PROFIL D’ÉTAT POUR L’ADOPTION INTERNATIONALE
ÉTAT D’ACCUEIL

établi par le Bureau Permanent

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COUNTRY PROFILE FOR INTERCOUNTRY ADOPTION
RECEIVING STATE

drawn up by the Permanent Bureau


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RECEIVING STATE

drawn up by the Permanent Bureau
The Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption:
Date of ratification or accession: 5 December 2013
Objections to accession made by: -
Date of entry into force: 1 April 2014

Contact information of Central Authority:
Name of office: Ministry of Social Policy and Youth
Address: Savska cesta 66, 10000 Zagreb
Telephone: +385 1 555 7111
            +385 1 555 7125
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E-mail: ministarstvo@mspm.hr
Web site: www.mspm.hr
Contact Person(s): Ms Jasna Palić
                 Ms Marija Stojević
                 Ms Karolina Šestak
                 Ms Martina Tutić

If your State has appointed more than one Central Authority, please provide contact information for each of these Central Authorities:
/

1. ROLE OF AUTHORITIES AND BODIES IN ADOPTION

1.1 Central Authority

Describe briefly the functions of the Central Authority(ies) (e.g., see Arts 6-9; and Arts 14-21 if accredited bodies are not used).
Ministry of Social Policy and Youth as Central Authority carries out the obligations and functions set out in the Convention (sending and receiving documents, providing information about legislation and other appropriate measures).

1.2 Public authorities and competent authorities
Describe briefly the role of any public authorities and competent authorities including courts (e.g., see Arts 4, 5, 9 and 22).

The adoption procedure is carried out by social welfare centre of the place of the habitual residence or residence of the child. In this procedure centre for social welfare carries out functions set out in Article 4 and 5 of the Convention. Adoption may take place if it is in the best interest of the child. In the procedure of adoption the characteristics of the adoptive parent are estimated in comparison with a well-being of the child. Centres for social welfare also perform functions set out in Article 9, in cooperation with Central Authority. Other than centres for social welfare in Croatia there are no other authorities or bodies to perform the functions deriving from the Convention.

1.3 Bodies / Persons involved in the adoption process

a) Under Article 13 (national accredited bodies):
   i. If your State has accredited any adoption bodies, please indicate the number and describe their role.
   / 
   ii. Are their details on the Hague Conference website and are they kept up to date?
   / 

b) Under Article 22(2) (approved (non-accredited) persons):
   i. If your State has approved any non-accredited persons, please indicate the number and describe their role.
   / 
   ii. Are their details on the Hague Conference website and are they kept up to date?
   / 

1.4 Accreditation and authorisation

Did your State complete the Questionnaire of 2009 on accredited bodies? If so, the Permanent Bureau will provide the link to your response on its website.
/

1.4.1 Accreditation (Arts 10-11)¹

a) What is the name of the authority / body responsible for accreditation of national adoption bodies?
   There are no bodies or entities to perform adoption other than Ministry of Social Policy and Youth and Centres for Social Welfare.

b) Describe briefly the process of accreditation and the most important accreditation criteria. Provide a link to more detailed information.
/

1.4.2 Authorisation (Art. 12)²

a) What is the name of the authority / body responsible for authorisation of accredited bodies in your State to act in other Contracting States?
   See answer under 1.4.1.

b) Is authorisation given as part of the accreditation process or is it a separate procedure?

¹ “Accreditation” is the procedure to license adoption agencies according to the standards in the Convention so they may assist in arranging Convention adoptions. Adoption agencies with accreditation are “accredited bodies”.

² “Authorisation” is the procedure required by the Convention when an accredited body (usually in a receiving State) wishes to work in or with another country (the State of origin). Both States must give their authorisation.
c) Is the authorisation granted to work in all States of origin, some States or only one State?

/ 

d) Does your State use any criteria to decide on a request for authorisation? Provide a link to more detailed information.

/ 

2. CHILDREN PROPOSED FOR ADOPTION IN THE STATE OF ORIGIN

a) In your State, are there any conditions (by law or procedure) that affect the adoptability of a child from another State? Please specify

The main legal source governing adoption in the Republic of Croatia is Family Act in which only one type of adoption is foreseen (full adoption). Full adoption establishes a relationship between adoptive parent and adoptive child that is fully equal to that existing between birth parents and their children. Full adoption can not be rescinded.

Family Act poses no limitations on the adoption of children from other countries. There are no real differences in content between national and intercountry adoption. A couple or and individual applies at centre for social welfare for an adoption. The centre then assesses the eligibility and suitability for adoption. On the basis of its conclusions, the centre formulates its opinion about the prospective adoptive parent(s), which is of key significance during the adoption procedure.

b) Describe what is meant by “children with special needs” in your State.

There is no definition of children with special needs. There is only a definition for child with disabilities. Definition covers the child which due to the physical, sensory, communication, organoleptic or intellectual difficulties needs extra support in learning and development in order to achieve the best possible outcome in her/his development and social inclusion.

3. PROSPECTIVE ADOPTIVE PARENTS (PAPs)

3.1 Eligibility and suitability criteria for PAPs (Art. 5 a))

3.1.1 Criteria of eligibility

a) Profile of PAPs

<table>
<thead>
<tr>
<th>Profile of PAPs</th>
<th>Yes</th>
<th>If yes, are any conditions imposed (e.g., length of marriage)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married couple</td>
<td>Yes</td>
<td>If yes, are any conditions imposed (e.g., length of marriage)?</td>
</tr>
<tr>
<td>Unmarried couple or registered partnership</td>
<td>No</td>
<td>If yes, are any conditions imposed (e.g., length of the relationship)?</td>
</tr>
<tr>
<td>Single person</td>
<td></td>
<td>If yes, are any conditions imposed?</td>
</tr>
<tr>
<td>Woman</td>
<td>Yes</td>
<td>If yes, are any conditions imposed?</td>
</tr>
<tr>
<td>Man</td>
<td>Yes</td>
<td>If yes, are any conditions imposed?</td>
</tr>
<tr>
<td>Same sex couple</td>
<td>No</td>
<td>If yes, are any conditions imposed?</td>
</tr>
</tbody>
</table>
b) Age requirements

<table>
<thead>
<tr>
<th>Minimum age</th>
<th>Yes</th>
<th>The prospective adoptive parent must be minimum 21 years old and at least 18 years older than the adopted child. If there are particularly justified reasons an adoptive parent may be a person younger than 21 years old.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum age</td>
<td>Yes / No</td>
<td>No.</td>
</tr>
<tr>
<td>Difference (in years) required between the PAPs and the child:</td>
<td>Yes</td>
<td>The prospective adoptive parent must be at least 18 years older than the adopted child.</td>
</tr>
</tbody>
</table>

3.1.2 Evaluation of PAPs

The evaluation of PAPs is one part of the report on PAPs: see section 5.1

a) Which body or expert performs the evaluation?
   Centre for Social Welfare.

b) Describe briefly the evaluation procedure of PAPs.
   The PAPs are evaluated by the expert team of competent centre for social welfare which includes social worker, psychologist and a lawyer. On the basis of socioanamnestic data (which includes among other - health condition, financial circumstances) and psychological assessment - the centre for social welfare gives an opinion on adoptability of the PAPs.

Other

Following persons can not be adopted: 
- blood relative in the direct line can not be adopted, brother or sister can not be adopted, child of minor parents can not be adopted.
- Exceptionally, child of minor parents may be adopted a year after the birth of the child if it is unlikely that it will be raised in the family of the parents or of the grandparents or other close relatives. A guardian may not adopt the child under her/his guardianship or until she/he is released of her/his duties as guardian.
- A person may not adopt a child if:
  - she/he has been deprived of the rights to exercise parental care of
  - is deprived of legal capacity or
  - a persons's previous behaviour and characteristics show that she/he are not appropiate persons for parental responsibility.
3.2 Preparation and counselling of PAPs (Art. 5 b))

a) In your State, are courses given to prepare PAPs for international adoption? Currently, there are no specialised courses given to prepare PAPs for international adoption. The preparation of the PAPs is performed by centres for social welfare (expert team includes social worker, psychologist and lawyer) who provides counselling and information to PAPs with respect to adoption. The counselling and information are provided during the whole process of adoption. There is no difference in preparation and counselling for PAPs between national and international adoptions.

If yes,
   i. Are they mandatory? / 
   ii. At what stage(s) in the adoption process are they offered? / 
   iii. Who provides the courses? / 
   iv. Are they provided to PAPs collectively and / or individually? / 
   v. For what period of time? / 
   vi. What is their content? / 
   vii. Are there any specific courses for PAPs wishing to adopt a child with special needs? / 

b) What advice or counselling is available to individual PAPs? Who provides it and at which stage(s) in the adoption process is it provided? 
   See answer under 3.2.a)

4. Preparation of the adoption file of PAPs

4.1 Submission of adoption request of PAPs

a) To which authority / body are the adoption request and related documents submitted? 
   PAPs submit adoption request and related documents to the centre for social welfare of their habitual residence. 

b) Is it mandatory to submit the adoption request through an accredited body? / 

   c) Who assists the PAPs if there is no accredited body involved? 
   Experts from centres for social welfare assist the PAPs. Also, they may turn to Ministry of Social Policy and Youth as a Central Authority if they need more information about intercountry adoptions.

4.2 Required documents in your State

a) Please indicate whether the following documents are required: 
   - An application form for adoption completed by the PAPs
   - A statement of “approval to adopt” issued by a competent authority
Report on the PAPs including the “Home study” and other personal evaluations (Art. 15)
Copies of passports of PAPs or other personal identification documents
Copies of birth certificates of PAPs and of other children residing with them
A copy of the marriage certificate (if married couple), divorce certificate (if either or both of the PAPs is divorced) or death certificate of the spouse (if one of the PAPs is widowed)
Health certificates
Evidence of the financial circumstances of the family
Employment certificate
Proof of no criminal record

Please specify any other documents that are required:
Certificate that the PAPs have not been deprived of the right to exercise parental care
Certificate that the PAPs are not incapable persons/persons not under the guardianship

b) If applicants apply through an accredited body, are the following documents required?

- Power of attorney issued by the family to the accredited body (e.g., a contract signed by an accredited body and the PAPs)
- A document issued by a competent authority of your State and certifying that the accredited body may engage in intercountry adoption

5. **The Adoption Procedure**

5.1 **Report on the PAPs (Arts 5 a) and 15)**

a) Who prepares the “home study” and other documents?
Home study and other documents are prepared by the competent centre for social welfare (expert team of the centre).

b) For how long is the report valid? Who is responsible for renewing the report if the period of validity expires before the adoption is completed?
If one year period has expired from the date of the report until the starting of proceedings, centre for social welfare shall without delay examine if there has been a change of the circumstances.

c) Who sends the PAPs request to the State of origin?
Central Authority - Ministry of Social Policy and Youth.

5.2 **Matching and transmission of the report on the child (Art. 16(2))**

Who receives the report on the child referral and when are the PAPs informed?
Central Authority - Ministry of Social Policy and Youth receives the report on the child and sends it to the centre for social welfare (according to the territorial jurisdiction of the PAPs)

5.3 **Acceptance of the match (Art. 17 a) and b))**

a) How much time is allowed for the PAPs to decide to accept the match?
In practice, 30 days.

b) Is the match accepted if the profile of the child does not correspond to the one approved for those PAPs in the "home study"?
No.
c) What are the conditions, if any, for approval by the Central Authority or other body of the proposed match?
Centre for social welfare shall examine if the proposed match is in the best interest of the child, examine that all necessary consents have been given. We take into account the provisions of the Convention and requirements of the State of origin and national provisions regulation adoption. In Croatia only full adoption is possible.

5.4 Agreement under Article 17 c)
Which is the competent authority / body that must give agreement that the adoption may proceed?
Central Authority - Ministry of Social Policy and Youth.

5.5 Travel of the PAPs to the State of origin
a) Does your State impose any travel requirements or restrictions on PAPs in addition to those imposed by the State of origin? Please specify.
If PAPs intend to get the child from the State of origin then they should contact the Central Authority of the Republic of Croatia and provide it with the approval for the child to leave the State of origin.
b) In what circumstances is an escort permitted to get the child from the State of origin?
There are no regulations in this subject but in practice, the adopters are required to take over the child and travel with her/him.

5.6 Authorisation to enter and reside permanently (Arts 5 c) and 18)
Specify the procedure to obtain authorisation for the child to enter and reside permanently in your State.
Ministry of Foreign and European Affairs assists with arrangements regarding entering documents, Croatian Ambassy competent for the child origin state.

5.7 Arrival of the child
Once the child has arrived in your State, what is the procedure, if any, to notify the Central Authority or accredited body of the arrival?
The adopters will notify the Central Authority about the arrival of the child as well as competent centre for social welfare.

5.8 Certificate under Article 23
a) What is the competent authority for issuing the certificate under Article 23 in cases where the adoption order / decree is issued in your State?
Ministry of Social Policy and Youth.
b) Have the details of the competent authority been sent to the Convention’s depositary⁴ (as required by Art. 23(2)) or to the Permanent Bureau?
Yes.

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⁴ The depositary of the Convention is the Ministry of Foreign Affairs of the Kingdom of the Netherlands (Art. 43(2)).
c) Does your State use the “Recommended model form – Certificate of conformity of intercountry adoption” (see Guide to Good Practice No 1 - Annex 7, available on Hague Conference website)?
   Yes.

d) Describe the procedure for issuing the certificate. For example, is a copy given automatically to the PAPs? Is a copy sent to the Central Authority of the State of origin? How long does it take to issue the certificate?
   The copy of certificate is given to the PAPs. The copy of certificate is sent to the Central Authority of the State of origin. Short time.

e) In cases where the certificate is issued in the State of origin, which authority or body in your State receives a copy of the certificate?
   Central Authority - Ministry of Social Policy and Youth.

6. **ADOPTION OF A RELATIVE CHILD (INTRA-FAMILY ADOPTION)**

   a) Explain what is meant by “relative child” in your State.
   Regarding the adoption of a child by relatives according to Croatian Family Act a blood relative in the direct line, brother or sister, can not be adopter. Other relatives can adopt the child.

   b) In what circumstances does your State allow the adoption of a child, who is habitually resident in another State, by relatives of that child who are habitually resident in your State?
   See answer 6.a)

   c) Does your State apply Convention procedures to such adoptions? Are there measures to expedite such adoptions?
   Yes, Croatia applies Convention procedures to such adoptions. There are no special measures to expedite such adoptions.

7. **POST-ADOPTION MATTERS**

   7.1 **Post-adooption reports**

   a) Who is responsible for making the reports?
   Centres for Social Welfare.

   b) Who is required to send them to the States of origin?
   Central Authority - Ministry of Social Policy and Youth.

   c) If the reports are forwarded by the accredited bodies or adoptive parents, is there any monitoring to ensure the reports are sent? Does the Central Authority have a role to play?
   /

   7.2. **Post-adooption services (Art. 9 c))**

   a) Describe the post-adooption services, if any, that are provided in your State, and who provides them.
   There are no special post adoption services. All necessary or required assistance is provided by centres for social welfare.

   b) What, if any, assistance is given to adopted persons to search for their origins?
   An adult adopted child, an adoptive parent and a parent who has given consent for the adoption of the child will be allowed to look into the files of adoption and the register of birth of an adopted child.
   A minor adopted child will be allowed by a welfare centre to look into the files of
adoption and a register of birth, if the welfare centre determines that an insight of the adoption files and the register of birth is in the child's interest. Close blood relatives of the adopted child will be allowed to see the files of adoption if the welfare centre obtains the consent of an adult adopted child.

7.3 Preservation and availability of information (Art. 30)

a) Which authority is responsible for preserving the information concerning the child’s origins (Art. 30(1))?
   Centres for social welfare.

b) What are the legal requirements for preservation of information (e.g., duration, location)?
   They are kept permanently by the competent authorities.

c) In your State, does the law permit the adopted person to have access to this information? If yes, is there any age or other restriction?
   An adult adopted child, an adoptive parent and a parent who has given consent for the adoption of the child will be allowed to look into the files of adoption and the register of birth of an adopted child.

   A minor adopted child will be allowed by a welfare centre to look into the files of adoption and a register of birth, if the welfare centre determines that an insight into adoption files and the register of birth is in the child's interest.

   Close blood relatives of the adopted child will be allowed to see the files of adoption subjects if the welfare centre obtains the consent of an adult adopted child.

d) Are the biological parents or the adoptive parents permitted to have access to information about the adoption (see Art. 9 a) and c))?
   See answer 7.3.c.)

e) What, if any, assistance does the Central Authority or another body give to the adopted person or the biological or adoptive parents to obtain access to that information?
   See answer 7.3.c.)

8. Costs of Intercountry Adoption

a) Are adoption costs or fees controlled by law and/or regulated by a public authority in your State? If yes, please provide a link to this information.
   Yes.

b) What is the normal range of costs for an adoption (i.e., the minimum to the maximum cost)?
   The services of Central Authority and Centres for Social Welfare in intercountry adoption are currently free of charge.

c) Is there a standard or fixed fee charged by the Central Authority or accredited body for the adoption procedure? How much is this fee?
   /

d) What services or activities in your State are included in this cost?
   PAPs bear their own costs of travel to the country of origin, translation of documents.

e) Other costs: Please complete the Table of Costs at Annex 1.4

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4 The Table of Costs is taken from the Guide to Good Practice No 2: Accreditation and Accredited Bodies, Chapter 8.

a) Which authority is responsible for preventing improper financial gain?
Ministry of Interior, Ministry of Justice. Any criminal activities are sanctioned by penal legislation.

b) What measures are taken to prevent improper financial gain?

/ 

c) Have there been any prosecutions for improper financial gain related to adoption? If so, were the prosecutions successful?
There was one case. It was(is) successful prosecution.

10. **National Legislation**

Identify the legislation in your State on international adoption and provide (if available) an electronic link to the text of the legislation.

Family Act (Official Gazette No. 116/03/17/04,136/04,107/07 and 61/11).
Croatian Conflict Act (Official Gazzette No. 53/91 and 88/01)

11. **Other Hague Conventions**

11.1 Legalisation / authentication

a) Which documents need to be legalised?
All documents necessary for recognition of adoption.

b) Is your State a party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (Hague Apostille Convention)?
Yes.

11.2 International foster care or *kafala*

If your State is involved in international foster care placements or placements by *kafala*, the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children may be used. Is your State a party to this Convention?
Croatia is not involved in international foster care placements or placements by *kafala*. Croatia is a party to the Hague Convention of 19 October 1996.

12. **Other Questions**
a) National adoptions:
- How many children are in institutions in your State?
  Around 1000
- How many are adoptable?
  No information
- How many are adopted per year?
  Around 100

b) Does your State permit the adoption of children from non-Hague Convention States?
Yes. These adoptions need to be recognised by the competent court in accordance with Croatian law.

c) Statistics:
- Does your State collect statistical data relating to adoption (national or international)?
  Yes.
- Are your statistics on a publicly available website? If yes, please provide the link. If not, how can you provide access to your statistics?
  Yes. www.mspm.hr

  Please complete the “Annual adoption statistics for receiving States” form (Prel. Doc. No 5) for the last five years. In the future, States will be asked to complete this form on an annual basis.

13. **Useful electronic links**

Provide electronic links to important and useful information about adoption and intercountry adoption in your State.

www.mspm.hr
Annex 1
Receiving States’ costs in the field of intercountry adoption

Please provide details of following:

1. Expenses incurred in the receiving State

These expenses consist of administrative costs such as membership fees, registration fees, administration and co-ordination fees, legal costs, psychosocial evaluation costs (the home study report), the costs of the various immigration procedures and certificates. They may include:

(a) charges intended for the accredited body, such as:
- fees for membership of the body;
- fees for opening of the adoption case file;
- programme-development charges;
- administration and co-ordination costs;
- communication costs;
- cost of translation of PAPs’ case file.

(b) charges intended for third parties, such as:
- cost of certification of the case file and legal fees;
- cost of preparation for the psychosocial evaluation;
- notary’s fees;
- cost of legalisation of documents;
- immigration costs;
- costs of obtaining certificates (medical, birth, marriage, criminal record);
- costs of obtaining passports;
- costs for the psychosocial evaluation.

2. Expenses incurred in the State of origin

This category includes all the expenses incurred in the State of origin except the PAPs’ accommodation and transport costs. Please indicate which costs are paid in your State:
- administration and co-ordination costs;
- legal costs (notary, lawyer, court and motion costs);
- doctor’s fees for the child’s medical record;
- translation costs;
- costs of the child’s maintenance;
- costs for updating of records.
- Other costs:
  please specify.

3. Travel costs

These expenses are connected with the PAPs’ travel in the State of origin. These costs include:
- return air fare;
- accommodation costs: hotel and meals;
- single fare for the child;
- guide’s and interpreter’s costs, if appropriate;
- travel costs within the State.
4. Contributions to humanitarian aid projects or donations

☐ Contribution may be made for humanitarian-aid projects and / or donations to orphanages or other public or private institutions connected with child protection. They may also be imposed by the accredited bodies themselves.

☐ Mandatory contribution to government / Central Authority

☐ Mandatory contribution to child welfare home / public or private institution

☐ Other contribution:
  please specify;

☐ Donation

5. Post-adoption expenses

This category concerns all expenses required to finalise an adoption case and those incurred once the adoption has been completed. The costs to be borne include:

☒ for non-convention adoptions, a motion for recognition of judgments or rulings;\(^5\)

☒ stamps for the motion for non-convention adoptions;

☒ translation of the judgment or ruling by the State of origin;

☐ reports on the child’s development;

☒ translation of development reports;

☐ certification of reports and transmission to the State of origin

\(^5\) No additional procedure for recognition of an adoption decision is required for Hague Convention adoptions. Recognition is automatic, as provided in Art. 23.