also the other members of the family.</p> <p><input checked="" type="checkbox"/> Other. Please explain your response: NA</p>
38.	<p>Has your State encountered cases of breakdown in intrafamily intercountry adoptions?</p> <p><input checked="" type="checkbox"/> Yes. Please provide information on (a) the number of breakdowns; (b) the causes of the breakdowns; and (c) the ways your State addresses(ed) them: NA</p> <p><input type="checkbox"/> No.</p>
39.	<p>In the context of intrafamily intercountry adoptions, does your State cooperate with States with which it normally does not cooperate?</p> <p><input checked="" type="checkbox"/> Yes. Please specify any challenges your State encounters and share any good practices your State may have developed in this regard: NA</p> <p><input type="checkbox"/> No.</p>

States of origin only

40.	<p>In your State, is the subsidiarity principle applied in the same manner to intrafamily intercountry adoptions?</p> <p><input type="checkbox"/> Yes.</p> <p><input checked="" type="checkbox"/> No. Please describe any different procedures used and explain the reasons for these different procedures:¹³ NA</p>
41.	<p>Is intrafamily adoption used frequently to protect children within the extended family and / or are there other child protection measures (<i>e.g.</i>, kinship care, foster care) that your State applies to protect children within the extended family?</p> <p><input type="checkbox"/> Intrafamily adoption is used frequently. Please explain your response: NA</p> <p><input type="checkbox"/> Other child protection measures are applied. Please specify:</p> <p>(a) which other child protection measures are applied to protect children within the extended family: NA</p> <p>(b) if your State is a Party to the 1996 Child Protection Convention, whether your State applies that Convention to give effect to these other child protection measures in other</p>

¹³ If applicable, you may wish to refer to your State's response to Question 33(i) of the [2014 Questionnaire](#).

	Contracting States: NA
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3.2. Stepparent adoptions

Both States of origin and receiving States

42.	Does your State apply the 1993 Adoption Convention to stepparent intercountry adoptions? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No. Please specify any reasons: NA
43.	What is the profile of children who are adopted intercountry by a stepparent, either in your State or in the State with which your State cooperates? The international adoption of a spouse's child is not regulated.
44.	(a) Please specify any challenges your State encounters with stepparent intercountry adoptions: N/A (b) Please specify any good practices of your State for stepparent intercountry adoptions, including those for overcoming any challenges: N/A

3.3. Intrafamily adoptions and circumvention of immigration laws

Both States of origin and receiving States

45.	Has your State encountered situations where intrafamily adoptions were sought / used to circumvent immigration laws? <input checked="" type="checkbox"/> Yes. Please specify what the situations were and how your State addressed these situations: NA <input type="checkbox"/> No.
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4. DETERMINING THE CHILD'S HABITUAL RESIDENCE WHEN THE MOTHER MOVES TO ANOTHER STATE SHORTLY BEFORE GIVING BIRTH

Scenario: A pregnant woman, habitually resident in one State (State A), travels to another State (State B) where she gives birth to her child and relinquishes her newborn child for adoption in that other State (i.e., State B).

Both States of origin and receiving States

46.	If your State has been involved in situation(s) similar to the above-described scenario: (a) was your State the State of habitual residence of the mother (State A), the State of birth of the child (State B), or another State? N/A (b) how was the child's habitual residence determined? Which factors were considered? N/A (c) if adoption was considered the best option for the child, did your State determine it as being a domestic adoption or an intercountry adoption ? N/A
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	<p>(d) what challenges did your State face in dealing with such situation(s)?</p> <p>N/A</p> <p>(e) if your State was the State where the child was born, was contact sought with the State of habitual residence of the mother? Was there any cooperation between the concerned States?</p> <p>N/A</p>
47.	<p>If there is a risk that the situation described above involves a case of human trafficking, would this be considered by your State when determining the child's habitual residence?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>N/A</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>N/A</p>
48.	<p>Which actions would your State take to address the case where both your State and the other State:</p> <p>(a) would determine the child's habitual residence to be in their State?</p> <p>N/A</p> <p>(b) would determine the child's habitual residence not to be in their State?</p> <p>N/A</p>

5. SIMPLE AND OPEN ADOPTIONS

Both States of origin and receiving States

5.1. Simple adoptions

A simple adoption is one in which the parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his or her adoptive parents is established, and these adoptive parents have parental responsibility for the child.¹⁴

49.	<p>Has your State changed its legislation, rules or practices in recent years regarding simple intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes:</p> <p>N/A</p> <p><input checked="" type="checkbox"/> No.</p>
50.	<p>What is the profile of children for whom a simple intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p> <p>N/A</p>
51.	<p>If your State permits both full and simple adoption, are simple adoptions encouraged / promoted?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>Please insert text here</p>

¹⁴ See [Guide to Good Practice No 1](#), Glossary.

	<input checked="" type="checkbox"/> No. Please explain your response: In Peru, there is no simple adoption.
52.	<p>Has your State faced any problems regarding seeking the birth mother / family's consent to convert a simple adoption into a full adoption in the State of origin (Art. 27 of the Convention)?</p> <input type="checkbox"/> Yes. Please specify the situations which have arisen and how your State has dealt with these situations: Please insert text here
	<input checked="" type="checkbox"/> No.
53.	<p>(a) Please specify any challenges your State encounters with simple adoptions: NA</p> <p>(b) Please specify any good practices of your State for simple adoptions, including those for overcoming any challenges: NA</p>

5.2. Open adoptions / openness in adoption

54.	<p>Does the terms "open adoption", "openness in adoption" or similar concepts exist in your State?¹⁵</p> <input type="checkbox"/> Yes. Please specify: (a) how it is defined; (b) whether it is provided by law, regulation or only in practice; and (c) whether it is promoted in your State: Please insert text here
	<input checked="" type="checkbox"/> No. Please explain what is understood in your State by the terms "open adoption", "openness in adoption" or similar concepts: It is an adoption with direct participation and contact between the adoptive family and the biological family. In Peru, open adoption does not exist.
55.	<p>Has your State changed its legislation, rules or practices in recent years regarding open or openness in intercountry adoption?</p> <input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes: Please insert text here
	<input checked="" type="checkbox"/> No.
56.	<p>Has your State developed any good practices to ensure that Recommendation No 31¹⁶ of the 2015 Special Commission is implemented?</p> <input type="checkbox"/> Yes. Please specify the good practices developed in that regard: Please insert text here

¹⁵ If applicable, you may wish to refer to your State's response to Questions 19 and 20 of the [2014 Questionnaire](#).

¹⁶ C&R No 31 of the 2015 SC:

"The SC noted that, where not prohibited by domestic legislation, and after professional matching, **contact between the adoptee and biological family** in intercountry adoption may be **beneficial** in some cases. In order to maximise the benefits and minimise the risks of such contact, professional support should be offered to prepare the parties, as well as to assist them during and after contact. The adopted child's best interests should guide the nature of this contact, considering his or her wishes" [emphasis added].

	<input checked="" type="checkbox"/> No. Please specify any reasons: Please insert text here
57.	<p>(a) What is the profile of children for whom an open intercountry adoption is made, either in your State or in the State(s) with which your State cooperates? In Peru, there is no open adoption.</p> <p>(b) Does your State have a specific approach depending on the profile of these children? <input type="checkbox"/> Yes. Please specify these different approaches: Please insert text here</p> <input checked="" type="checkbox"/> No.
58.	<p>Does your State provide professional support or services to birth families (in the case of States of origin) or adoptive families (in the case of receiving States) and adoptees in open adoptions (e.g., support for contact agreements, supervising contact after adoption)?</p> <input type="checkbox"/> Yes. Please specify the support / services provided and any challenges and / or good practices in this regard: Please insert text here
	<input checked="" type="checkbox"/> No. Please explain your response: In Peru, there is no open adoption.
59.	<p>Has your State encountered situations where adoptees, adoptive parents and / or birth parents wanted to change the frequency or the method of contact between them after the adoption?</p> <input type="checkbox"/> Yes. Please specify what action was taken in response: Please insert text here
	<input checked="" type="checkbox"/> No.
60.	<p>(a) Please specify any other challenges your State encounters regarding open adoptions: N/A</p> <p>(b) Please specify any good practices of your State with regard to open adoptions, including those for overcoming any challenges: N/A</p>

6. NON-CONSENSUAL ADOPTIONS

In this Questionnaire, non-consensual adoption refers to the adoption of children whose birth parents have been deprived of parental responsibility by a competent authority but nonetheless disagree with the adoption. It does not intend to cover adoption where consent of the birth parents is required but not sought (such adoptions would fall under the category of illegal adoption), or where consent of the birth parents cannot be sought (e.g., they are deceased or unknown).

States of origin only

61.	<p>What are the circumstances in your State in which a parent can lose his or her parental responsibility?</p> <p>The judicial resolution declaring family vulnerability of Girls, Boys and Adolescents pronounces on the loss of parental authority of parents or the termination of guardianship. The situation of family lack of protection occurs in fact due to the non-compliance or the impossible or inadequate performance of the duties of care and protection by those responsible and which seriously affects the comprehensive development of the child and adolescent, in accordance with the aforementioned. by article 3 of the DL No. 1297.</p>
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The General Directorate of Adoptions promotes children and adolescents for adoption	
62.	<p>Does your State permit the adoption of children whose birth parents have been deprived of parental responsibility?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) whether the consent of the birth parents who have lost their parental responsibility is still required?</p> <p><input type="checkbox"/> Yes. Please explain your response: Please insert text here</p> <p><input checked="" type="checkbox"/> No. Please explain your response: It is not required during the adoption process because for the girl, boy or adolescent to be adopted it is absolutely necessary that they have previously been declared in family vulnerability, which implies that the biological parents have lost parental authority in said previous process, therefore, their consent is not required for a subsequent act</p> <p>(b) how your State ensure that the principle of subsidiarity is respected. Please also specify whether measures to support the birth family's reunification and alternative care options (e.g., long-term foster care, kinship care) are considered prior to making the decision of non-consensual adoption.</p> <p>The principle of subsidiarity is provided for in article 116 of the Code of Children and Adolescents and in article 123 of Legislative Decree No. 1297, Pursuant to the "Legislative Decree for the Protection of Children and Adolescents without Parental Care or at Risk of Losing it", adoption is the final protection measure only if the family reintegration of the child or adolescent has not been possible. There are measures aimed at working the family reintegration of the child with the family of origin or the extended family, such as the "Individual Work Plan". This plan is expressly aimed at achieving the return of the girl, boy or adolescent to their family, or the "Family Foster Care with Extended Family".</p> <p>(c) what is the procedure applicable to such non-consensual adoptions (e.g.: how the child is declared adoptable; if the birth parents are given notice of the procedure; if the birth parents can contest).</p> <p>In Peru, there is the "Family Vulnerability Procedure" which is a jurisdictional process involving biological parents and / or the people caring for children or adolescents. It is in this instance that the biological parents express their opinion and must assert their rights. Likewise, in this process, the adoptability of the children is established. Once the family's vulnerability and adoptability have been declared, the biological parents lose their parental authority and for this reason their consent is no longer required during the administrative adoption procedure. The biological parents are notified of this judicial resolution.</p> <p><input type="checkbox"/> No. Please explain your response: Please insert text here</p>

Receiving States only

63.	<p>Has your State encountered situations in which the birth parents in the State of origin contested a non-consensual intercountry adoption when the child was already in the receiving State?</p> <p><input type="checkbox"/> Yes. Please specify what actions, if any, your State has taken to deal with these situations: Please insert text here</p>
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	<input checked="" type="checkbox"/> No.
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Both States of origin and receiving States

64.	<p>What is the profile of children for whom a non-consensual intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p> <p>A profile cannot be established, but parental vulnerability is the common characteristic of all.</p>
65.	<p>(a) Please specify any challenges your State encounters with non-consensual adoptions:</p> <ul style="list-style-type: none"> -Improve the evaluation processes of families requesting adoption. -Improve the preparation processes of adoptive families. -Improve the processes of preparing girls, boys and adolescents for adoption. -Improve the processes for obtaining and appreciating the opinion of children and adolescents at all stages of adoption. -Improve the intervention processes in post-adoptive follow-up. <p>(b) Please specify any good practices of your State regarding non-consensual adoptions, including those for overcoming any challenges:</p> <p>A modern regulatory framework has recently been approved that seeks the family reintegration of children and adolescents and avoids institutionalization. The mandatory evaluation of their opinion and the presence of the Public Defender representing the State who must ensure their rights in the processes of family protection and adoption are highlighted. An analysis of adoptive failures has been carried out to analyze the problem and identify the weak aspects of the system in order to implement improvements in it. New directives and regulations are being worked on aimed at improving the adoption process in its four stages: evaluation, appointment, family integration and post adoption.</p>

7. CONTACT BETWEEN THE PAPs AND THE CHILD BEFORE MATCHING

Both States of origin and receiving States

7.1. General questions

66.	<p>Does your State prohibit any contact between the child and the PAPs before matching?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>Contact between children and adolescents with FPAs is not allowed until after both the receiving country and the country of origin have accepted the adoption procedure that takes place after the matching of the National Adoption Council that decides which family of a pair or triplet is ideal for a girl, boy or teenager. Only in cases of Special Adoptions is prior contact between families and girls, boys or adolescents permitted. Special adoptions are understood as adoptions of children who due to certain characteristics are difficult to promote in adoption, such as health problems, physical or mental disabilities, age, among others.</p> <p>Contact starts the child's integration stage. It is called the empathy phase.</p> <p><input type="checkbox"/> No. Please specify:</p> <p>(a) in which circumstances such contact is permitted;</p> <p style="padding-left: 20px;">Please insert text here</p> <p>(b) the experience of your State with regard to such contact.</p> <p style="padding-left: 20px;">Please insert text here</p>
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7.2. Summer camps / hosting programmes

In this Questionnaire, the “summer camps” practice is when adoptable children and PAPs attend an event (usually a camp) in the PAPs’ State of residence (i.e., receiving State) or in the State of origin, usually for a period of several weeks. The hope is that the PAPs will want to apply to adopt one or more of the children they have spent time with during this event.

“Hosting programmes” (including “respite care” programmes for children who go abroad to improve their physical and psychological well-being) are when adoptable children are hosted by families living abroad, usually for a period of several weeks, sometimes with the hope that the families will wish to adopt them after the hosting.

67.	<p>Is your State involved in summer camps / hosting programmes for children?¹⁷</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) whether such programmes specifically aim to be a precursor to adoption for some children (e.g., for children with special needs):</p> <p><input type="checkbox"/> Yes. Please explain your response: Please insert text here</p> <p><input type="checkbox"/> No.</p> <p>(b) whether such programmes have, in fact, resulted in the adoption of children:</p> <p><input type="checkbox"/> Yes. Please specify the percentage of children involved in the programmes that are adopted: Please insert text here</p> <p><input type="checkbox"/> No.</p> <p>(c) where a child is adopted following such a programme, how is it ensured that the safeguards of the 1993 Adoption Convention have been respected (bearing in mind that it is likely that the child remains “habitually resident” in his or her State of origin and thus the adoption would fall within the scope of the Convention under Art. 2)?</p> <p>No. Because national law does not regulate it.</p> <p><input checked="" type="checkbox"/> No.</p>
68.	<p>If your State is involved in summer camps / hosting programmes specifically aimed at the adoption of some children, please specify:</p> <p>(a) whether the children benefiting from these programmes must have been declared adoptable before they can be part of such programmes; N/A</p> <p>(b) whether the PAPs participating in such programmes must have been declared eligible and suitable to adopt to be allowed to take part in such programmes; N/A</p> <p>(c) how the PAPs and children are selected to participate in such programmes, and whether a selection is made in cooperation with the other State; N/A</p> <p>(d) how the children are prepared for such programmes;</p>

¹⁷ Regarding respite care, if applicable, you may wish to refer to your State's response to Question 54 of the [2014 Questionnaire](#).

	<p>N/A</p> <p>(e) what are the effects on and the feedback from the children who participated in such programmes but were not adopted;</p> <p>N/A</p> <p>(f) whether there have been situations where the adoption broke down after the child was adopted following participation in such programmes;</p> <p>N/A</p> <p>(g) if the PAPs wish to adopt the child, whether it is possible for the child to remain in the receiving State or whether he or she must return to the State of origin before the adoption procedure can be initiated;</p> <p>N/A</p> <p>(h) who finances such programmes;</p> <p>N/A</p> <p>(i) what is the experience of your State with these practices (<i>i.e.</i>, challenges and any potential benefits).</p> <p>N/A</p>
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7.3. Voluntourism

In this Questionnaire, "voluntourism" refers to the practice of an individual travelling to another State to volunteer in that State. One common practice is to travel to volunteer in a children's institution. In these situations, some volunteers may subsequently wish to adopt one or more children from the child institution in which they were volunteering.

69.	<p>Has your State experienced situations where "voluntourists" commenced an adoption procedure to adopt a child from the children's institution in which they volunteered?</p> <p><input type="checkbox"/> Yes. Please specify how your State handled these situations and any difficulties these situations may have caused:</p> <p>Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
70.	<p>Has your State taken any action to prohibit, regulate or to otherwise add safeguards to the practice of "voluntourism"?</p> <p><input type="checkbox"/> Yes. Please explain your response:</p> <p>Please insert text here</p> <p><input checked="" type="checkbox"/> No. Please explain your response:</p> <p>NA</p>

7.4. Adoption of children already under the care of PAPs

71.	If your State is aware of situations where PAPs have adopted or wished to adopt a child who
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	<p>was already under their care in the State of origin (<i>e.g.</i>, as part of a foster care placement, kinship care, “<i>niño puesto</i>”,¹⁸ or a more informal arrangement such as temporary care by neighbours or within a community), please specify:¹⁹</p> <p>(a) whether the child had already been declared adoptable before the PAPs’ adoption application was submitted; N/A</p> <p>(b) at what stage in the process the PAPs were declared eligible and suitable to adopt; N/A</p> <p>(c) what the profile of these children was; N/A</p> <p>(d) what was done to ensure that the safeguards and procedures of the 1993 Adoption Convention had been respected; N/A</p> <p>(e) your State's experience with such adoptions. N/A</p>
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8. USE OF NEW TECHNOLOGIES

Both States of origin and receiving States

72.	<p>Has your State changed its practices recently to integrate new technologies into work processes (<i>e.g.</i>, blockchain to facilitate transmission and access to data)?</p> <p><input checked="" type="checkbox"/> Yes. Please specify (a) what the experiences of your State are in this regard (<i>i.e.</i>, benefits and challenges) and (b) how your State take into account data protection in this context:</p> <p style="color: blue;">We have a system called SIRNA: the computerized system of the national adoption registry which is a web platform system that allows families to register for information sessions, workshops and follow up on their files in case they follow the process in the preparation stage. It also automates the registration process, attendance control and allows us to give ourselves more working time. Advantages: it allows families to stay informed of the adoption process in real time, it allows decentralized registration from anywhere in Peru. The registered information is protected in accordance with the security and backup policies established by the Information Technology Office and by the Transparency and Personal Data Protection Law.</p> <p><input type="checkbox"/> No.</p>
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9. STATISTICS

Both States of origin and receiving States

73.	<p>Please specify the number of intercountry adoptions per year (between 2015 and the present date) involving your State that are:</p>
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¹⁸ “*Niño puesto*” refers to a practice in some Latin American States where persons who already have care of a child request to adopt even if the child has not yet been declared adoptable nor have the persons been declared eligible and suitable to adopt.

¹⁹ Regarding foster care, if applicable, you may wish to refer to your State's response to Question 55 of the [2014 Questionnaire](#).

	<p>(a) relative adoptions (<i>i.e.</i>, excluding stepparent adoptions);²⁰ N/A</p> <p>(b) stepparent adoptions; N/A</p> <p>(c) simple adoptions; N/A</p> <p>(d) open adoptions or adoptions that involve a certain degree of openness; and N/A</p> <p>(e) non-consensual adoptions. International adoption statistics 2015 (79), 2016 (90); 2017 (71); 2018 (56); 2019 (64)</p>
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10. OTHER MATTERS

74.	<p>Please specify any other comments your State wishes to make concerning the implementation and / or operation of the 1993 Adoption Convention.</p> <p>The Convention should establish the obligatory nature of the states in order to guarantee compliance with the post-adoptive follow-ups.</p>
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²⁰

For receiving States, you may wish to refer to your State's response to the HCCH [Annual Adoption Statistics Form](#).