

**REPUBLIC OF CROATIA
MINISTRY OF SOCIAL POLICY
AND YOUTH**

**CLASS: 552-07/16-03/6
REF. NO.: 519-03-3-3/6-16-6
Zagreb, 6th June 2016**

Pursuant to Article 39 of the State Administration System Act (Official Gazette Nos. 150/11, 12/13), in conjunction with Articles 2 and 3 of the Act on the Ratification of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Hague 1993 (Official Gazette – International Agreements Nos. 5/13, 13/13), I take the following

DECISION

on determining the criteria for establishing cooperation with accredited bodies of other Contracting States of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague, 1993)

I

This Decision establishes the criteria for establishing cooperation with accredited bodies of other Contracting States of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Hague, 1993.

II

Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Hague, 1993 (hereinafter the “Convention”) entered into force with respect to the Republic of Croatia on 1st April 2014. The activities of the Croatian Central Authority regarding the Convention concerned shall be conducted by the ministry competent for social welfare issues – the Ministry of Social Policy and Youth.

III

In accordance with the Convention, the Central Authority shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures defined in the Convention. The Central Authorities of certain Contracting States transferred certain procedural functions related to particular intercountry adoption proceedings onto accredited bodies. In accordance with Article 12 of the Convention, a body accredited in its own State has to obtain authorisation from the State it wishes to cooperate with. When depositing the instrument of accession, Croatia declared that adoption of children resident in Croatia may be instituted only if the functions of the Central Authority of the Receiving State are implemented in accordance with Article 22 paragraph 1 of the Convention.

IV

When taking the decision on establishing cooperation with each individual Contracting State, the Ministry of Social Policy and Youth gathers information beforehand with regard to:

- quality of the assessment procedure regarding prospective adoptive parents,
- quality of preparation of the prospective adoptive parents for intercountry adoption,
- quality of the system of assistance and support to the adopting family after child adoption (health care, system of care for children with developmental disabilities, pedagogic and psychological assistance to the family, social welfare system),

- quality of the child protection system in case of breakdown of adoption.

V

In addition, when taking the decision on establishing cooperation with Contracting States in which certain functions of the Central Authority are transferred to accredited bodies, and when authorizing the accredited body of another Contracting State, the Ministry of Social Policy and Youth determines whether the accredited body of another Contracting State meets the following criteria:

1. The accredited body must be duly authorized by the Contracting State for conducting activities of an accredited body, in accordance with the Convention;
2. The accredited body must have at least three years of experience in dealing with intercountry adoption proceedings;
3. The accredited body must have previously realized cooperation with other Contracting States in intercountry adoption proceedings (accredited bodies which cooperated with neighboring European countries are given priority);
4. The accredited body must have employed experts with previous experience in intercountry adoption proceedings;
5. The accredited body must deliver applications for adopting children from Croatia along with the originals of supporting documentation, accompanied by a certified translation thereof into Croatian fully corresponding to the text of the original documentation, and duly legalized, if necessary, on behalf of applicants – prospective adoptive parents to the Ministry of Social Policy and Youth, in accordance with the provisions of the Convention, positive regulations of the Republic of Croatia and regulations of the Receiving State;
6. The accredited body must provide for the delivery of consent from Art. 17 (c) of the Convention (consent that the adoption may proceed), which is issued by the Central Authority of the Receiving State as well as of the consent that the child shall be allowed to enter and permanently reside in that state;
7. The accredited body must provide for the delivery of two reports on the adaptation of the child after adoption drafted by an expert: the first report within six months after adoption and the second report within two years after adoption. The reports delivered shall be original documents, accompanied by certified translations thereof into Croatian fully corresponding to the text of the original documents;
8. The accredited body must provide for information on the available programmes of post-adoption support and assistance to the adopting family in the Receiving State;
9. The accredited body must provide for information on keeping adoption details (permanently or not shorter than 75 years);
10. The accredited body must communicate exclusively with the Ministry of Social Policy and Youth and is obligated to inform the Ministry of Social Policy and Youth about the arrival of the accredited body's representative or prospective adoptive parents from their Contracting State to Croatia;
11. The accredited body must provide information on whether the prospective adoptive parents, who filed an application for adopting a child from Croatia, also filed an application for intercountry adoption of a child from another Contracting State(s).

VI

Ministry of Social Policy and Youth cooperates with accredited bodies by receiving applications and the required documentation relating to the proceedings directly from the accredited body. The work of representatives of accredited bodies in Croatia either through

offices or representative offices in Croatia or through participation of representatives of accredited bodies in the adoption proceedings in Croatia is not allowed.

VII

The services which may be provided by the accredited body relate to logistic support to prospective adoptive parents, including arrangements for documentation translation, travel arrangements, accommodation arrangements and provision of a translator to the prospective adoptive parents during their stay in Croatia. If necessary, the accredited body may provide support to the prospective adoptive parents in obtaining the required documentation for the right of entry and permanent residence of the child in the Recipient State, as well as for the child's travel to the Recipient State after the adoption is instituted, as well as other similar logistic support.

VIII

Croatia authorizes the work of up to three accredited bodies per Contracting State. The number of the accredited bodies, among other, depends on the needs of children who are considered for adoption by adopters from another Contracting State, in that the intercountry adoption proceedings are considered with regard to children older than 7 years of age, brothers and sisters adopted together, children with developmental difficulties and Roma children, while taking into consideration the subsidiarity principle and other terms stipulated in the Convention and national regulations, as well as the best interest of the child.

IX

Ministry of Social Policy and Youth may revoke accredited body's authorisation if the body does not observe the requirements of the Convention, Croatia's national regulations, and if other irregularities or shortcomings of the accredited body's operation are established, and in other justifiable circumstances.

X

The application for authorisation is to be submitted by accredited bodies exclusively by postal service to the following address of the Croatian Central Authority:

Ministarstvo socijalne politike i mladih (Ministry of Social Policy and Youth)
Trg Nevenke Topalušić 1
10000 Zagreb
Croatia

The Ministry of Social Policy and Youth does not accept applications for authorisation sent by electronic mail and does not provide information over the phone.

XI

This decision may be published on the website of the Ministry of Social Policy and Youth.

XII

This decision shall enter into force on the day it was taken.

MINISTER
Bernardica Juretić