

COUNTRY PROFILE

1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION¹

STATE OF ORIGIN

COUNTRY NAME: ALBANIA

PROFILE UPDATED ON:

PART I: CENTRAL AUTHORITY

1. Contact details ²	
Name of office:	ALBANIAN ADOPTION COMMITTEE
Acronyms used:	AAC
Address:	ALBANIAN ADOPTION COMMITTEE ALBANIAN CENTRAL AUTHORITY FOR ADOPTIONS MINISTRY OF JUSTICE TIRANË Address: Rruga " Mine Peza" , Pallati 87/3, Shkalla 2, Tiranë
Telephone:	0355226465
Fax:	003557478
E-mail:	genci.terpo@kshb.gov.al
Website:	www.kshb.gov.al
Contact person(s) and direct contact details (please indicate language(s) of communication):	Mr. Genci Terpo, Address: Rruga " Mine Peza" , Pallati 87/3, Shkalla 2, Tiranë phone: 00355668000008 genci.terpo@kshb.gov.al (english)
<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>	<p>2001</p>
<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>	<p>We are informing you that the Albanian Adoption Committee is operating in the field of inter-country adoption in base of :</p> <ul style="list-style-type: none"> • The law No.9695 date 19.03.2007 "For the adoption procedures and The Albanian Adoption Committee" (published in Official Gazette no. 36 April 2007, page 960). • Law no. 8624 dated 15.06.2000 on the Accession of Albania to the Hague Convention "On protection of children and cooperation in intercountry adoptions" (published in Official Gazette No. 18, July 2000 page 872). • United Nations Convention of 20 November 1989 "On the rights of children", which entered into force on 28/03/1992. • Law no. 9062 dated 08/05/2003, "Family Code" (published in Official Gazette No. 49, June 2003 Page 1907 and entered into force on 21/12/2003). • Law No. 10 358, dated 16.12.2010 "On some amendments to Law no. 9695, dated 19.3.2007 "On adoption procedures and Albanian Adoption Committee". • Law Nr.9443 dated 16.11.2005 "On accession to the Convention on jurisdiction RA, applicable law, recognition and enforcement cooperation in respect of parental responsibility and measures for the protection of children." • Law Nr.9359 dated 24.05.2005 "On ratifying the European Convention for relations with children." • Law Nr.9446 dated 24.11.2005 "On the accession of Republic of Albania in the Convention on the Civil Aspects of International Child Abduction" • Law Nr.9544 dated 29.05.2006 "On ratification of the Agreement between the Government of the RA Government of the Hellenic Republic for the protection and assistance of children victims of trafficking" • Law No. 9669 dated

	<p>18.12.2006 "On measures against violence in family relations"</p> <ul style="list-style-type: none"> The Albanian Council of Ministers Verdict No.399 dated 01.06.2011 "On the composition and rules of operation of Commission Approval Agencies of Foreign Intermediaries". <p>All the laws can be found in the internet site of Albanian Adoption Committee but some of them are in Albanian language and not translated . www.kshb.gov.al</p>
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3. Other international agreements on intercountry adoption³	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input checked="" type="checkbox"/> Bilateral agreements (please specify):</p> <ul style="list-style-type: none"> • Law Nr.9544 dated 29.05.2006 "On ratification of the Agreement between the Government of the RA Government of the Hellenic Republic for the protection and assistance of children victims of trafficking" <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>Albanian Adoption Committee is operating in the field of inter-country adoption .The requests to adopt Albanian children, in accordance with the terms and dispositions of the Albanian Law of Adoptions, should be submitted to Albanian Adoption Committee, through the agency or the national authority in the field of adoption. So below are listed the documents to be attached to the request:</p> <p>1. Motivation Letter of the adoptive parents, giving data of their life and where is stated their final and irreversible intention to fully adopt an Albanian child in Austria in the opportune moment.</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>2. Birth and Marriage Certificate</p> <p>3. Certificate of Registration of the judicial state (issued not more than two months in advance from the submission of the request in Albanian Adoption Committee).</p> <p>4. Medical Certificates for the candidates, their children, in case they have and all the other family members (legally known from the law as family members). Medical examination should include the tests for AIDS, Hepatitis and TBC.</p> <p>5. Certificate on their Incomes. (Financial Statement)</p> <p>6. Photos of the candidates and of all the other family members (i.e. parents and children).</p> <p>7. Social questionnaire (home study) of candidate family, completed by the agency social worker, who is dealing with children's issues. This home study should contain the following evaluations:</p> <p>a- Reasons of adoption</p> <p>b- Candidate's psycho-social history</p> <p>c- Family's Dynamic</p> <p>d- Opinion of other family members about this adoption (especially the opinion of the other children in the family, if there are, of the age 10 years and older) Family's interest on the Albanian culture and history, including details of possible links with Albania .Candidate's relations with their relatives.</p> <p>Other related information (on the culture, entertainment, etc)</p> <p>Approval confirmation, given by the representative of agency where it is certified the candidate's aim to adopt a foreign child.</p> <p>The whole package with all these documents, should be submitted by agency in the Albanian Adoption Committee, translated into Albanian language and notarized, in accordance with legal rules. Albanian Adoption Committee will examine the documents as soon as possible from the moment that they will arrive in our institution</p>
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5. Public and competent authorities

Please briefly describe the role of any public	Alabnain Adoption Committe is the only
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and / or competent authorities, including courts, in the intercountry adoption procedure in your State. <i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i>	authority that deals in the field of adoption and is operating with the administrative process but also Court is finalizing the process of adoption
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6. National accredited bodies⁴	
a) Has your State accredited its own adoption bodies? <i>See Arts 10-11.</i> N.B. <i>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</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>–go to Question 7</u>
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	
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>	

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.

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 checked="" type="checkbox"/> Yes <input 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	7
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	The requests to adopt Albanian children, in accordance with the terms and dispositions of the Albanian Law of Adoptions, should be submitted to Albanian Adoption Committee, through the agency or the national authority in the field of adoption.
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State? <i>Please tick any which apply.</i>	<input checked="" type="checkbox"/> Yes: <input checked="" 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 checked="" type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR <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):

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”.

	<input type="checkbox"/> No
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7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	<p>The procedure of authorization of a foreign adoption body is regulated by a Commission which gives the license on this field.</p> <p>The Commission consists of five (5) members , of whom three are representatives of the Ministry of Justice (Deputy Minister , Director General of the Codification , a representative of the structure responsible for covering minor issues) , and two representatives of the Albanian Adoption Committee (one of them is the lawyer of Albanian Adoption Committee).</p>
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.	<p>Foreign intermediary agencies submit their application for recognition and approval to the commission.</p> <p>Request completed according to the template, which is approved by the Commission on the proposal of the President. It is accompanied by the necessary documents, which prove the fulfillment of the criteria set out in law and filed with the commission.</p> <p>Documents required to be submitted by the foreign intermediary agencies, are these :</p> <ul style="list-style-type: none"> a) a) the application form , completed ; b) b) CV of directors and staff of foreign intermediary agency ; c) c) documents proving the identity of the person authorized to submit the application (passport or identity card) ; d) d) certified copy of the court decision registration as a legal entity in Albania ; e) d) the completed declaration form to state court ; f) f) copy of the authorization from the respective state , to practice in the field of adoption; g) e) certified copies of the charter and the charter of foreign intermediary agency ; h) h) certificate from the tax authorities for the payment of taxes in accordance with applicable law i) f) a description of the foreign intermediary agency ; j) g) document proving payment of licensing fees ; k) k) other documents considered necessary by the Commission .
c) For how long is authorisation granted?	5 years
d) Please briefly describe the criteria and procedure used to determine whether	IT IS THE SAME PROCEDURE AS HAVING A

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

authorisation will be <i>renewed</i> .	NEW LICENSE
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹¹	<input checked="" 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?	ALBANIAN ADOPTION COMMITTEE
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).	ALBANIAN ADOPTION COMMITTEE IS MONITORING THE AGENCIES EVERY MONTH
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (<i>i.e.</i> , withdrawn).	<p>Commission rejects request if:</p> <p>a) the applicant is not authorized to file the application ;</p> <p>b) The completed form is incomplete or contains corrections and its content is not clear or is illegible ;</p> <p>c) are not presented all the necessary documents required in the form of corrections or omissions or unconfirmed , according to relevant provisions , as well as their content is not clear or is illegible ;</p> <p>d) the applicant does not meet the criteria laid down in the law nr.9695 , dated 19.3.2007 " On adoption procedures and Albanian Adoption Committee " , as amended;</p> <p>d) the payment of licensing fees .</p> <p>The Commission may revoke the license of the foreign intermediary agency that exercises in the field of adoption, in the following cases:</p> <p>a) at the request of the foreign intermediary agency ;</p> <p>b) when the respective state has the authority to remove foreign intermediary agencies in the field of adoption;</p> <p>c) when sentenced with a final court for a criminal offense committed intentionally ;</p> <p>d) when the violation of the provisions of the law nr.9695 , dated 19.3.2007 " On adoption procedures and Albanian Adoption Committee " , as amended;</p> <p>d) in any other case , as expressly provided by law .</p>
e) If authorised foreign accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input checked="" type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i> , fine, withdrawal of authorisation): REJECTION OF THE LICENSE <input type="checkbox"/> No

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

8. Approved (non-accredited) persons (Art. 22(2))¹²	
<p>a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State?</p> <p><i>N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Convention, available on the Intercountry Adoption Section of the Hague Conference website. 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><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:</p> <p><input checked="" type="checkbox"/> No</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><i>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.</i></p>	<p><input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State:</p> <p><input checked="" 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>The needs of our country in the field of intercountry adoption based on the age of the children can be more specified for the age up to 8 years old, and also for children of the ethnic origin like Roma or for they that have physical or mental problems</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>ALBANIAN ADOPTION COMMITTEE</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>The documentation of the child to be adopted contains:</p> <p>The declaration of abandonment</p> <p>a) Birth certificate;</p> <p>b) Report on the child's psychological, physical and social status;</p> <p>c) Report on the existing child's health condition and its medical background;</p> <p>ç) Child's opinion, if it has reached the age of</p>

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

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

	<p>10, taking into account its reasoning ability. If the child has reached the age of 12, its consent shall be submitted;</p> <p>d) Certificates of its biological parents, if they are known;</p> <p>dh) Data report on the parents' medical background, if they are known, information on pregnancy and birth;</p> <p>f) Written declaration of the biological parent on the consent or judicial judgment, who has given the consent to the child's adoption, or the judicial judgment which has declared the child abandoned;</p> <p>f) Background of the child's transfer under custody, if there are also data on the child's living conditions;</p> <p>g) Details on the child's life and habits.</p>
<p>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).</p> <p><i>N.B.</i> the issue of consent is dealt with at Question 12 below.</p>	<p>after the birth the state takes care about the child and makes all the efforts to find the biological family or to have a clear response from them on this matter.</p> <p>When there is issued the declaration of abandonment by the respective court the child file comes at the office of Albanian Adoption Committee and the child is ready for adoption</p>

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

<p>a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (<i>e.g.</i>, through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).</p>	<p>The state is trying to give support to the biological families depending on their economical conditions and is making efforts on promotion of family reunion</p>
<p>b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?</p>	<p>Albanian Adoption Committee</p>
<p>c) Please briefly explain how that decision is reached (<i>e.g.</i>, whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.</p>	<p>It passes a period of time of six months when the state is trying to adopt the child in Albania and then the board of AAC is finalising the procedure with a verdict for intercountry adoption</p>

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

<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following</p>	<p>(i) both parents (ii) one parent (iii) institution on social care (iv) the other parent</p>
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<p>scenarios– where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (iv) One or both parents have been deprived of his / her / their parental responsibilities (<i>i.e.</i>, the rights and responsibilities which attach to being a parent). <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.</p>	
<p>b) Please describe the procedure for:</p> <ul style="list-style-type: none"> (i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and (ii) obtaining their consent(s) to an adoption.¹⁴ 	<ul style="list-style-type: none"> (i) this is a procedure that is taken by the social institutions because they deal with the biological parents (ii) the biological parents give their consent first with a declaration and then before the court
<p>c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the Hague Conference?</p> <p><i>The model form is available on the Intercountry Adoption section of the Hague Conference website.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child's wishes and opinions when determining whether an intercountry adoption should proceed.</p> <p><i>See Art. 4 d) 2).</i></p>	<p>AC is the authority that gives counsels and informs the child on this matter and also the consent of the child is given before our authority and also we take in the consideration the wish of the child for this.</p>
<p>e) Please briefly describe the circumstances in which a child's <u>consent</u> to an intercountry adoption is required in your State.</p> <p>Where the child's consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.</p> <p><i>See Art. 4 d) 1).</i></p>	<p>AAC is the authority that gives counsels and informs the child on this matter and also the consent of the child is given before our authority.</p>

13. Children with special needs

<p>a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".</p>	<p>children with physical or mental problems.</p>
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¹⁴See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Convention.

b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	
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14. The preparation of children for intercountry adoption

Is there a special procedure in your State to prepare a child for an intercountry adoption?	<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): AAC after the moment that gives the verdict for intercountry adoption is cooperating with the international agency for finding the adoptive family and also the social worker is monitoring or contacting the child during this time for the procedures <input type="checkbox"/> No
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15. The nationality of children who are adopted intercountry¹⁵

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

16. Limits on the acceptance offices

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
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17. Eligibility criteria for PAPswishing to undertake an intercountry adoption in your State¹⁷

a) Do PAPswishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)? <i>Please tick any / all boxes which apply and</i>	<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
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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.

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.

<p><i>indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</i></p>	<p>registered partnership:</p> <p><input type="checkbox"/> Same-sex couples in a legally registered partnership:</p> <p><input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Single men:</p> <p><input checked="" type="checkbox"/> Single women:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No, there are no relationship status criteria for PAPs.</p>
<p>b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input type="checkbox"/> Minimum age requirements:</p> <p><input type="checkbox"/> Maximum age requirements:</p> <p><input type="checkbox"/> Difference in years required between the PAPs and the child:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>
<p>c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<p><input type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify):</p> <p><input type="checkbox"/> Couples must supply evidence of infertility:</p> <p><input type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):</p> <p><input type="checkbox"/> Other (please specify): Opinion of other family members about this adoption (especially the opinion of the other children in the family, if there are, of the age 10 years and older) Family's interest on the Albanian culture and history, including details of possible links with Albania</p> <p><input checked="" type="checkbox"/> No</p>

18. Preparation and counselling of PAPs (Art. 5 b))

<p>Does your State require that PAPs wishing to undertake an intercountry adoption in your State receive preparation and / or counselling concerning intercountry adoption <i>in the receiving State</i>?</p>	<p><input checked="" type="checkbox"/> Yes, please explain what kind of preparation is expected: Social questionnaire (home study) of candidate family, completed by the agency social worker, who is dealing with children's issues. This home study should contain the following evaluations:</p> <p>a- Reasons of adoption</p> <p>b- Candidate's psycho-social history</p> <p>c- Family's Dynamic</p>
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	<p>d- Opinion of other family members about this adoption (especially the opinion of the other children in the family, if there are, of the age 10 years and older) Family's interest on the Albanian culture and history, including details of possible links with Albania .Candidate's relations with their relatives.</p> <p>Other related information (on the culture, entertainment, etc)</p> <p>Approval confirmation, given by the representative of agency where it is certified the candidate's aim to adopt a foreign child.</p> <p><input type="checkbox"/> No</p>
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PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications	
a) To which authority / body in your State does the adoption file of PAPs have to be submitted?	ALBANIAN ADOPTION COMMITTEE
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</p> <p><input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority in the receiving State</p> <p><input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15)</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' birth certificates</p> <p><input checked="" type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</p> <p><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances): Birth and Marriage Certificate</p> <p><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required): Medical Certificates for the candidates, their children, in case they have and all the other family members (legally known from the law as family members). Medical examination should include the tests for AIDS, Hepatitis and TBC.</p> <p><input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): Certificate on their Incomes. (Financial Statement)</p> <p><input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of</p>

	<p>information is required): THE STATEMENT FROM THE EMPLOYER</p> <p><input checked="" type="checkbox"/> Proof of no criminal record</p> <p><input type="checkbox"/> Other(s): please explain Motivation Letter of the adoptive parents, giving data of their life and where is stated their final and irreversible intention to fully adopt an Albanian child in Austria in the opportune moment</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 (<i>e.g.</i>, for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure): The requests to adopt Albanian children, in accordance with the terms and dispositions of the Albanian Law of Adoptions, should be submitted to Albanian Adoption Committee, through the agency or the national authority in the field of adoption The whole package with all documents, should be submitted by agency in the Albanian Adoption Committee, translated into Albanian language and notarized, in accordance with legal rules. Albanian Adoption Committee will examine the documents as soon as possible from the moment that they will arrive in our institution.</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 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 writtendocument 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 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 type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>ALBANIAN</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: 1. Motivation Letter of the adoptive parents, giving data of their life and where is stated their final and irreversible</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>intention to fully adopt an Albanian child in Austria in the opportune moment.</p> <ol style="list-style-type: none"> 2. Birth and Marriage Certificate 3. Certificate of Registration of the judicial state (issued not more than two months in advance from the submission of the request in Albanian Adoption Committee). 4. Medical Certificates for the candidates, their children, in case they have and all the other family members (legally known from the law as family members). Medical examination should include the tests for AIDS, Hepatitis and TBC. 5. Certificate on their Incomes. (Financial Statement) 6. Photos of the candidates and of all the other family members (i.e. parents and children). 7. Social questionnaire (home study) of candidate family, completed by the agency social worker, who is dealing with children's issues. This home study should contain the following evaluations: <ol style="list-style-type: none"> a- Reasons of adoption b- Candidate's psycho-social history c- Family's Dynamic d- Opinion of other family members about this adoption (especially the opinion of the other children in the family, if there are, of the age 10 years and older)Family's interest on the Albanian culture and history, including details of possible links with Albania .Candidate's relations with their relatives. Other related information (on the culture, entertainment, etc) Approval confirmation, given by the representative of agency where it is certified the candidate's aim to adopt a foreign child. <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 Documents</i> (the Hague Apostille Convention)?</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>	<p><input checked="" type="checkbox"/> Yes, please specify the date of the entry into force of the Hague Apostille Convention in your State: date 8.5.2003</p> <p><input type="checkbox"/> No</p>

20. The report on the child (Art. 16(1) a))

a) Who is responsible for preparing the report on the child?	albanian adoption committee
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<p>b) Is a "standard form" used for the report on the child?</p>	<p><input type="checkbox"/> Yes, please provide a link to the form or attach a copy:</p> <p><input checked="" type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it: we use the standarts provided by the convention</p>
<p>c) Does your State use the "Model Form – Medical Report on the Child" and the "Supplement to the general medical report on the child"?</p> <p>See GGP No 1 – Annex 7, available here.</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>it is not a limit of time but AAC is operating case by case in different situations</p>

<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>the updated report sometimes is enough</p>
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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>albanian adoption committee</p>
<p>b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?</p>	<p>there are specific procedures to be followed as the law explains</p>
<p>c) What methodology is used for the matching in your State?</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>albanian adoption committee</p>
<p>f) How does your State ensure that the prohibition on contact in Article 29 is respected?</p>	<p>albanian adoption committee is guaranteeing this process</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 type="checkbox"/> Yes, please provide details of the required procedure: <input checked="" type="checkbox"/> No</p>
<p>b) How much time is the receiving State given to decide whether to accept a match?</p>	<p>there is not a limited time criteria</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>we operate with another agency or authority in another country</p>
22.3 Information following acceptance of the match	
<p>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)?</p>	<p><input checked="" type="checkbox"/> Yes, please specify who is responsible for providing this information: albanian adoption committee <input type="checkbox"/> No</p>

23. Agreement under Article 17 c)	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17 c)?	Albanian Adoption Committee
b) At what point in the adoption procedure is the Article 17 c) agreement given in your State?	<input checked="" type="checkbox"/> Our State sends the Article 17 c) agreement to the receiving State with the proposed match; OR <input type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17 c) agreement; OR <input type="checkbox"/> Other (please specify):

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: after the verdict of AAC - How many trips are required to complete the intercountry adoption procedure: a minimum of 2 trips - How long the PAPs need to stay for each trip: a period of staying in our country from 2 weeks -3 months - 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 (e.g., counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>the PAP-s during the period of staying in our country from 2 weeks -3 months are visiting the child and also are taking care for it. this procedure is followed by the albanian adoption committee</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 (e.g., passport, visa, exit permit)?	passport for EU countries, pasport anf visa for non Eu countries

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

<p>b) Which of the documents listed in response to Question 26a) 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>passport- ministry of interior affairs</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 27c)</u> <input type="checkbox"/> In the receiving State – <u>go to Question 27b)</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 (e.g., 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) (ii) <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. 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.</i></p> <p><i>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.</i></p>	<p>(i) the respective court (ii) the Albanian Adoption Committee</p>
<p>d) Does your State use the "Recommended model form – Certificate of conformity of intercountry adoption"?</p> <p><i>See GGP No 1 – Annex 7, available here.</i></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>after the final verdict this certificate is issued , one copy is for the PAP-s and a Coopy is sent to the central authority</p>
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28. Duration of the intercountry adoption procedure	
<p>Where possible, please indicatethe average time whichit 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) Makea 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) (ii) (iii)</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</i>intercountry adoption” 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>b) Does your State apply the procedures of the 1993 Convention to intra-family intercountry adoptions?</p> <p><i>N.B.</i><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—<u>go to Question 30</u></p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: . <u>Go to Question 30</u></p> <p><input type="checkbox"/> No – <u>go to Question29c)</u></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>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i) (ii) (iii) (iv)</p>

PART VIII: SIMPLE AND FULL ADOPTION²¹

30. Simple and full adoption	
<p>a) Is "full" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is "simple" adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 21 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 31</p> <p><input type="checkbox"/> In certain circumstances only (<i>e.g.</i>, for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) If a "simple" adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family's consent(s)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)?</p> <p><i>See Art. 27(1) b) and Art. 4 c) and d).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input type="checkbox"/> No</p>
<p>d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family²³ 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?</p>	

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	
<p>a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?</p>	albanian adoption committee
<p>b) For how long is the information concerning the child's origins preserved?</p>	all the time

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.*

<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: after the age 18 years old <input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: only data that have to deal with the child <input type="checkbox"/> No</p> <p>(iii) <input type="checkbox"/> Yes – please explain any criteria: not allowed <input checked="" type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria: not allowed <input checked="" 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 type="checkbox"/> Yes – please specify: <input checked="" 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: <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? 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>(v) Any other requirements.</p>	<p>(i) every 6 months</p> <p>(ii) for two years</p> <p>(iii) albanian</p> <p>(iv) the social worker and signed by the representative of the agency or the head of the authority</p> <p>(v) no</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) we contact the authority in the respective state</p> <p>(ii) we contact the authority in the respective state</p>

d) What does your State do with post-adoption reports? (<i>i.e.</i> , to what use are they put?)	a copy goes to the social service institutions and a copy will remain in the archive of AAC
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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	
a) Are the costs of intercountry adoption regulated by law in your State?	<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: The order between two ministers (justice - finance) <input type="checkbox"/> No
b) Does your State monitor the payment of the costs of intercountry adoption?	<input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: <input type="checkbox"/> No
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? <i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 86.</i>	<input checked="" type="checkbox"/> Through the accredited body: <input type="checkbox"/> Directly by the PAPs: <input type="checkbox"/> Other (please explain):
d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer? <i>See the "Note on the Financial Aspects of Intercountry Adoption" at para. 85.</i>	<input checked="" type="checkbox"/> Only by bank transfer: <input type="checkbox"/> In cash: <input type="checkbox"/> Other (please explain):
e) Which body / authority in your State receives the payments?	Albanian Adoption Committee
f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (<i>e.g.</i> , in a brochure or on a website)? N.B. Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).	<input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: <input type="checkbox"/> No

²⁴See 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.*

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 checked="" type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> • What type of co-operation projects are permitted: • 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 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:</i> see further the "Note on the Financial Aspects of Intercountry Adoption" at Chapter 6 (in particular, Chapter 6.4).</p>	<p><input checked="" type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): yes • What donations are used for: • Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs): yes • At what stage of the intercountry adoption procedure donations are permitted to be paid: at the end of the adoption procedure after the moment

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.

	<p>when the court gives the verdict</p> <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: because it is been made after the final steps <p><input type="checkbox"/> No</p>
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35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	ALBANIAN ADOPTION COMMITTEE
b) What measures have been taken in your State to prevent improper financial or other gain?	LEGISLATIVE MEASURES AND INSTITUTIONAL MEASURES
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	IT IS A CRIMINAL OFFENCE AND IT IS AGAINST THE LAW. THE SANCTIONS ARE SPECYFIED IN THE CRIMINAL CODE TO A MAXIMUM ON 7 YEAR OF INPRISONMENT

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	we stop the procedures and inform the competent authorities in our country and in the state of replacement

37. The abduction, sale of and traffic in children	
<p>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.</p> <p>Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).</p>	<ul style="list-style-type: none"> • Law no. 9062 dated 08/05/2003, "Family Code" (published in Official Gazette No. 49, June 2003 Page 1907 and entered into force on 21/12/2003). • Law Nr.9443 dated 16.11.2005 "On accession to the Convention on jurisdiction RA, applicable law, recognition and enforcement cooperation in respect of parental responsibility and measures for the protection of children." • Law Nr.9446 dated 24.11.2005 "On the accession of Republic of Albania in the Convention on the Civil Aspects of International Child Abduction" • Law Nr.9544 dated 29.05.2006 "On

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](#) of the Hague Conference website < www.hcch.net >).

²⁹*Ibid.*

	ratification of the Agreement between the Government of the RA Government of the Hellenic Republic for the protection and assistance of children victims of trafficking" <ul style="list-style-type: none"> • Law No. 9669 dated 18.12.2006 "On measures against violence in family relations"
b) Please explain how your State monitors respect for the above laws.	the institutions are cooperating with each other and there is a good reaction between them if there is a similar case
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	imprisonment and fine and withdrawal of accreditation

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 <i>not</i> 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>	<input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State: <input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in your State: <input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted
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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>	<input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State ³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: it is treated like a domestic adoption with the condition that the verdict of adoption is recognized in the country which they belong <input type="checkbox"/> No
<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>	<input checked="" type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: yes but they have to respect the provisions of the convention too <input type="checkbox"/> No
<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,</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 State ³¹ and please briefly explain the procedure which would be

³⁰According 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.

³¹According 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.

<p>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>followed, as well as any specific criteria / conditions which would apply: intercountry adoption</p> <p><input type="checkbox"/> No</p>
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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?	USA , ITALY CANADA, FRANCE ,GREECE ,SPAIN MALTA ETC
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>	Albania is operating only with the contacting 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 (e.g., 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 <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.*