

COUNTRY PROFILE

1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION¹

STATE OF ORIGIN

COUNTRY NAME: SLOVAK REPUBLIC

PROFILE UPDATED ON: 07/2016

PART I: CENTRAL AUTHORITY

1. Contact details ²	
Name of office:	Centre for the International Legal Protection of Children and Youth
Acronyms used:	CIPC
Address:	Špitálska 8, PO Box 57, 814 99 Bratislava, Slovak Republic
Telephone:	+421 2 20 46 32 08, +421 2 20 46 32 48
Fax:	+421 2 2046 32 58
E-mail:	info@cipc.gov.sk
Website:	www.cipc.sk
Contact person(s) and direct contact details (please indicate language(s) of communication):	JUDr. Andrea Cíсарová, director (English-preferred, French)
<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>	

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

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

PART II: RELEVANT LEGISLATION

2. The 1993 Hague Intercountry Adoption Convention and domestic legislation	
<p>a) When did the 1993 Hague Intercountry Adoption Convention enter into force in your State?</p> <p><i>This information is available on the Status Table for the 1993 Hague Intercountry Adoption Convention (accessible via the Intercountry Adoption Section of the Hague Conference website < www.hcch.net >)</i></p>	1.10.2001
<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<ol style="list-style-type: none"> 1. Act No. 36/2005 Coll. Family Act, as ammended 2. Act No. 99/1963 Coll., Code of the Civil Procedure, as amended 3. Act No. 97/1963 Coll. on Private and Private International Law and Procedure, as amended 4. Act No. 305/2005 Coll., on Social and Legal Protection of Children and on Social Guardianship, and Amendments to Some Acts, as amended 5. Act No. 300/2005 Coll. Criminal Code, as amended. 6. Act No. 122/2013 on Personal Data Protection as amended by Act no. 84/2014 7. Act No. 380/2001 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption 8. Act No. 104/1991 Coll. of the Convention on the Rights of the Child <p>Available only in Slovak language at: http://jaspi.justice.gov.sk/jaspiw1/htm_zak/jaspiw_maxi_zak_fr0.htm</p>

3. Other international agreements on intercountry adoption³	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes:</p>

³ 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><i>See Art. 39.</i></p>	<p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input checked="" 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 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 Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>The Centre as the Central Authority performs the functions according the Articles 6 - 9 and 14 - 21 of the Convention. No accredited bodies are used.</p> <p>In concrete, the Centre performs mainly the following duties:</p> <ul style="list-style-type: none"> a) cooperation with foreign central authorities and accredited bodies b) monitoring and comparing current legislation in individual partner states with the law in the Slovak Republic c) receiving and assessing the applications of foreign applicants for intercountry adoption in accordance with the Adoption Convention and domestic legal prescriptions d) keeping a list of foreign applicants for intercountry adoption e) keeping a list of children for whom it is possible to arrange intercountry adoption f) making "matching decisions" and issuing agreements according the Article 17 letter c of the Adoption Convention g) organising a meeting (interaction) of prospective adoptive parents and the child in order to establish personal relationship between the child and the foreign applicants (this activity is carried out in collaboration with local social authorities and children's homes) h) coordinating and monitoring of the whole process of each intercountry adoption i) monitoring development of the child placed in pre-adoption care or adopted abroad j) receiving, assessing and evaluating of social reports on integration of the child adopted abroad sent to the Centre by partner central authorities or accredited bodies of the receiving states k) issuing of certificates according the Article 23 of the Adoption Convention

5. Public and competent authorities	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p>The local Offices of Labour, Social Affairs and Family (hereinafter "local social authorities") confirm in each individual case that it was not possible to place the child in a family in the country of origin and thus the intercountry adoption of the child is possible (Article 4 letter b).</p> <p>The courts decide in each individual case that the child is adoptable. This decision must exist before any steps in adoption process are taken (Article 4 letter a).</p> <p>The courts decide also on entrusting the child in temporary pre-adoptive care of the prospective adoptive parents. This decision always must precede the final adoption decision and only after issuance of this decision the PAPs may leave the Slovak Republic with the child. The temporary pre-adoptive care of the PAPs for the child lasts at least 9 months. Only then the final adoption decision can be made. The decision on entrusting the Slovak child in pre-adoptive care of PAPs can be made only by the Slovak court.</p> <p>The final adoption decision can be made by the competent Slovak court or the competent foreign court.</p>

6. National accredited bodies⁴	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p>N.B. the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the Hague Conference (see Art. 13).⁵</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <u>go to Question 7</u></p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.⁶</p>	

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

⁵ See GGP No 2, *ibid.*, Chapter 3.2.1 (para. 111).

⁶ See GGP No 2, *supra*, note 4, Chapter 3.4.

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 bodies⁷	
a) Which authority is competent to monitor / supervise national accredited bodies in your State? <i>See Art. 11 c).</i>	

⁷ See GGP No 2, *supra*, note 4, Chapter 7.4.

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

7. Authorised foreign accredited bodies⁸ (Art. 12)	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State? <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 Hague Conference.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 8
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. ⁹	
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State? <i>Please tick any which apply.</i>	<input type="checkbox"/> Yes: <ul style="list-style-type: none"> <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 <input type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR <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 <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No

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

⁹ See GGP No 2, *supra*, note 4, 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?	
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . ¹⁰ If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	
c) For how long is authorisation granted?	
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹¹	<input type="checkbox"/> Yes <input type="checkbox"/> No – <u>go to Question 8</u>
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (<i>i.e.</i> , withdrawn).	
e) If authorised foreign accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i> , fine, withdrawal of authorisation): <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2))¹²	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State? 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 Convention, available on the Intercountry Adoption Section of the Hague Conference website.	<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

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

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

¹² See GGP No 2, *supra*, note 4, Chapter 13.

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

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
<p>Please briefly describe the general profile of the children usually in need of intercountry adoption in your State (e.g., age, sex, state of health).</p>	<p>Children available for intercountry adoption are healthy children from 1 year of the age (most of them 3-5 years old), mostly Roma ethnic. The children have usually only a little health complication or delays in psychomotor development.</p> <p>Around 30% of these children are children with special needs. As children with special needs we consider all children with some handicap or other health problems (mostly ADHD, FAS), children older than 6 years and larger groups of siblings (3 or more children).</p>

10. The adoptability of a child (Art. 4 a))	
<p>a) Which authority is responsible for establishing that a child is adoptable?</p>	<p>Slovak district courts (if there is no consent of the parents inducted in the birth certificate)</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>The court decides that the child is adoptable, if one of the following situation occurs:</p> <p>a) if parents of the child have not shown true interest in the child during a period of at least six months, particularly they have not visited him, have not regularly and voluntarily fulfilled their maintenance obligation toward their child and they have not make any effort to adjust their family and social conditions in such way so that they can take over the care for the minor child, if no serious obstacle have prevent them to do so,</p> <p>b) if parents of the child have not shown any interest in the child during a period of at least two months right after the birth of the child, if no serious obstacle have prevent them to do so,</p>

¹³ See GGP No 2, *supra*, note 4, Chapter 13.2.2.5.

	c) if parents of the child have given prior consent to the adoption without regard to any specific adopters.
c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (<i>e.g.</i> , search for the child's birth family). <i>N.B.</i> the issue of consent is dealt with at Question 12 below.	

11. The best interests of the child and subsidiarity (Art. 4 b))

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).	The decision is made when it is not possible to find a foster or adoptive family for the child in Slovakia in a period of 6 months from the time the child is entered in the register of children, who are in need of placement in foster or adoptive families.
b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?	This decision is made by local social authorities under the conditions of the Act No.305/2005 Coll.
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.	The best interest of the child is considered in every case individual.

12. Counselling and consents (Art. 4 c) and d))

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: (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 rights and responsibilities which attach to being a parent). 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.	(i) consent of both parents (ii) consent of known or alive parent (iii) consent of the biological father is required, when the father is known (same as mother) (iv) other parent or guardian (v) A minor parent has the same right to give the consent as a adult parent.
b) Please describe the procedure for: (i) counselling and informing the birth parents / family regarding the	(i) Local social authorities inform the parent about the consequences of an adoption.

consequences of a domestic / intercountry adoption; and (ii) obtaining their consent(s) to an adoption. ¹⁴	(ii) Consent must be given on the court.
c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the Hague Conference? <i>The model form is available on the Intercountry Adoption section of the Hague Conference website.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:
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. <i>See Art. 4 d) 2).</i>	Child has to be heard by the court if the child is able to formulate opinions. (no age limit)
e) Please briefly describe the circumstances in which a child's <u>consent</u> to an intercountry adoption is required in your State. Where the child's consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption. <i>See Art. 4 d) 1).</i>	Consent of the child is necessary as soon as the child is able to consider consequences of such a decision. (no age limit)

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".	As children with special needs we consider: - children with some handicap or other health problem (for ex. ADHD, FAS, children of drug addicted mothers), - children older than 6 years, - larger groups of siblings (3 or more children).
b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	The Centre may prepare an "information list" of the child with special needs providing information of the age, health status and personality of the child. Afterwards this "information list" is forwarded by the Centre to partner receiving countries with a request for help in searching for a family for the child.

14. The preparation of children for intercountry adoption

¹⁴ See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Convention.

<p>Is there a special procedure in your State to prepare a child for an intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please provide details (<i>e.g.</i>, the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used): Yes, there is always a preparation of the child for adoption.</p> <p>The first part of the preparation is "general preparation" and it consists of psychological and social counselling. At this stage, the child is acknowledged of a possibility of being adopted, what adoption is, what are the consequences of adoption, etc.</p> <p>The second part of the preparation is "concrete preparation". It is done after a matching decision is made and consents according the Article 17 of the Convention are given - that means the concrete PAPs are already known and the competent authorities agreed that the adoption may proceed. At this stage, the bodies responsible for the preparation of the child have already concrete information of the PAPs (like information of their home environment, their photographs, DVD record, etc) and they provide this information to the child in appropriate way.</p> <p>The preparation of the child is always done in a manner appropriate to age and mental maturity of the child</p> <p>The preparation is done preferably by a psychologist of the children's home, where the child is placed.</p> <p><input type="checkbox"/> No</p>
--	--

15. The nationality of children who are adopted intercountry¹⁵	
<p>Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?</p>	<p><input type="checkbox"/> Yes, always</p> <p><input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration (<i>e.g.</i>, the nationality of the foreign resident prospective adoptive parents ("PAPs"), whether the child acquires the nationality of the receiving State):</p> <p><input type="checkbox"/> No, the child will never retain this nationality</p>

PART V: PROSPECTIVE ADOPTIVE PARENTS ("PAPs")

16. Limits on the acceptance of files
--

¹⁵ Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (hereinafter, "GGP No 1"), available on the [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website < www.hcch.net >, at Chapter 8.4.5.

Does your State place any limit on the number of PAPs' files which are accepted from receiving States? ¹⁶	<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 State¹⁷	
<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 type="checkbox"/> Heterosexual couples in a legally registered partnership: <input type="checkbox"/> Same-sex couples in a legally registered partnership: <input 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 type="checkbox"/> Single men: <input 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 type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Minimum age requirements: The age of maturity (18 years). <input type="checkbox"/> Maximum age requirements: <input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: There must be an adequate age difference. According to judicial practice, the adequate age difference is the difference that is usual between the biological parents and their child. <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
<p>c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<input type="checkbox"/> Yes: <input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify): <input type="checkbox"/> Couples must supply evidence of infertility: <input type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):

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

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

	<input type="checkbox"/> Other (please specify): <input checked="" type="checkbox"/> No
--	--

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>	<input checked="" type="checkbox"/> Yes, please explain what kind of preparation is expected: Preparation is completed as required in the receiving country and confirmed by the competent authority. <input type="checkbox"/> No

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>The Central Authority - the Centre for the International Legal Protection of Children and Youth.</p>
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<input checked="" type="checkbox"/> An application form for adoption completed by the PAPs <input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority in the receiving State <input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15) <input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents <input checked="" type="checkbox"/> Copies of the PAPs' birth certificates <input type="checkbox"/> Copies of the birth certificates of any children living with the PAPs <input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances): A copy of the marriage certificate, divorce certificate (if either or both of the PAPs is divorced) or death certificate of the spouse (if one of the PAPs is widowed) <input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required): medical certificate that states that the person is in the health status, which allows him/her to take care of a child. <input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): statements of employers of the applicants regarding annual income of the PAP's and the extracts from the tax register <input type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which

	<p>circumstances and what type of information is required):</p> <p><input checked="" type="checkbox"/> Proof of no criminal record</p> <p><input checked="" type="checkbox"/> Other(s): please explain photographs, video and sound recording on DVD of the applicants and their family environment, made no earlier than six months</p>
<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?¹⁸</p>	<p><input checked="" 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.¹⁹ Please also specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure): foreign authorised accredited body, for all stages of the procedure</p> <p><input type="checkbox"/> No</p>
<p>d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a written document provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption):</p> <p><input type="checkbox"/> A contract signed by the accredited body and the PAPs:</p> <p><input checked="" type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions:</p> <p><input checked="" type="checkbox"/> Other (please specify): declaration of designated body of receiving state of designating social welfare office responsible for delivering pre-adoptive and post-adoptive reports</p> <p><input type="checkbox"/> No</p>
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>All the documents have to be delivered either as originals or if necessary as certified copies, in duplicate, together with their certified translation to the Slovak language</p>
<p>f) Do any of the required documents need to be legalised or apostilled?</p>	<p><input checked="" type="checkbox"/> Yes, please specify which documents: Each copy of the court decision on adoption of the child must contain a certification with an Apostille</p> <p><input type="checkbox"/> No – go to Question 20</p>
<p>g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public</i></p>	<p><input checked="" type="checkbox"/> Yes, please specify the date of the entry into force of the Hague Apostille Convention in your State: 2001</p> <p><input type="checkbox"/> No</p>

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

¹⁹ See the definitions provided at notes 4 and 8 above.

<p><i>Documents (the Hague Apostille Convention)?</i></p> <p><i>This information is available on the Status Table for the Hague Apostille Convention (see the Apostille Section of the Hague Conference website).</i></p>	
---	--

20. The report on the child (Art. 16(1) a))	
<p>a) Who is responsible for preparing the report on the child?</p>	<p>Local social authorities collect all data, documents, reports and other items that compose a dossier of the child.</p>
<p>b) Is a “standard form” used for the report on the child?</p>	<p><input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy: A dossier of the child includes:</p> <ul style="list-style-type: none"> a) a social report on the child b) a medical report on the child c) a court decision on placing the child in institutional care d) a court decision on adoptability of the child e) a valid court order for institutional care f) the birth certificate of the child g) confirmation by the local social authority that the condition of the Article 4 letter b) of the Adoption Convention is satisfied h) two current photographs of the child i) DVD recording of the child (at least 20 minutes). <p><input type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it:</p>
<p>c) Does your State use the “<i>Model Form – Medical Report on the Child</i>” and the “<i>Supplement to the general medical report on the child</i>”?</p> <p><i>See GGP No 1 – Annex 7, available here.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

21. The report on the PAPs (Art. 15(2))	
<p>a) For how long is the report on the PAPs valid in your State?</p>	<p>The PAPs' report cannot be elaborated earlier than 6 months before we receive it and it must be valid in accordance with the legal prescriptions of the receiving state. The report is valid according the limitation decided by the competent authority or legal prescription of the receiving state. When the report expires, we must receive a new report from the receiving state.</p> <p>Otherwise, the report (while being still valid according to legal prescriptions of the receiving state) must be updated once a year.</p>

	Despite the annual updates, the report must be updated whenever any important change in the life of PAPs occurs.
--	--

<p>b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. <i>E.g.</i>, does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</p>	<p>If the application is not processed in the calendar year in which it was delivered to the Centre, following documents are required to be delivered:</p> <p>a) an update of the home study report, dated no earlier than three months;</p> <p>b) medical reports on the health state of the applicants, dated no earlier than three months;</p> <p>c) extracts from the criminal records of the applicants, dated no earlier than three months.</p>
--	---

22. Matching of the child and the PAPs (Art. 16(1) d) and (2))	
22.1 The authorities and the matching procedure	
<p>a) Who is responsible for the matching of the child and the PAPs in your State?</p>	<p>The Central Authority + its advisory bodies composed of experts in the field of child protection.</p>
<p>b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?</p>	<p>The commission is composed of independent highly qualified experts.</p>
<p>c) What methodology is used for the matching in your State?</p>	<p>The matching procedure is divided in two steps. Team of experts is responsible for the pre-selection of the most suitable PAP´s for the particular child. The commission specifies order of the most suitable PAP´s.</p>
<p>d) Is any preference given to PAPs who have a close connection with your State (<i>e.g.</i>, nationals of your State who have emigrated to a receiving State)?</p>	<p><input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No</p>
<p>e) Who is responsible for notifying the receiving State of the matching?</p>	<p>the Central Authority</p>
<p>f) How does your State ensure that the prohibition on contact in Article 29 is respected?</p>	
22.2 Acceptance of the match	
<p>a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?</p>	<p><input checked="" type="checkbox"/> Yes, please provide details of the required procedure: Yes, we require a confirmation according the Article 17 letters b and c from the competent authority of the Receiving state. <input type="checkbox"/> No</p>
<p>b) How much time is the receiving State given to decide whether to accept a match?</p>	<p>6 weeks</p>
<p>c) If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in your State?</p>	<p>If the applicants refuse the proposed child, the Central Authority assesses the reasons for their refusal and will inform of any measures taken within two months of the</p>

	receipt of the notification on refusal. (possible remove from the list of PAP 's)
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>i.e.</i> , during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input checked="" type="checkbox"/> Yes, please specify who is responsible for providing this information: The Central Authority - the Centre for the International Legal Protection of Children and Youth informs PAP 's of any changes which occurs. <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)?	The Central Authority - the Centre for the International Legal Protection of Children and Youth.
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 checked="" 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):

24. Travel of the PAPs to your State²⁰	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: Only after the matching and obtaining agreements according the Article 17 the PAPs may travel to Slovakia and meet the child. - How many trips are required to complete the intercountry adoption procedure: One or two trips. - If the PAPs decide to finalize adoption procedure in the Slovak Republic (the final adoption proceedings may take place at the competent court either in the State of origin or in the receiving State), they have to attend the court proceedings personally, therefore, they have to travel to Slovakia for the second time. - How long the PAPs need to stay for each trip: Both parents must travel to Slovakia for 2 objectives: <ul style="list-style-type: none"> - - 1. The first meeting of the child and PAPs occurs before the day of the court hearing. The PAPs have to come to the children's home, where the child is placed, meet the child and then, usually after first few days, they have to take over the care of the child and take the child in their rented apartment in Slovakia. At this stage, the PAPs cannot leave Slovakia with the child at any circumstances! This process of familiarization (getting to know each other) is called interaction. - The length of the interaction is set as the following: <ul style="list-style-type: none"> - in case of the child under 3 years, the interaction lasts 2 weeks, - in case of the child of 3 years and older and in case of siblings, the interaction lasts 3 weeks. - The interaction ends with the court hearing.

²⁰ See GGP No 1, *supra*, note 15, Chapter 7.4.10.

	<ul style="list-style-type: none"> - The whole process of interaction is monitored and supervised by psychologists and social workers, who at the end elaborate a comprehensive report on the entire course of the interaction and submit the report to the Central Authority and to the court. - 2. The court hearing - only after the court hearing, issuance of the court decision and receiving child's passport, the PAPs may leave the Slovak republic with the child. - Any other conditions: <input type="checkbox"/> No
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

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>	<p>The child is prepared during the interaction for entrustment. The PAPs have to come to the children's home, where the child is placed, meet the child and then, usually after first few days, they have to take over the care of the child and take the child in their rented apartment in Slovakia. At this stage, the PAPs cannot leave Slovakia with the child at any circumstances! This process of familiarization (getting to know each other) is called interaction.</p>
--	--

26. Transfer of the child to the receiving State (Arts 5 c) and 18)

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>The PAPs may leave Slovakia with the child only with the valid court decision about entrusting the child in the pre-adoption care and child's passport.</p>
---	--

<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<p>Court decision- the district court passport -the locally competent police department</p>
<p>c) Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave your State and travel to the receiving State?</p>	<p><input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No</p>

27. Final adoption decision and the Article 23 certificate	
<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<p><input checked="" type="checkbox"/> In our State – <u>go to Question 27 c)</u> <input checked="" type="checkbox"/> In the receiving State – <u>go to Question 27 b)</u></p>
<p>b) Following the making of the final adoption decision in the receiving State:</p> <p>(i) Are any further steps required in your State to complete the procedure (<i>e.g.</i>, obtaining a copy of the final adoption decision from the receiving State)?</p> <p>(ii) Which authority or body in your State should receive a copy of the Article 23 certificate issued by the receiving State?</p>	<p>(i) If the prospective adoptive parents file the petition to adopt the child at the relevant court in the receiving state - a copy of the petition within the two months of its filing. Once the procedure has been completed- valid and enforceable court decision within six weeks of its entering into effect.</p> <p>(ii) The Central Authority - the Centre for the International Legal Protection of Children and Youth.</p> <p><u>Go to Question 28</u></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and (ii) Issues the certificate under Article 23 of the 1993 Convention?</p> <p><i>N.B.</i> According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</p> <p>The answer to (ii) above should therefore be available on the Status Table for the 1993 Convention (under "Authorities"), available on the Intercountry Adoption Section of the Hague Conference website.</p>	<p>(i) the district court (ii) The Central Authority - the Centre for the International Legal Protection of Children and Youth.</p>
<p>d) Does your State use the "Recommended model form – Certificate of conformity of intercountry adoption"?</p> <p>See GGP No 1 – Annex 7, available here.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g.</i>, how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</p>	<p>The issuance of the certificate lasts at maximum one month. The certificate (original) is submitted to the accredited body of the receiving state.</p>
---	---

28. Duration of the intercountry adoption procedure

<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable;</p> <p>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</p>	<p>(i) It is individual.</p> <p>(ii) Once a match has been accepted by the PAPs and approved by the relevant authorities, we prepare all necessary documents for the empowered attorney, who files the application at the competent Slovak court. The court hearing is held usually in a period from 3 - 6 months from the time of filing the application at the court by the attorney. The court decree should be issued within 10 days after the hearing.</p> <p>(iii) In accordance with the Slovak legislation, the pre-adoptive care is provided within the family of the prospective adoptive parents in the territory of the receiving state and lasts for at least nine months. This period cannot be reduced.</p>
--	--

PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

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

<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an "<i>intra-family intercountry adoption</i>" in your State. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a "relative" of those PAPs.</p>	<p>According to the domestic law regulation in Slovak Republic it is not possible to adopt child by another family member (siblings or grandparents of the child). However slovak law recognizes these situations with the institute of substitute personal care.</p>
<p>b) Does your State apply the procedures of the 1993 Convention to intra-family intercountry adoptions?</p> <p>N.B. <i>If the child and PAPs are habitually resident in different Contracting States to the 1993 Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</i></p>	<p><input type="checkbox"/> Yes – go to Question 30</p> <p><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</p> <p><input type="checkbox"/> No – go to Question 29 c)</p>
<p>c) If your State does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p> <p>(i) The counselling and preparations which PAPs must undergo in the receiving State;</p> <p>(ii) The preparation of the child for the adoption;</p>	<p>(i) (ii) (iii) (iv)</p>

(iii) The report on the PAPs; and (iv) The report on the child.	
--	--

PART VIII: SIMPLE AND FULL ADOPTION²¹

30. Simple and full adoption	
a) Is "full" adoption permitted in your State? <i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In certain circumstances only – please specify: <input type="checkbox"/> Other (please explain):
b) Is "simple" adoption permitted in your State? <i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 31 <input type="checkbox"/> In certain circumstances only (<i>e.g.</i> , for intra-family adoptions only) – please specify: <input type="checkbox"/> Other (please explain):
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) ²² 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)? <i>See Art. 27(1) b) and Art. 4 c) and d).</i>	<input type="checkbox"/> Yes – please provide details of how this is undertaken: <input type="checkbox"/> No
d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family ²³ to the conversion of a "simple" adoption into a "full" adoption (in accordance with Art. 27) when the request is made many years after the original adoption?	

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?	The local social authorities and local registry offices

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

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

²³ *Ibid.*

b) For how long is the information concerning the child's origins preserved?	10 years at the Central Authority at the National Archive without any limit
--	--

<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: The adopted person has a right to access to information on his adoption when he reaches the age of maturity.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: In case of intercountry adoptions, the adoptive parents always have information of the biological parents of the child, but</p> <p><input type="checkbox"/> No</p> <p>(iii) <input checked="" type="checkbox"/> Yes – please explain any criteria: the biological parents do not have information of the adoptive parents</p> <p><input type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: The Centre for the International Legal Protection of Children and Youth assists in obtaining necessary information of the child and his biological background on the basis of the petition of the PAPs.</p> <p><input type="checkbox"/> No</p>
<p>e) Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (<i>e.g.</i>, regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p>

32. Post-adoption reports	
<p>a) Is there a model form which is used by your State for post-adoption reports?</p>	<p><input checked="" type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (<i>e.g.</i>, provide a link or attach a copy):</p> <p><input type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling):</p>
<p>b) What are the requirements of your State in relation to post-adoption reports?</p> <p>Please indicate:</p> <p>(i) How frequently such reports should be submitted (<i>e.g.</i>, every year, every two years);</p> <p>(ii) For how long (<i>e.g.</i>, 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>(i) every year until the child reaches the age of 10; the subsequent report in the year in which the child reaches the age of 12; the subsequent report in the year in which the child reaches the age of 14, this report includes also up-to-date medical report of the child and DVD of the child with his family; the subsequent report in the year in which the child reaches the age of 16; the last report in</p>

(v) Any other requirements.	<p>the year in which the child reaches the age of majority.</p> <p>(ii) until the child reaches the age of majority.</p> <p>(iii) in the language of the receiving state officially translated to Slovak language</p> <p>(iv)</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)</p> <p>(ii)</p>
<p>d) What does your State do with post-adoption reports? (<i>i.e.</i>, to what use are they put?)</p>	

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²⁴

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

33. The costs²⁵ of intercountry adoption	
<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (<i>e.g.</i>, link to a website or attach a copy). Please also briefly explain the legal framework: According to the Slovak law the process of intercountry adoption is free of charge. The Central authority offers legal assistance free of charge; the offices of labour, social affairs and family and children’s homes provide social consultation services free of charge, court proceedings in intercountry adoption matters are free of the court fees. The PAPs have to pay only for their attorney, translator and accomodation during their stay in Slovakia.</p> <p><input type="checkbox"/> No</p>
<p>b) Does your State monitor the payment of the costs of intercountry adoption?</p>	<p><input type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken:</p> <p><input type="checkbox"/> No</p>
<p>c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c) above) or directly by the PAPs themselves?</p>	<p><input type="checkbox"/> Through the accredited body:</p> <p><input type="checkbox"/> Directly by the PAPs:</p> <p><input type="checkbox"/> Other (please explain):</p>

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

²⁵ See the definition of “costs” provided in the Terminology, *ibid.*

<p><i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 86.</i></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 type="checkbox"/> Only by bank transfer: <input type="checkbox"/> In cash: <input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</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 checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: The accredited body informs the applicants that:</p> <p>a) the Centre offers legal assistance free of charge;</p> <p>b) the offices of labour, social affairs and family and children's homes provide social consultation services free of charge;</p> <p>c) court proceedings in intercountry adoption matters are free of the court fees.</p> <p>The accredited body informs the applicants of the costs related to their stay in the Slovak Republic and their legal representation, including the costs of issuing documents for the child.</p> <p><input type="checkbox"/> No</p>

34. Contributions, co-operation projects and donations²⁶	
<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁷ 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>i.e.</i>, 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: <p><input checked="" type="checkbox"/> No</p>
<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in your State?</p>	<p><input type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> • What type of co-operation projects are permitted: • Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): • Whether such projects are monitored by an authority / body in your State: • How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p><i>N.B. This is <u>not</u> recommended as a good practice: see further the "Note on the Financial Aspects of Intercountry Adoption" at Chapter 6 (in particular, Chapter 6.4).</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations 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:

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

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

	<ul style="list-style-type: none"> How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process: <input checked="" type="checkbox"/> No
--	--

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?	All bodies involved in the adoption process
b) What measures have been taken in your State to prevent improper financial or other gain?	Criminal law sanctions.
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	

PART XI: ILLICIT PRACTICES²⁸

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. ²⁹	

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).	
b) Please explain how your State monitors respect for the above laws.	
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	

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

²⁹ *Ibid.*

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 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 Convention (Art. 2)	
<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: The PAPs habitually resident in our State are considered as the domestic PAPs.</p> <p><input 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 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: The PAPs habitually resident in our State are considered as the domestic PAPs.</p> <p><input type="checkbox"/> No</p>
<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Convention, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Guinean national PAPs are habitually resident in Germany and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State³¹ 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>

³⁰ According to the 1993 Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1, *supra*, note 15, Chapter 8.4.

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

PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION³²

40. Selection of partners	
a) With which receiving States does your State currently partner on intercountry adoption?	With countries, who signed a bilateral agreement on intercountry adoptions. (Netherlands, Portugal, Republic of Malta, Andorra)
b) How does your State determine with which receiving States it will partner? In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Convention. <i>To see which States are Contracting States to the 1993 Convention, please refer to the Status Table for the 1993 Convention (accessible via the Intercountry Adoption Section of the Hague Conference website < www.hcch.net >).</i>	With partners, who are able to ensure, that the conditions set up in the bilateral agreement will be fulfilled. (Contracting States to the 1993 Convention)
c) If your State also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the 1993 Convention are complied with in these cases. ³³	<input checked="" type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Convention.
d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (<i>e.g.</i> , the conclusion of a formal agreement ³⁴ with that receiving State)?	<input checked="" type="checkbox"/> Yes – please explain the content of any agreements or other formalities: ³⁵ Conclusion of a formal agreement with the Central Authority of the receiving State. <input type="checkbox"/> No

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

³³ See GGP No 1, *supra*, note 15, Chapter 10.3 regarding the fact that “[i]t is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions”.

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

³⁵ *Ibid.*