

THE FINNISH BOARD OF INTER- COUNTRY ADOPTION AFFAIRS

Annual Report 2009



Finnish Board of Inter-Country Adoption Affairs

Chair: Hanna Rantala

Secretary: Jonna Salmela

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I GENERAL FACTS ABOUT INTER-COUNTRY ADOPTION

In Finland, the provisions regulating child adoption and the relations between adoptive children and their parents are included in the Adoption Act (153/1985) and in the Adoption Decree (508/1997). Further provisions on inter-country adoption are contained in the Decree on the Finnish Board of Inter-Country Adoption Affairs (509/1997) and in the Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption (the Hague Convention). Finland acceded to the Hague Convention in 1997.

The general planning, supervision and control of the inter-country adoption service belong to the domain of the Ministry of Health and Welfare. The expert body in inter-country adoption matters is the Finnish Board of Inter-Country Adoption Affairs (the Finnish Adoption Board), which is subordinated to the Ministry of Social Affairs and Health. The Board is the central authority referred to in Article 6, paragraph 1, of the Hague Convention.

Practical tasks relating to inter-country child adoption are attended to by the inter-country adoption service providers. Finnish legislation on adoption requires the use of a child adoption service. The service providers, which have a licence granted by the Ministry of Social Affairs and Health to act as service providers for inter-country adoption, are the City of Helsinki Social Welfare Board, Interpedia and Save the Children Finland/Pelastakaa Lapset ry.

In 2009 there were 3,644 children in Finland who arrived via inter-country adoption. They were adopted under the terms of the Adoption Act, which entered into force in 1985. In some cases the adoption of children takes place in a foreign state, in accordance with that country's legislation, without permission granted by the Finnish Adoption Board. In such cases the Helsinki Court of Appeal can recognise the validity of the adoption in Finland. Most adoptive children have come to Finland from Russia, China, Thailand, Colombia and Ethiopia.

Foreign children have been adopted to Finland since the 1970s. In the 1980s less than hundred children arrived in Finland annually. In the 1990s the number of children was still under a hundred, but since 1993 more than a hundred children have arrived in Finland annually and in several years the number has been nearly two hundred. The number of children arriving in Finland has continued to increase in the 2000s. In 2005, 308 children arrived in Finland via inter-country adoption. In 2006 the number of children decreased substantially. A total of 218 children arrived in 2006. The number of children arriving in Finland was 176 in 2007 and only 157 in 2008. In 2009, however, the number of children arriving in Finland

increased to 187 children. The interest for international adoption continues to be great both in Finland and elsewhere in the world. Indeed in 2009 the Adoption Board processed 381 applications for adoption.

2 COMPOSITION OF THE FINNISH ADOPTION BOARD

Provisions on the composition, appointment and tasks of the Finnish Adoption Board are laid down by Decree (509/1997). The Board has a chairperson, a vice-chairperson and the necessary number of other members. The last-mentioned members have a personal deputy each. Representatives of the Ministry of Social Affairs and Health act as the chairperson and vice-chairperson of the Board. Of the other members, at least one must represent the Ministry for Foreign Affairs, one the Ministry of Justice, one the Finnish Immigration Service, one the expertise in municipal child welfare work and one expertise in social sector research and development, in addition to which one member is appointed by each licensed service provider. The Government appoints the Board for a five-year term. The Ministry of Social Affairs and Health appoints a secretary for the Board.

Composition of the Finnish Adoption Board in 2009:

Chairperson	Ms Hanna Rantala , Lawyer Ministry of Social Affairs and Health
Vice-chairman	Ms Hanna Kiiskinen , Senior Officer Ministry of Social Affairs and Health
Members (Deputy Members)	Mr Tuomo Antila , Legislative Counsellor (Ms Salla Lötjönen , Legislative Counsellor) Ministry of Justice Mr Mikko Koli , Lawyer (Ms Minna-Kaisa Liukko , Lawyer) Ministry for Foreign Affairs Mr Jukka Mäkelä , Development Chief National Institute for Health and Welfare (Mr Esa Eriksson , Development Chief National Institute for Health and Welfare) Social sector research and development expertise Mr Tapani Unkila , Chief Social Welfare Worker City of Tampere (Mr Olli-Pekka Alapiessa , Service Area Chief City of Riihimäki) Municipal child welfare work expertise Mr Jarmo Tiukkanen , Senior Officer (Ms Arja Kallakivi , Head of Unit) Finnish Immigration Service

Ms **Maire Kolimaa**, Senior Officer
Ministry of Social Affairs and Health
Ms **Aulikki Haimi-Kaikkonen**, Chief Social
Welfare Worker
(Ms **Vanessa Holmström**, Chief Social
Welfare Worker)
City of Helsinki Social Welfare Board
Ms **Tiina Tammi**, Organisation Lawyer
Save the Children/Pelastakaa Lapset ry
Ms **Anja Ojuva**, Executive Director
(Ms **Eija Kiiskinen**, Adoption Officer)
Interpedia

Ms **Jonna Salmela**, Senior Officer, acted the secretary for the Board in 2009.

3 ACTIVITIES OF THE FINNISH ADOPTION BOARD

According to the Decree on the Finnish Board of Inter-Country Adoption Affairs (509/1997), the tasks of the Adoption Board are as follows:

- to grant families the permission for inter-country child adoption;
- to approve the foreign co-operation partners (foreign service providers) of Finnish adoption service providers;
- to maintain a file on the child adoption legislation of foreign states;
- to issue expert opinions;
- to make initiatives on the development of inter-country child adoption activity;
- to monitor international development in inter-country adoption affairs;
- to monitor the way in which the Hague Convention is complied with in Finland and, if necessary, to set about measures to produce conformity with it;
- to cooperate with the central authorities of states parties to the Hague Convention in order to achieve the objectives of the Convention and to exchange information referred to in the Convention;
- to attend to the tasks of the central authority under the Hague Convention which have not been assigned to another body by a law, decree or decision of the Ministry of Social Affairs and Health.

Since 1 July 1997, the Finnish Adoption Board has been the central authority meant in the Hague Convention. Among the co-operation states of Finnish service providers, the Convention has been ratified by China, Colombia, Estonia, India, Kenya, the Philippines, South Africa, and Thailand. A list of the states, which have acceded to the Hague Convention, is attached (Appendix 3). The Adoption Board had 30 meetings in 2009. 11 of them were meetings of the full composition and the remaining 19 were meetings of the limited composition. The limited composition includes, in addition to the chairperson, the member representing expertise in social sector research and development and the member representing expertise in municipal child welfare work. The competence of the limited composition includes dealing with the permissions to be granted for inter-country adoption. Granting permissions for inter-country adoption is the most significant task of the Board. In 2009 it processed 381 permission applications. Five applications for permission were withdrawn. One actual application was rejected during the year of operation.

The permission applications are forwarded to the Adoption Board through adoption service providers. In 160 applications the service provider was Save the Children Finland/ Pelastakaa Lapset, in 153 applications Interpedia and

in 68 applications the City of Helsinki Social Welfare Board. During the year, 15 notifications of change of service provider were made to the Board.

The Board made its decision on 71 applications within one month from their receipt. The processing of 126 applications took more than one month but less than two months. The processing of 96 applications and the decision-making concerning them took more than two months but less than three months and 88 applications more than three months. The processing was prolonged, *inter alia*, by the requested further reports. In 2009, 76 supplemental reports regarding the applications were requested.

During the past year the Board received reports of altogether 187 arrivals of adoptive children in Finland. A total of 40 children arrived in Finland from South Africa. 33 children arrived in Finland from both Russia and Thailand. After South Africa, Russia and Thailand, the most children arrived from China (26). More detailed statistical data on the children arriving in Finland and on the permission applications are attached (Appendix 1).

The Adoption Board gave nine expert opinions to the Helsinki Court of Appeal for the recognition of adoption that had taken place in a foreign state.

During the year 2009, the Board dealt with and accepted six Finnish service providers' applications for co-operation with foreign service providers. Five of the applications concerned licence to continue the already existing co-operation, and one of the applications concerned the establishment of a new contact. The new contact is Interpedia's cooperation contact, the Bal Anand Worldchildren Welfare Trust in India. In April 2009, the Board granted Interpedia the permission to cooperate with Bal Anand Worldchildren Welfare Trust. A list of the foreign co-operation partners of the Finnish service providers is enclosed (Appendix 2).

A meeting of the Nordic Adoption Council (NAC) took place in Reykjavik in 3–5 September 2009. The Chair Hanna Rantala, the Secretary Jonna Salmela, Anja Ojuva, Chief of Adoption, and Tiina Tammi, Organisation Lawyer, attended the meeting on behalf of the Adoption Board. The topics of the meeting included, *inter alia*, issues relating to post-adoption service, special needs of adopted children and support for adoption families, guidebook on best practices of the Hague Convention, latest development trends in the Nordic countries and Hague accreditation guidebook.

In 2009 it was Denmark's turn to arrange the meeting of Nordic adoption authorities. The meeting took place in Copenhagen on 28–29 May 2009. The meeting was attended by delegations from all the Nordic Countries. In the meeting, the discussions focused on, for example, how everywhere the waiting times for adoption have become longer and how the children adopted through international adoption have special needs in increasing amounts. Other topics included the efforts to reinforce the mutual cooperation of European adoption agencies. The meeting also discussed topics for the meeting of European central adoption authorities taking place in Oslo later

in autumn. The meeting was attended by the Chair Hanna Rantala and the Secretary Jonna Salmela.

On 12 June 2009, the Board was visited by Ms Susan Otuoma and Mr Muteru Njama from the Little Angels Network, a contact of Interpedia. The Finnish participants in the meeting included the Chair Hanna Rantala and the Secretary Jonna Salmela representing the Adoption Board and Ms Anja Ojuva, Chief of Adoption Service, Ms Eija Kiiskinen, Adoption Officer, and Ms Anu Karvinen, Adoption Secretary, representing Interpedia.

The Chair Hanna Rantala and the Secretary Jonna Salmela took part in the annual working meeting of European central authorities in Oslo on 15–16 October 2009. Topics of meeting included independent adoptions and more efficient ways to prevent them, issues relating to post-adoption services, control of adoption-related costs as well as developing of cooperation between European adoption agencies. The meeting also discussed the issue that the countries receiving adopted children often bring excessive pressure on the countries of origin.

The Chair Hanna Rantala, the Secretary Jonna Salmela and Ms Tiina Tammi, Organisation Lawyer, attended the Council of Europe Adoption Conference in Strasbourg on 30 November–1 December 2009. The first day of the meeting focused on the revised European Convention on the Adoption of Children and the second day on international adoption. Themes for the first day included, on one hand, the rights of the child in the adoption process (including legal status, representation and consent of the child) and, on the other hand, the adult's role in the adoption process (including who can adopt, consent of biological parents to adoption). Other topics included the role and responsibility of the media in adoptions. The second day topics included the realisation of the child's best in international adoption, the importance of the Hague Convention and the means to prevent malpractice in adoption processes.

The Chair Hanna Rantala and the Secretary Jonna Salmela attended a seminar on post-adoption service in Tiukula on 10 December 2009.

The Secretary and the Chair of the Board participated in meetings of the adoption network during the year.

The Board's Internet pages are found at www.stm.fi under the heading of Neuvottelukunnat. The pages give information about the Board, service providers and inter-country adoption in general and the Board's meeting schedule.

APPENDIX I.

STATISTICAL DATA ON CHILDREN ARRIVING IN FINLAND IN 2009

Number of children, country of origin, sex, and service provider

Country	Interpedia			Save the Children			City of Helsinki SWB			Children in total
	Girl	Boy	Total	Girl	Boy	Total	Girl	Boy	Total	
China	11	3	14	16	3	19				33
Colombia	5	5	10				1		1	11
Estonia							1	1	2	2
Ethiopia	8	8	16							16
India	5	2	7							7
Philippines				4	6	10				10
Russia				15	21	36				36
Sout Africa	6	10	16				9	16	25	41
Thailand	6	9	15	3	4	7	3	6	9	31
Total	41	37	78	38	34	72	14	23	37	187

Children's age, sex, and service provider

Age	Interpedia			Save the Children			City of Helsinki SWB			Children in total
	Girl	Boy	Total	Girl	Boy	Total	Girl	Boy	Total	
Under 1 year	12	13	25	5		5	4	1	5	35
1 year	13	6	19	8	2	10	3	10	13	42
2 years	6	6	12	9	8	17	3	6	9	38
3 years	2	3	5	2	7	9	1	2	3	17
4 years	4	5	9	5	4	9	3		3	21
5 years	3	1	4	5	5	10		3	3	17
6 years	1	1	2	2	3	5				7
7 years		1	1	2	3	5				6
8 years			0		2	2				2
9 years		1	1							1
10 years										
11 years										
12 years										
13 years -								1	1	1
Total	41	37	78	38	34	72	14	23	37	187

Children's year of birth and country or origin

Year of birth	China	Co-lombia	Estonia	Ethiopia	India	Philippines	Russia	South Africa	Thailand	Total
2009	6	1						4		11
2008	7	3	1	10	1	4		22	2	50
2007	13	2		2	1	5	5	9	7	44
2006	2	2		1	3	1	6	1	6	22
2005	2	1			1		8	3	6	21
2004	2	1		2			7	1	6	19
2003				1	1		4	1	2	9
2002		1					4		2	7
2001							2			2
2000	1									1
1999										
1998										
1997										
1996			1							1
1995										
1994										
1993										
Total	33	11	2	16	7	10	36	41	31	187

PROCESSING OF PERMISSION APPLICATIONS IN THE BOARD IN 2009

Decisions

Contents	Number
Permission granted for 1 child	125
Permission granted for 1 child/2 or more siblings	18
Permission granted for child born before year x	11
Permission granted for child born after year x	45
Permission granted for child born between xx–xx	3
Validity of permission extended	165
Permission refused	1
Other	13
Total	381

Cancelled applications

	Number
Permission applications	4
Applications for extension of permission	1
Total	5

Processing time in the Boarn

Time	Number
Under one month	71
1 month but under 2 months	126
2 months but under 3 months	96
3 months or longer	88
Total	381

76 supplemental report were requested.

Service provider in the decisions

Service provider	Number
Save the Children	160
Interpedia	153
City of Helsinki Social Welfare Board	68
Total	381

STATISTICAL DATA ON APPLICANTS IN 2009

The statistical data on applicants in 2009 does not include applicants, whose permission has been extended.

Age of applicants

Age	Number of men	Number of women
25–29	1	7
30–34	30	49
35–39	72	72
40–44	70	57
45–49	18	12
50 -	2	2
Total	193	199

Sole applicants

Women	6
Men	
Total	6

Applicant families with no children and families with children

Number of children	No children	Biologi- cal	Adopted	Both	Total
No children	127				132
1 child		10	29		40
2 children		15	2	1	18
3 children		2		2	4
4 or more children		5			5
Total	127	32	31	3	199

Residence of applicant families by province

Province	Families
Southern Finland	108
Western Finland	64
Eastern Finland	15
Oulu	8
Lapland	3
Åland Islands	1
Total	199

APPENDIX 2. FOREIGN CO-OPERATION PARTNERS OF THE FINNISH SERVICE PROVIDERS

Foreign service providers which have been approved by the Board and the last day of approval

Save the Children Finland/Pelastakaa Lapset ry

China	China Center of Adoption Affairs, 5 September 2011
Philippines	Inter-Country Adoption Board, 9 May 2011
Russia	City of St Petersburg Committee on Labour and Social Affairs, 5 September 2011 Leningrad Oblast Committee on General and Vocational Education, 10 June 2013 Republic of Karelia, Ministry of Education and Youth Affairs, 3 June 2014 Administrative district of Tcheljabinsk, Educational and Science Administration, 11 November 2013
Thailand	The Department of Social Development and Welfare, 15 December 2014 Holt Sahathai Foundation, 9 May 2011

City of Helsinki Social Welfare Board

Colombia	Instituto Colombiano de Bienestar Familiar, 15 May 2010 Casa de Maria y el Niño, 15 May 2010 La Casita de Nicolás, 4 December 2011
Estonia	Ministry of Social Welfare of Estonia, 6 June 2012
South Africa	Johannesburg Child Welfare Society, 31 October 2010
Thailand	Department of Social Development and Welfare, 5 September 2011 Thai Red Cross Children Home, 5 September 2011

Interpedia

China	China Center of Adoption Affairs, 15 June 2012
Colombia	Los Chiquitines, 10 February 2012 Fundación “Los Pisingos”, 15 December 2009 Instituto Colombiano de Bienestar Familiar, 15 December 2009
Ethiopia	Children, Youth and Family Affairs Department, 21 August 2010

India	Families for Children (FFC), 18 April 2010 Delhi Council for Child Welfare, 12 October 2009 Bal Anand Worldchildren Welfare Trust, 26 August 2014
Kenya	Little Angels Network, 15 April 2013
South Africa	Apostolic Faith Mission Executive Welfare Council/Abba Adoptions, 21 April 2012
Thailand	Friends For All Children Foundation, 15 December 2009 The Department of Social Development and Welfare, 15 December 2009

APPENDIX 3. THE HAGUE CONVENTION CONTRACTING STATES 4 AUGUST 2010

The following states have ratified the Convention / acceded to the Convention. A total of 82 contracting states by 4 August 2010.

Albania	1 January 2001	India	1 October 2003
Andorra	1 May 1997	Israel	1 June 1999
Armenia	1 July 2007	Italy	1 May 2000
Australia	1 December 1998	Kazakhstan	1 November 2010
Austria	1 September 1999	Kenya	1 June 2007
Azerbaijan	1 October 2004	Latvia	1 December 2002
Belarus	1 November 2003	Liechtenstein	1 May 2009
Belgium	1 September 2005	Lithuania	1 August 1998
Belize	1 April 2006	Luxembourg	1 November 2002
Bolivia	1 July 2002	Madagascar	1 September 2004
Brazil	1 July 1999	Mali	1 September 2006
Bulgaria	1 September 2002	Malt	1 February 2005
Burkina Faso	1 May 1996	Mauritius	1 January 1999
Burundi	1 February 1999	Mexico	1 May 1995
Cambodia	1 August 2007	Moldova	1 August 1998
Canada	1 April 1997	Monaco	1 October 1999
Cape Verde	1 January 2010	Mongolia	1 August 2000
Chile	1 November 1999	Netherlands	1 October 1998
China	1 January 2006	New Zealand	1 January 1999
Colombia	1 November 1998	Norway	1 January 1998
Costa Rica	1 February 1996	Panama	1 January 2000
Cuba	1 June 2007	Paraguay	1 September 1998
Cyprus	1 June 1995	Peru	1 January 1996
Czech Republic	1 June 2000	Philippines	1 November 1996
Denmark	1 November 1997	Poland	1 October 1995
Dominican Republic	1 March 2007	Portugal	1 July 2004
Ecuador	1 January 1996	Republic of	
El Salvador	1 March 1999	Macedonia	1 April 2009
Estonia	1 June 2002	Romania	1 May 1995
Finland	1 July 1997	San Marino	1 February 2005
France	1 October 1998	Seychelles	1 October 2008
Georgia	1 August 1999	Slovakia	1 October 2001
Germany	1 March 2002	Slovenia	1 May 2002
Greece	1 January 2010	South Africa	1 December 2003
Guatemala	1 March 2003	Spain	1 November 1995
Guinea	1 February 2004	Sri Lanka	1 May 1995
Hungary	1 August 2005	Sweden	1 September 1997
Iceland	1 May 2000	Switzerland	1 January 2003

Thailand	1 August 2004	United States	1 April 2008
Turkey	1 September 2004	Uruguay	1 April 2004
United Kingdom	1 June 2003	Venezuela	1 May 1997

Decree

on the Finnish Board of Inter-Country Adoption Affairs

(509/1997)

Issued in Helsinki on 30 May 1997

On the submission of the Minister of Justice, the following is enacted on the basis of section 20(3) of the Adoption Act (153/1985) issued on 8 February 1985, as amended by the Act (175/1996) of 22 March 1996:

Section 1

The task of the Finnish Board of Inter-Country Adoption Affairs (*the Finnish Adoption Board*) is to:

1) collect and maintain data on the legislation of foreign states concerning adoption and international adoption services and provide information about this on request to authorities and service providers;

2) follow the international development in inter-country adoption matters;

3) follow the implementation of the Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Inter-country Adoption (*the Hague Convention*) in Finland and, if necessary, take measures for the implementation of it;

4) co-operate with the central authorities or the bodies taking care of the duties of a central authority in the states that are parties to the

Hague Convention to achieve the objects of the Convention and to exchange the information referred to in the Convention;

5) approve for a fixed period those foreign service providers, referred to in section 21(3) of the Adoption Act (153/1985), with which Finnish service providers may co-operate, and revoke earlier approvals;

6) grant the permissions for adoption referred to in section 25 of the Adoption Act;

7) provide the evidence referred to in section 44 of the Adoption Act and statements referred to in sections 45, 46, 47a(2) and 50(2), as well as the statements referred to in section 7(2) of the Adoption Decree (508/1997);

8) take care of those tasks of a central authority, referred to in the Hague Convention, which have not been delegated to any other body by Act, Decree or Decision of

the Ministry of Social Affairs and Health; and

9) submit initiatives and proposals to the Ministry of Social Affairs and Health for the development of the inter-country adoption activity.

Section 2

If the Finnish Adoption Board has granted permission for adoption on the basis of section 27(1) of the Adoption Act, the permission shall state that

1) the adopter has been deemed an appropriate and suitable adoptive parent; and

2) the adopter has received inter-country adoption service and adoption counselling.

If the Finnish Adoption Board has granted permission for adoption on the basis of section 27(2) of the Adoption Act, the permission shall state that

1) the foreign body has deemed the adopter an appropriate and suitable adoptive parent;

2) the adopter has received necessary counselling in his home state; and

3) according to the certificate presented by the adopter the child has the right or will get the right of entry and habitual residence in that state.

The permission referred to in subsections 1 and 2 above shall also state the period of validity of the permission as well as the possible conditions or restrictions on the adoption referred to in section 27(3) of the Adoption Act.

The permission referred to in subsections 1 and 2 above may, on the request of the adopter, be given in English.

Section 3

A permission granted on the basis of section 27 of the Adoption Act shall be sent directly to the service-provider from which the adopter has received the inter-country adoption service.

Section 4

The Board has a chairman, a vice-chairman and a necessary number of other members. Each member has personal deputy member.

Both the chairman and the vice-chairman shall represent the Ministry of Social Affairs and Health. At least one of the other members shall represent the Ministry of Foreign Affairs, one the Ministry of Justice and one the Directorate of Immigration. One member shall be an expert on municipal child welfare work and one an expert on social sector research and development. In addition, one representative will be elected from each service provider which has been licensed to provide inter-country adoption service by the Ministry of Health and Welfare. What is provided above concerning members also apply to deputy members.

The majority of the members of the Board shall represent public authorities.

Section 5

The Council of State appoints the chairmen, the members and the deputy members for a five-year period at most. The Ministry of Social Affairs and Health appoints the secretary to the Board.

The chairman or vice-chairman of the Board and at least half of the other members constitute a quorum.

However, in matters relating to granting of a permission referred to

in section 1(6), the Finnish Adoption Board also constitutes a quorum in the presence of the chairman or the vice-chairman and the expert on municipal child welfare work and the member representing the expertise on social sector research and development.

Section 6

Otherwise the regulations on state committees are applied to the Board.

Where necessary, the Ministry of Social Affairs and Health issues more detailed instructions to the Board.

Section 7

This Decree enters into force on July 1 1997.

This Decree repeals the earlier Decree (155/1985) on the Finnish Board of Inter-Country Adoption Affairs, issued on 8 February 1985 and later amendments.

When this Decree enters into force the appointed Board will continue its work until the end of its term. A member representing the Directorate of Immigration referred to in section 4 must, however, be appointed.

Measures for the implementation of this Decree may be undertaken before the Decree enters into force.

Helsinki 30 May 1997

President of the Republic

MARTTI AHTISAARI

Minister of Justice *Kari Håkämies*