

QUESTIONNAIRE ON THE PRACTICAL OPERATION OF THE 1993 ADOPTION CONVENTION
Prel. Doc. 3 of February 2020 for the Special Commission meeting in 2021

Name of State:	FINLAND
Information for follow-up purposes	
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1. POST-ADOPTION MATTERS

1.1. Preservation of, and access to, information

Both States of origin and receiving States

1.1.1. Preservation of information and use of data

1.	<p>Has your State centralised, in a public facility, information concerning the child's origins and the adoption of the child?</p> <p><input checked="" type="checkbox"/> Yes. Please specify where the information is centralised: The Digital and Population Data Service Agencies population information system contains data on the date of finalizing the adoption and birthcountry of the child.</p> <p><input checked="" type="checkbox"/> No. Please specify where the information is stored: The Adoption Act secures documentation, archive procedures and access to information concerning information documented during adoption counselling and adoption service provision (AB's).</p>
2.	<p>Has your State encountered situations where personal data obtained during the intercountry adoption process has been misused (see Art. 31 of the Convention)?</p> <p><input type="checkbox"/> Yes. Please provide details of the types of situations your State encountered and the action(s) taken in response: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>

1.1.2. Search for origins

3.	<p>Is there a specialised programme or section in the Central Authority which deals with the search for the origins of an adoptee?</p> <p><input type="checkbox"/> Yes. Please provide its name and explain the services provided: Please insert text here</p> <p><input checked="" type="checkbox"/> No. Please specify how the search for the origins is handled: Post-adoption service tasks are delegated to adoption counselling and adoption service providers (ABs) in the Finnish Adoption Act (2012). The Finnish CA administrates the state funding for the post-adoption service provided by the AB's. This funding has been available as of 2018.</p>
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4.	<p>Has your State developed any good practices to ensure that Recommendation No 21¹ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>The Ministry of Social Welfare and Health has published a Guide for adoption counselling social workers. One of the topics that the social worker should include in the counselling to PAP's is understanding of the adopted child's losses, supporting the child in identity processing, openness and respecting the child's right to search and access information on his/her adoption and origins. The Finnish Adoption Board's permit section requires all new adopters understanding and acceptance of openness on adoption matters in the family as well as open communication on the child's adoption background also with the immediate family members (grandparents, siblings of adopters, children in the family). Adoption counselling social workers and accredited bodies are encouraged to collaborate to secure that, when an adoptee initiates post-adoption searches, guidance and support is provided for the adoptee as required also in the Finnish Adoption Act in connection to accessing and searching for information. Counselling is integrated into accessing of information and searching processes. Collaboration between adoption counselling social workers and post-adoption workers of accredited bodies is supported also by the Finnish adoption board, f.eg. in the adoption board's training day of 2019 post-adoption work was one topic. This yearly training day is addressed to adoption counselling social workers and accredited bodies staff, to support and secure compliance with adoption legislation and discussing good practices.</p> <p><input type="checkbox"/> No. Please specify any reasons: Please insert text here</p>
5.	<p>If your State allows for the use of DNA testing to search for origins, please specify:</p> <p>(a) which body is in charge of the DNA testing (e.g., government, private companies, NGOs); The Finnish Institute for Health and Welfare (THL) is the governmental office in charge of DNA testing. Possibly also some private companies provide testing.</p> <p>(b) where the data is stored, and whether it is stored by a public or private entity; The Finnish Institute for Health and Welfare (THL)</p> <p>(c) the average cost of a DNA test in your State and whether any subsidy is available; 272,80 € (alv 24 %). Further details: https://thl.fi/fi/web/lapset-nuoret-ja-perheet/peruspalvelut/isyyden-selvittaminen/oikeusgeneettinen-isyystutkimus/yksityishenkilon-pyytama-tutkimus</p> <p>(d) details of any challenges and / or good practices your State may have developed with respect to the issues identified in this question and DNA testing in general. We have not gathered information on this and to our knowledge cases are still very few.</p>
6.	<p>What is your State's practice when the background information of an adoption is incomplete or non-existent? How does your State support adoptees in such situations?</p> <p>Usually the background information is comprehensive in the papers and if not, it is explained how they have tried to collect information. Adoption accredited bodies are obliged to help and</p>

¹ [“Conclusions and Recommendations adopted by the Fourth Meeting of the Special Commission on the practical operation of the 1993 Hague Intercountry Adoption Convention \(8-12 June 2015\)”](#), C&R No 21 (hereinafter, “C&R of the 2015 SC”):

“The SC recommended that the possibility of a child searching for his or her origins be **included** in the **counselling and preparation** of the prospective adoptive parents. When an adopted child or an adult adoptee undertakes such a search, **professional support** at all stages is recommended” [emphasis added].

	<p>support adoptees in their search for finding background information by contacting authorities in countries of origin. Contact persons do inquiries to various authorities, such as courts, archives of children's homes, social services, hospitals, police etc., authorities that have made decisions on parental rights of biological parents or have confirmed the adoption. Countries where Finland no longer currently operates in Intercountry Adoptions are more challenging to collaborate with in post-adoption enquiries.</p> <p>PAP's are advised to ask also for details during their visit to meet the child and to document.</p> <p>AABs carefully discuss with adoptee in person and explain about different possibilities why the information is incomplete, for example explaining the circumstances and what were the common procedures in the country of origin at the time when adoption was completed. Adoptees are welcome to meet AABs who provide post-adoption counselling, thus working to meet the experiences of the adoptees and possible support needs in these processes.</p> <p>Many abandoned children have no information of their background, and the information of their adoption is often incomplete. In these cases, psycho-social support by the post-adoption service provider is crucial.</p>
7.	<p>What is the procedure in your State when illicit practices are discovered during a search for origins? Please provide details of any challenges and / or good practices.</p> <p>We do not have a lot of experiences of these cases in Finland.</p> <p>To avoid illicit practices CA cooperates with other CAs both in the receiving countries and the country in question and gathers information on possible similar cases and actions necessary to share the concern. Consulting the Permanent Bureau for good practice suggestions to secure that all needed actions are taken.</p> <p>AABs cooperate with authorities of country of origin and prevention is very important in adoption work.</p> <p>There could potentially be challenges regarding the actions of contact persons in countries. It is important to do in-depth background checks of these persons before entering into collaboration.</p> <p>Attention would be given that accredited body's post adoption team would provide psychological support to the adoptee and also ensure further professional help when needed.</p>
8.	<p>If statistics are available in your State regarding the number of adoptees who are searching / have searched for their origins, please specify:</p> <p>(a) how many of these searches were successful (e.g., the adoptee found his birth family);</p> <p>The AABs collect statistics about the number of clients in post-adoption services, but this does not include information on "success rate". To define if a search is "successful" is also somewhat unclear. In most cases, adoptees search for more information of their background and usually they are successful in the way that some additional information is found. Cases where adoptees would actually locate and meet the biological relatives are more rare and this is also not always the aim of the process for all adoptees Those few cases where this has been the aim, have been successful. Sometimes even the search process itself meets the needs of the adoptee as it may provide the channel to process open questions with a professional.</p> <p>(b) how many were not successful and what were the reasons.</p> <p>Sometimes there will not be new/any information.</p>

	<p>The reasons behind non-successful post-adoption processes are often linked with the non-willingness of the authorities in the country of origin to provide information. It has also happened that the biological relatives are located but do not want to be in contact with the adoptee. So the post-adoption process might partly be successful, but not necessarily in all aspects.</p>
9.	<p>Has your State encountered any challenges with regard to access to information due to the confidentiality of the identity of the birth parents?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the challenges and how your State addressed them:</p> <p>Some sending countries require that adoptees must be 18 years old to access information. In those cases, PAP's are told that there will be information available later for the adoptee. In some specific cases AABs have contacted the authorities of country of origin already before the adoptee has reached 18. This has been done in cases where this has been considered necessary and in the best interest of the child.</p> <p>AAB's assure that adoptees are given all the support they need. In some countries at the time of adoption very little information was given of birth parents. AABs have contacted authorities and accredited bodies of country of origin to inquire if any documents are available.</p> <p>In some countries documents provide no information about the birth parents. Often, the identity of the father has not been verified officially but is based on the information from the mother.</p> <p><input type="checkbox"/> No.</p>
10.	<p>Does your State make a distinction between the disclosure of identifying versus non-identifying information?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>The adoptee (and descendant of the adoptee) has the right to access identifying information on the biological parents at age 12. Under Section 93 of the Adoption Act (2012), it is stated that where the identity of a former parent is known, information thereof shall always be disclosed, notwithstanding the provisions of subsection 2:1) to an adoptee who has attained the age of 12 years and, following the death of an adoptee, to his or her descendant who has attained the age of 12 years. This information is to be given irrespective of subsection 1 stating that access to information may be denied if there are reasonable grounds to believe that access to the information would harm the health or development of the adoptee or other person requesting the information or if access to the information would otherwise be manifestly contrary to his or her best interests or other private interests.</p> <p><input type="checkbox"/> No. Please explain your response: Please insert text here</p>
11.	<p>What is the procedure in your State for processing requests from the birth family to receive information concerning the adoption of their child? Does your State have a specific programme / database to handle such requests?</p> <p>The Finnish Adoption Act recognizes only the adoptee, the descendants of the adoptee and the parents of the adoptee (referring to the adoptive parents) as the parties having legal access to adoption files. In section 93 of the Act it is stated that the right of access to information of an adoptee, his or her custodian and, following the adoptee's death, his or her descendant and the descendant's custodian shall, notwithstanding any secrecy provisions, have the right to access information contained in the documents referred to in section 92</p>

from the organisation retaining it. The information recipient, shall be provided with the necessary support and guidance in the context of information access. Biological parents are entitled to post-adoption service, that is to say, they may receive the psycho-social support available through adoption counselling.

The biological parents in Finland are, however, entitled to adoption counselling also after the adoption. Thus under section 25 of the Adoption Act it is stated that, regarding adoption counselling after granting of adoption, the provider of adoption counselling shall, where necessary, also provide the advice, assistance and support referred to in section 24(1) after the granting of an adoption. The provider of adoption counselling shall, where necessary, guide the adoptee and the adoptive family as well as the child's former parents to access to social or health care services or other assistance and support at the earliest possible stage.

If the biological parent wishes to contact the child that they relinquished for adoption, the adoption counselling social worker / or post-adoption social worker at the accredited body, will contact the adoptee and/or adoptive family (if adoptee is under 18) to inform of the biological parents wish. The post-adoption worker will provide counselling and support the communication if needed.

In some isolated cases, partner organization contacts Finnish AAB and AAB inform the adoptee or the adoptive family, if the child is under 18. AAB mediates the information, for example the adoptive family can send a letter to the birth parent via AAB. In some cases biological relatives have contacted AAB directly and the procedure is the same also in these cases. AABs offer adoptees support and possibility to discuss the matter.

No specific programme/database.

1.1.3. Guidelines and good practices

12.	<p>Has your State developed any guidelines (e.g., procedures, manuals) and / or good practices regarding preservation of information and search for origins?</p> <p><input type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>There are no procedural manuals as such, but the adoption legislation is the bases for these practices and there are good practices in place. Post-adoption work methods are based partly in the methods used with domestic adoptees post-adoption services. In recent years post-adoption service in intercountry adoption cases has been financed by the state and specialising social workers are providing the service. Save the Children Finland had a 4 year development project in 2004-2009 where procedures and services were modelled and documented also in English (Diversifying post-adoption services / Save the Children Finland's publication in English, published in 2010). Save the Children Finland also had a project developing practices in open adoptions.</p> <p><input checked="" type="checkbox"/> No.</p>
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1.2. Post-adoption services²

Both States of origin and receiving States

² Post-adoption services may be provided to adoptees, birth families and adoptive families.

13.	<p>Has your State developed any good practices to ensure that Recommendation No 18³ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>We have set a well functioning structure by identified the relevant actors to provide the service. Collaboratoin between the two actors stated in the Adoption act, 1) the adoption counselling social worker and 2) post-adoption worker of the accredited bodies, have been established to secure the needed psocho-social support as well as case management of international enquiries and general "interpretation" of the documents. In the latter, experience of the international context and availability of relevant international contacts is necessary to provide the service.</p> <p>Both resources have been important, as adoptees may take initiative in post-adoption matters also in demanding life situations. In these situations adoptees need adequate support and possibly also guidance or collaboration with other public services (health care, social welfare) may be necessary. On the other hand, managing post-adoption enquiries or planning for birth country visits, demand understanding of the conditions and structures in the sending country as well as adequate connections to reach the relevant officials. Responding also to the demands and policies of the sending countries in post-adoption situations, requires, that the receiving countries are adequately resourced for this international collaboration.</p> <p><input type="checkbox"/> No. Please specify any reasons: Please insert text here</p>
14.	<p>If your State provides specialised post-adoption services, please specify:</p> <p>(a) the type of services provided and to whom they are provided (<i>e.g.</i>, child and adult adoptees, birth families, adoptive families);</p> <ol style="list-style-type: none"> 1.Support and guidance in accessing information in archives (all parties) 2.Support and guidance in making enquiries to the sending country (adoptee and adoptive family) 3.Support and guidance in planning and making a birth country visit, including or excluding visit to children's home, meeting local adoption officials or members of biological family of foster family (adoptee and adoptive family) 4. Psycho-social support through adoption counselling after the adoption (adoptee, adoptive family) 5.Peer group activities mainly for adoptees, but also for adoptive parents, summer camps for adoptees of differenc ages 6. Adoption telephone help-line (all parties) <p>(b) who provides the services (<i>e.g.</i>, social welfare administration, school, health personnel);</p> <ol style="list-style-type: none"> 1-4 are provided by qualified and adoption specialized adoption counselling social workers at municipalities of Save the Children Finland and Post-adoption workers of the accredited bodies 5. are provided by accredited bodies , adoption counselling work groups or adoptive families organisations

³ C&R No 18 of the 2015 SC:

"The SC recognised that post-adoption services are essential and should take into account the **lifelong nature** of adoption. States are encouraged to develop **specialised post-adoption services**, in addition to the general services already in place" [emphasis added].

	<p>6. is provided by All our children, an NGO supporting multicultural children in Finland, they provide this telephone help line as well as adoption preparation courses</p> <p>(c) whether the professionals involved in the post-adoption services are the same as those involved in the preparation of the prospective adoptive parents (PAPs); Adoption counselling social workers are the same yes .</p> <p>(d) how, if there are different services, these various services are coordinated; In general terms, Finland has been strong in creating collaboration between different adoption stake holders in Finland. The Finnish adoption network makes the best of creating services that complement those already existing. There is a two level co-ordination taking place: 1) The Finnish adoption network comes together approximately 4-5 times an year to share information and discuss developments and 2) The Finnish adoption board's plenarium is the official governmental section that reviews and discusses development needs, the plenarium meets approximately 4 times per year.</p> <p>(e) how the post-adoption services are financed (e.g., the government funds its own services, the government funds Adoption Accredited Bodies (AAB) services, adoptees and their families pay for the services themselves, other); Services 1-4 are free of charge for the adoptees and their families. Services 1-3 are financed by the state through a grant to the accredited bodies, the Finnish Central Authority administrates this grant going to the AB's Service 1 and 4 is also available through the adoption counselling in municipalities and Save the Children Finland, this service is financed by the municipality of the adoptee/adoptive parents/biological parents Service 5 is financed partly by participation fees paid by the adoptive families and adoptees, partly through governmental grant from the Funding Centre for Social Welfare and Health Organisations if organizer applies and qualifies for such a grant.</p> <p>(f) the length of time this support is available. Please insert text here</p>
15.	<p>Please provide details of any good practices in your State which ensure that adoptees, adoptive families and birth families are adequately informed about, and can easily access, post-adoption services.</p> <p>Active notifying and advocacy is needed to reach out to adoptees and adoptive families of availability of services. The adoption network in Finland notifies actively through each member's webpages, social media, and sending out notices. Constant attention on this and resourcing also this work is necessary to reach out to past generations of adoptees and their families.</p>
16.	<p>In setting up post-adoption services in your State, were the voices of adoptees considered?</p> <p><input type="checkbox"/> Yes. Please specify in what way their voices were considered:</p> <p>Since two decades or so, adoptees have become more organised and interested in their origins and past. The Finnish Adoption Act that came into force in 2012 was preceded by a large consultation of adoptees, with the aim to assure that the law was drafted from child's perspective and adoptees' view was considered in drafting the law. The Finnish Adoption Act now includes post-adoption services provided for adoptees. There is also an umbrella organisation for adoptees, adoptive parents and other concerned called "Adoptioperheet" in Finland who voice out adoptees' experiences.</p> <p>The experiences of adoptees is important to note in all phases of the adoption process, starting from preparation of PAP's in adoption counselling.</p> <p>It has also been very important when post-adoption services have been established. AABs have heard adoptees in meetings with adoptees and during the practical post-adoption</p>

	<p>work. They have also organized info gatherings, sometimes in cooperation with other organisations and adoptive family gatherings. AABs have also collected customer surveys from adoptees.</p> <p>In AAB organizations there have been adoptees as trainees whose work has been related also to meet better the experiences of adoptees. There are also adoptees among board members of one AAB.</p> <p>During post-adoption services the parents are advised to respect the opinions of the adoptee and best interest of the child f.ex. concerning traveling to the country of origin or other root search.</p> <p><input type="checkbox"/> No.</p>
17.	<p>Has research been carried out in your State in the past five years assessing post-adoption services?</p> <p><input type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p><input checked="" type="checkbox"/> No.</p>

Receiving States only

18.	<p>Please specify any challenges your State encounters in ensuring that adequate support is in place for adoptees and the adoptive family following an intercountry adoption, including where parents have adopted a child with special needs. Please also share any good practices your State has developed to overcome such challenges.⁴</p> <p>Finland has a high quality and wide range of public services, the basic level of health care and specialized health care and social services. In general, adoptive families can rely on high quality public social and health care. Early child care and the school system, both public, are integrated with the early childhood health clinic and school health care systems. The basic level of support is thus well secured. In accessing specialized health care, however, the child often needs a diagnosis or supportive admission note to access specialised health care. For example therapy requires such. It is this level that is more demanding to access, however awareness of adoptees special needs is developing and adoptees are likely to access these services easier. Adoptive parents still report, that they sometimes struggle and need to be active and pushy themselves to secure access to all available services. Adoption counselling social workers are available to provide additional support letters and communicate directly to school, social welfare and health professionals. Adoption counselling social workers are also joining families in meeting with school health care and psychologists, to add understanding of the adopted child's special needs. There have been some specializing trainings on adoption issues for professionals, but unfortunately more is needed to secure adoptees are fully supported. Social workers are provided extra training for adoption issues and the Finnish adoption board is one of the training providers through its yearly training days for professionals working in adoptions. Finnish adoption counselling is luckily fairly centralized as municipalities may choose to provide the service through Save the Children Finland, unless they have the necessary capacity/knowhow to provide this specialized service. This is often the case in municipalities, if cases are rare in number. It is through this mechanism of centralizing adoption counselling that Finland has been able to maintain good quality adoption preparation and support for adopters and adoptive parents and adoptees. In adoption counselling, special attention is given to train adopters in understanding of the adopted child's special needs. Understanding of this is also</p>
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⁴ If applicable, you may wish to refer to your State's response to Question 17 of "[Prel. Doc. No 2 of October 2014 - Questionnaire No 2 on the practical operation of the 1993 Hague Intercountry Adoption Convention](#)" (hereinafter "[2014 Questionnaire](#)").

considered as one of the most important requirements to receive an adoption permit from the Finnish Adoption Board.

1.3. Post-adoption reports

Receiving States only

19.	<p>Does the preparation of PAPs in your State include the provision of information on post-adoption report requirements of the State where the PAPs (would like to) adopt?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response:</p> <p>Both adoption counselling social worker and the accredited bodies provide this information to the PAP's to ensure they have understanding and are supportive of this requirement. Adoption accredited bodies also state this requirement in their written contracts with the applicants. Information on this requirement is available in detail through the accredited bodies who have main responsibility to keep adopters informed of this.</p> <p><input type="checkbox"/> No. Please specify when and how PAPs are otherwise informed:</p> <p>Please insert text here</p>
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Both States of origin and receiving States

20.	<p>Has your State encountered situations where the adopted child refused or objected to the obligation to comply with the post-adoption report requirements?</p> <p><input type="checkbox"/> Yes. Please specify the types of situations and what action your State has taken to address this type of situation:</p> <p>In some isolated cases adoptive teens have not wanted to send their photos to the country of origin or PAPs have not been willing to cooperate. AABs have contacted the partner organisation/authorities and explained the situation.</p> <p><input type="checkbox"/> No.</p>
21.	<p>What has been your State's recent experience regarding post-adoption reports? Please provide details of any challenges and / or good practices in this regard.</p> <p>In Finland, the reports are written by social workers. When an adoptive family is required to provide several reports, their motivation sometimes declines towards the end.</p> <p>In general, the reports are of a good quality, and reports have improved during the recent years. They cover issues of health, attachment etc., and they also highlight challenges. Sometimes the authorities in the countries of origin ask additional questions.</p> <p>Too short post-adoption reporting periods do not necessarily provide enough information of the development of the child and bonding of family members.</p> <p>Among some countries, the post-adoption reporting period is very long, e.g. until 18 years, the collecting of the reports can be very difficult in practise.</p> <p>At the same time it would be very useful for all parties to have information of the teenagers as well.</p> <p>The challenge is that often families try to tell only positives and the report does not always contain all sensitive information.</p> <p>AABs have reported technical challenges when the online programs where the reports are supposed to upload does not work. To send reports electronically /upload them to online database is a good idea, however it is crucial that the programs work properly before put into practise, otherwise time is lost in solving technical problems.</p>

1.4. Adoption breakdowns

Both States of origin and receiving States

22. If your State has had any experience regarding **intercountry adoptions which have broken down**, please specify:⁵

(a) what have been the main **causes** of the breakdowns;⁶

If an adoption breakdown occurs, local authorities, i.e. municipalities in Finland, are responsible for organizing social welfare, child welfare included, for the family. According to legislation the Central Authority has no right to receive any information concerning child welfare cases.

AABs report, that in general, there have been relatively few breakdowns in Finland once the child has arrived in the family. This is thought to be due to the fact that the Finnish Adoption Act requires that all adoptive parents participate in mandatory adoption counselling before the adoption takes place, and therefore PAP's are generally well prepared for the possible challenges with the adopted child.

In very rare cases of breakdowns, these have been related to the behavior of the child, and to the non-ability of the adoptive parents to handle the situation and the emotions caused by it. It may have been the health condition of the child or that family's expectations were not in line with the child and his/her health status, or they have not been able to connect with the child. The PAP's have basically not been able to handle the situation.

Challenges may occur, in specific difficult cases (mainly during the teenage years), and the child may have been temporarily taken into custody by social welfare. The adoptive child usually needs only temporary care and returns to the adoptive family or sometimes there is a placement into foster care or some other institutional care in child protection with the aim of the child returning to the adoptive home.

(b) how your State **has addressed** these situations and whether your State has any good practices to share in this regard;⁷

The objective of the Child Welfare Act in Finland is to protect children's right to a safe growth environment, balanced and well-rounded development and special protection. The child welfare act applies to all children and families living and staying in Finland. The legislation does not discriminate against any ethnic group, any nationality or whether a child is adopted or not.

In cases where the adoption is not finalized, the new adoptive family may be searched for through domestic adoption in cooperation with the social workers. Then there are positive chances for the child to bond and attach with a new family. These situations require a lot of work from social workers, and other officials, a lot of support to all parties.

(c) what **support** is available for the adoptee and the adoptive family to prevent and / or respond to the breakdown of intercountry adoptions;

The Primary responsibility of a child's wellbeing rests with the parents. Officials must support the parents in their responsibilities. Child's welfare is firstly supported by preventative actions and by offering non-institutional social services like family and home

⁵ If the Central Authority in your State is not informed about this information because it relates to a child protection measure which is a different department / institution than the Central Authority, we would be grateful if you could request this information from the relevant authorities in your State.

⁶ If applicable, you may wish to refer to your State's response to Question 18(a) of the [2014 Questionnaire](#).

⁷ If applicable, you may wish to refer to your State's response to Question 18(b) of the [2014 Questionnaire](#).

services. Emergency placement of a child or taking a child into substitute care is the very last resort and only used when the child's safety is at risk. This process has to follow the regulations of our national legislation.

In Finland there are a lot of public and free special services for families f.ex. child welfare clinics, psychologists, therapies, school health care. The peer support and mentoring by other adoptive parents is available in Finland. There is also the Adoption Counseling telephone helpline to support the adoptive families.

Prevention is most important part in inhibiting the adoption break downs. All adoptive parents will participate in the mandatory and free of charge adoption counseling. The counseling lasts approximately one year, and during these meetings, counselling looks at the applicant's capacity and preparedness for adoptive parenting.

The aim is that the adoptive parents are also ready and willing to collaborate with adoption counselling social workers, adoption authorities and other social welfare authorities. Professional adoption counselling aims to prepare adoptive parents, give them have realistic expectations and ensure PAP's suitability for adoption. Close cooperation with sending country authorities in sharing of information is also part of the prevention of problems. Thorough medical consultation of the child before the matching, especially with special need child adoptions, attention is given that there is a realistic base as to the needs of the child.

If there is an adoption break down, help from the accredited body , adoption counselling social worker and other professionals close to the family is needed for the adoptee and adoptive family.

(d) whether your State has developed any good practices to ensure that **Recommendation No 19⁸** of the 2015 Special Commission is implemented:

Yes. Please specify any good practices developed in this regard:

Adoption counselling and post-adoption services.

It is important that AABs provide realistic information to adoption seekers about the adoption process, children to be adopted and the different conditions in our contact countries. As per the Finnish Adoption Act, the adoption permit needs to be renewed every two years; there are mandatory discussions with an adoption counselling social worker prior to the renewal of the permit.

AABs keep close contact with the adoptive family also after the adoption is completed. They call to the family at least three times during the first year. Close contact and cooperation with the social worker is important as well. Post-adoption reports give important information of the child's and family's situation.

No. Please specify any reasons:

(e) whether your State has experienced breakdown cases in which it was determined that it was in the child's best interests to **return** to the State of origin, and if so, what the situations were and how they were handled;

⁸ C&R No 19 of the 2015 SC:

"The SC recognised that appropriate evaluations, preparation, reports, matching and post-adoption support, in relation to both the child and prospective adoptive parents, will reduce the risk of the breakdown of intercountry adoptions."

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(f) **how many** cases of breakdown in intercountry adoptions have been reported in your State between 2015 and the present date;

According to child welfare legislation the Central Authority or AABs do not have access to this information concerning child welfare cases. AABs only know about break down cases during the placement process and the follow-up period. AABs report that actual breakdowns of adoptions are very rare once the child has arrived in Finland.

(g) how many of these cases included a **new placement** (e.g., foster care, new adoption) for the child;

no information available

(h) how many cases of breakdowns were intercountry adoptions done (a) under the **1993 Adoption Convention** ; and (b) outside of the Convention (i.e., prior to the entry into force of the Convention in your State or with non-State Party);

According to legislation the Central Authority or AABs have no right to receive any information concerning child welfare cases.

No information available. AABs only know about breakdown cases during the follow-up period.

(i) in line with **Recommendation No 20⁹** of the 2015 Special Commission, whether your State has applied the **1996 Child Protection Convention** to enhance cooperation between States of origin and receiving States in cases of breakdown, and if so, please explain.

Child welfare processes have to follow the regulations of our national legislation, Child Welfare Act (417/2007).

In a few rare specific cases, it was proposed to the country of origin that the new family will be found for the child, and it was processed either by domestic adoption in Finland or by specific arrangements in co-operation with the country of origin.

Receiving States only

23. Is your State's **Central Authority** informed and involved / consulted when an intercountry adoption breaks down?

Yes. Please explain your response:

No. Please specify whether the staff of the child protection services include workers specialised in adoption:

In Finland local authorities, i.e. municipalities, are responsible for organizing social welfare, child welfare included, and they are obliged to follow the Child Welfare Act. The municipalities must ensure that social workers responsible for a child's affairs have at their

⁹ C&R No 20 of the 2015 SC:

"The SC encouraged States to consider ratification of, or accession to, the *Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children* (hereinafter, "the 1996 Hague Convention") in view of its relevance in enhancing cooperation to protect children in many different situations, including following the breakdown of intercountry adoptions."

	disposal expertise in child growth, development and health care, and legal and other expertise necessary in child welfare work.
24.	<p>Do your State's authorities consult with the Central Authority of the child's State of origin:</p> <p>(a) if an adoption breaks down?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p><input checked="" type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation:</p> <p><input checked="" type="checkbox"/> No.</p>

States of origin only

25.	<p>Is your State's Central Authority (or other competent authority) informed or involved / consulted by the competent authorities of the child's receiving State:</p> <p>(a) if an adoption breaks down?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation: Please insert text here</p> <p><input type="checkbox"/> No.</p> <p>(b) before determining a new placement for the child?</p> <p><input type="checkbox"/> Yes. Please describe the type of cooperation: Please insert text here</p> <p><input type="checkbox"/> No.</p>
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1.5. Other post-adoption matters

States of origin only

26.	<p>Are adoptees, who did not retain the nationality of their State of origin, permitted to regain it at a later stage?</p> <p><input type="checkbox"/> Yes. Please specify the conditions to regain nationality: We do not have access to this information.</p> <p><input type="checkbox"/> No. Please explain your response: Please insert text here</p>
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Both States of origin and receiving States

27.	<p>Has your State encountered situations where adoptees have sought to regain the nationality of their State of origin?</p> <p><input type="checkbox"/> Yes. Please specify the situations and how they were handled: We do not have access to this information</p> <p><input type="checkbox"/> No.</p>
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28.	<p>Please give the reasons, if any, why your State would or would not support the development of a Guide to Good Practice on post-adoption.</p> <p>Finland is happy to support and contribute in the development of such a Guide. We understand the need bases for this and also have experience in this area that might be useful.</p>
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2. PREVENTING AND ADDRESSING ILLICIT PRACTICES

Both States of origin and receiving States

29.	<p>Have illicit practices in intercountry adoption been discovered since 2015 in your State?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) the type of illicit practices which were discovered; Please insert text here</p> <p>(b) when the illicit practices were discovered (<i>i.e.</i>, during or after the adoption procedure); Please insert text here</p> <p>(c) whether the illicit practices were done under or outside the scope of the 1993 Adoption Convention; Please insert text here</p> <p>(d) how your State handled these situations; Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
30.	<p>Please specify any good practices of your State to prevent and address illicit practices.</p> <p>In Section 90 of the Adoption Act it is stated that regarding the Licence for international cooperation, the Service providers (AB's) shall without delay inform the Board of any issues brought to their attention that may result in the cancellation of a licence referred to in section 90. This obligation is informed to the accredited bodies in the licence document. The Adoption board holds regular meetings with the accredited bodies to secure open communication and supervision. The international section of the adoption board discusses good practices and requests for reporting from the accredited bodies also on a need bases.</p>
31.	<p>Is it possible in your State to annul an intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) the authority which has jurisdiction to do so;</p> <p>(b) who can request the annulment (<i>e.g.</i>, adoptee, adoptive parents, birth parents);</p> <p>(c) the grounds upon which this may be done;</p> <p>(d) whether there is an age limit for the annulment of an adoption;</p> <p>(e) the procedure involved;</p> <p>(f) the number of intercountry adoptions which are on average annulled per year.</p>

	<input checked="" type="checkbox"/> No.
32.	<p>Is it possible in your State to revoke an intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) the authority which has the jurisdiction to do so;</p> <p>(b) who can request the revocation (<i>e.g.</i>, adoptee, adoptive parents, birth parents);</p> <p>(c) the grounds upon which this is done;</p> <p>(d) whether there is an age limit for the revocation of the adoption;</p> <p>(e) the procedure involved;</p> <p>(f) the number of intercountry adoptions which are on average revoked per year.</p> <p><input checked="" type="checkbox"/> No.</p>

3. INTRAFAMILY ADOPTIONS

*In this Questionnaire, an "intrafamily adoption" is one in which the adoptive parent(s) are either **relatives** of the child (e.g., an aunt, a grandparent, a cousin) or a **stepparent** of the child. These adoptions are respectively referred to as "relative adoptions" and "stepparent adoptions." The Convention applies to all intrafamily adoptions.¹⁰*

3.1. General questions for intrafamily adoptions (*i.e.*, relative and stepparent adoptions)

Both States of origin and receiving States

33.	<p>In your State, which authority is in charge of intrafamily adoptions?</p> <p><input checked="" type="checkbox"/> The Central Authority.</p> <p><input checked="" type="checkbox"/> Another competent authority. Please specify which authority and the reasons for designating a different authority:</p> <p><i>For cases where the adopter(s) are not able to use adoption service provider (AB) cases are processed through the Central Authority.</i></p> <p><i>For cases where all parties involved have habitual residency in Finland, cases are processed in the District Court after adoption counselling. The Central Authority is not involved in these cases.</i></p>
34.	<p>Has your State developed any good practices to ensure that Recommendation No 32¹¹ of the 2015 Special Commission is implemented?</p>

¹⁰ See Permanent Bureau of the Hague Conference on Private International Law, [Guide to Good Practice No 1: The Implementation and Operation of the 1993 Hague Intercountry Adoption Convention](#), Bristol, Family Law (Jordan Publishing Limited), 2008 (hereinafter, "[Guide to Good Practice No 1](#)"), sections 8.6.4 and 8.6.5.

¹¹ C&R No 32 of the 2015 SC:
"In relation to in-family adoption, the SC:

	<p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>The adopters receive adoption counselling as all cases where adoption permit is granted by the Finnish Adoption Board. The board checks with all the requirements stated in Recommendation No 32. The Finnish Adoption Act has a section regarding intrafamily adoption situations and situations where adoption service provider is not applicable.</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p>Please insert text here</p>
35.	<p>Are there specific guidelines or procedures for intrafamily adoptions in your State?</p> <p><input checked="" type="checkbox"/> Yes. Please provide a link or attach a copy with your response:</p> <p>Section 42 of the Adoption Act covers Conditions for permission for adoption from foreign state to Finland without a service provider. This allows granting of adoption permit in limited situations only, including intrafamily adoptions. In the Adoption Decree under section 17C, the Finnish Adoption Board has the responsibility to provide the Hague 17c article certification for such cases, after checking of valid documentation.</p> <p><input type="checkbox"/> No.</p>
36.	<p>Has your State encountered any particular difficulties with adoptability decisions in the context of intrafamily adoptions?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the situations and how they were handled:¹²</p> <p>Challenging situations occur in situations where the responsibility for checking of the child's status and need base for the adoption as well as the timing for this work phase is unclear/overlap in connection to the permit process of the adopters. Such documentation and information may not be available from the child's birthcountry prior to granting of the adopters permit. In these situations the two existing adoption systems do not communicate enough / collide / do not share a similar logic.</p> <p>The Finnish Central Authority has tried to do its' best in requesting for information and collaboration with the Central Authority of the child's birth country.</p> <p><input type="checkbox"/> No.</p>
37.	<p>In your State, does the termination of the pre-existing legal relationship affect only the child and his or her mother and father, or does it also affect the other members of the family (see Art. 26(1)(c) of the Convention)?</p> <p><input checked="" type="checkbox"/> It only affects the child and his or her mother and father.</p> <p><input type="checkbox"/> It affects the child and his or her mother and father, but also the other members of the family.</p> <p><input type="checkbox"/> Other. Please explain your response:</p> <p>Please insert text here</p>

- a. recalled that in-family adoptions **fall within the scope** of the Convention;
- b. recalled the need to respect the **safeguards** of the Convention, in particular to **counsel** and **prepare** the prospective adoptive parents;
- c. recognised that the **matching** process might be **adapted** to the specific features of infamily adoptions;
- d. recommended that the **motivations** of all parties should be **examined** to determine whether the child is genuinely **in need of adoption**;
- e. recognised that it is necessary to undertake an **individualised assessment of each child's situation** and it should **not** be **automatically assumed** that either an in-country or infamily placement is in a child's best interests" [emphasis added].

¹² If applicable, you may wish to refer to your State's response to Question 3(b) of the [2014 Questionnaire](#).

38.	<p>Has your State encountered cases of breakdown in intrafamily intercountry adoptions?</p> <p><input type="checkbox"/> Yes. Please provide information on (a) the number of breakdowns; (b) the causes of the breakdowns; and (c) the ways your State addresses(ed) them: Normal child protection measures apply if such situations occur.</p> <p><input checked="" type="checkbox"/> No.</p>
39.	<p>In the context of intrafamily intercountry adoptions, does your State cooperate with States with which it normally does not cooperate?</p> <p><input checked="" type="checkbox"/> Yes. Please specify any challenges your State encounters and share any good practices your State may have developed in this regard: The Finnish adoption legislation does not restrict adoptions from other countries. Challenges that we have however experienced have been the reliability of documents and procedural differences. We have so far, not been able to develop further our practices, as these occur only in few cases per year. We are interested to learn from other countries' experiences and good practice examples.</p> <p><input type="checkbox"/> No.</p>

States of origin only

40.	<p>In your State, is the subsidiarity principle applied in the same manner to intrafamily intercountry adoptions?</p> <p><input type="checkbox"/> Yes.</p> <p><input type="checkbox"/> No. Please describe any different procedures used and explain the reasons for these different procedures:¹³ Please insert text here</p>
41.	<p>Is intrafamily adoption used frequently to protect children within the extended family and / or are there other child protection measures (<i>e.g.</i>, kinship care, foster care) that your State applies to protect children within the extended family?</p> <p><input type="checkbox"/> Intrafamily adoption is used frequently. Please explain your response: Please insert text here</p> <p><input type="checkbox"/> Other child protection measures are applied. Please specify:</p> <p>(a) which other child protection measures are applied to protect children within the extended family: Please insert text here</p> <p>(b) if your State is a Party to the 1996 Child Protection Convention, whether your State applies that Convention to give effect to these other child protection measures in other Contracting States: Please insert text here</p>

3.2. Stepparent adoptions

Both States of origin and receiving States

42.	<p>Does your State apply the 1993 Adoption Convention to stepparent intercountry adoptions?</p>
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¹³ If applicable, you may wish to refer to your State's response to Question 33(i) of the [2014 Questionnaire](#).

	<input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No. Please specify any reasons: Please insert text here
43.	What is the profile of children who are adopted intercountry by a stepparent, either in your State or in the State with which your State cooperates? We have only few experiences, countries have varied (f.eg. Thailand, Vietnam, Russia) and age of the child has also varied. Children have ranged been ages 5 -15.
44.	(a) Please specify any challenges your State encounters with stepparent intercountry adoptions: Also here, the main challenges are, reliability of information and differences in procedures. (b) Please specify any good practices of your State for stepparent intercountry adoptions, including those for overcoming any challenges: Please insert text here

3.3. Intrafamily adoptions and circumvention of immigration laws

Both States of origin and receiving States

45.	Has your State encountered situations where intrafamily adoptions were sought / used to circumvent immigration laws? <input type="checkbox"/> Yes. Please specify what the situations were and how your State addressed these situations: <input checked="" type="checkbox"/> No.
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4. DETERMINING THE CHILD'S HABITUAL RESIDENCE WHEN THE MOTHER MOVES TO ANOTHER STATE SHORTLY BEFORE GIVING BIRTH

Scenario: A pregnant woman, habitually resident in one State (State A), travels to another State (State B) where she gives birth to her child and relinquishes her newborn child for adoption in that other State (i.e., State B).

Both States of origin and receiving States

46.	If your State has been involved in situation(s) similar to the above-described scenario: (a) was your State the State of habitual residence of the mother (State A), the State of birth of the child (State B), or another State? In two single cases, the habitual residence was interpreted problematically by the birth state of the mother. (b) how was the child's habitual residence determined? Which factors were considered? It was determined by the country where the child had been born. (c) if adoption was considered the best option for the child, did your State determine it as being a domestic adoption or an intercountry adoption ? - (d) what challenges did your State face in dealing with such situation(s)? The original child proposal was annuled. It was not easy to get information about the process.
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	(e) if your State was the State where the child was born, was contact sought with the State of habitual residence of the mother? Was there any cooperation between the concerned States? -
47.	If there is a risk that the situation described above involves a case of human trafficking , would this be considered by your State when determining the child's habitual residence? <input type="checkbox"/> Yes. Please explain your response: <input checked="" type="checkbox"/> No. Please explain your response: According to Finnish Adoption legislation child's background must be described in detail and the adoptability must be verified.
48.	Which actions would your State take to address the case where both your State and the other State: (a) would determine the child's habitual residence to be in their State? - (b) would determine the child's habitual residence not to be in their State? -

5. SIMPLE AND OPEN ADOPTIONS

Both States of origin and receiving States

5.1. Simple adoptions

A simple adoption is one in which the parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his or her adoptive parents is established, and these adoptive parents have parental responsibility for the child.¹⁴

49.	Has your State changed its legislation, rules or practices in recent years regarding simple intercountry adoption? <input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes: Please insert text here <input checked="" type="checkbox"/> No.
50.	What is the profile of children for whom a simple intercountry adoption is made, either in your State or in the State(s) with which your State cooperates? Please insert text here
51.	If your State permits both full and simple adoption, are simple adoptions encouraged / promoted ? <input type="checkbox"/> Yes. Please explain your response: Please insert text here <input type="checkbox"/> No. Please explain your response: Please insert text here

¹⁴ See [Guide to Good Practice No 1](#), Glossary.

52.	<p>Has your State faced any problems regarding seeking the birth mother / family's consent to convert a simple adoption into a full adoption in the State of origin (Art. 27 of the Convention)?</p> <p><input type="checkbox"/> Yes. Please specify the situations which have arisen and how your State has dealt with these situations: Please insert text here</p> <p><input type="checkbox"/> No.</p>
53.	<p>(a) Please specify any challenges your State encounters with simple adoptions: Please insert text here</p> <p>(b) Please specify any good practices of your State for simple adoptions, including those for overcoming any challenges: Please insert text here</p>

5.2. Open adoptions / openness in adoption

54.	<p>Does the terms “open adoption”, “openness in adoption” or similar concepts exist in your State?¹⁵</p> <p><input checked="" type="checkbox"/> Yes. Please specify: (a) how it is defined; (b) whether it is provided by law, regulation or only in practice; and (c) whether it is promoted in your State: Chapter 8 of the Finnish Adoption Act consists conditions for adoptee's right to maintain contact with the former parent. This is applicable only to domestic adoptions. The court may, in conjunction with the granting of an adoption or following this, decide that a minor adoptee shall have the right to meet his or her former parent or maintain contact with him or her in another manner. The granting of a right of contact shall be subject to the condition that the former parent and the adoptive parents have agreed upon the maintenance of contact and there is no reason to assume that the maintenance of contact would be contrary to the child's best interests.</p> <p>In addition, in intercountry adoptions, if the country of origin allows unofficial open adoption arrangements, the adoptive parents are encouraged and counselled to respond positively.</p> <p><input type="checkbox"/> No. Please explain what is understood in your State by the terms “open adoption”, “openness in adoption” or similar concepts:</p>
55.	<p>Has your State changed its legislation, rules or practices in recent years regarding open or openness in intercountry adoption?</p> <p><input type="checkbox"/> Yes. Please specify the changes made and the reasons for these changes: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>

¹⁵ If applicable, you may wish to refer to your State's response to Questions 19 and 20 of the [2014 Questionnaire](#).

56.	<p>Has your State developed any good practices to ensure that Recommendation No 31¹⁶ of the 2015 Special Commission is implemented?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the good practices developed in that regard:</p> <p>Adoptive parents receive mandatory adoption counselling, which includes preparing PAP's to be open and supportive if possibilities to have contact with biological parents exist or emerge. The adoption counselling social worker and post-adoption service are both available to provide guidance and support for the different parties. Post-adoption service of the accredited bodies may also support collaboration with the sending countries professionals when needed.</p> <p><input type="checkbox"/> No. Please specify any reasons:</p> <p>Please insert text here</p>
57.	<p>(a) What is the profile of children for whom an open intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p> <p>Although this option for unofficial open adoption arrangement is available in intercountry adoptions, only few cases have been processed and no cases have been processed with agreements concerning the contact enforced in District Court, as this only applies to domestic adoptions.</p> <p>(b) Does your State have a specific approach depending on the profile of these children?</p> <p><input type="checkbox"/> Yes. Please specify these different approaches:</p> <p>Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
58.	<p>Does your State provide professional support or services to birth families (in the case of States of origin) or adoptive families (in the case of receiving States) and adoptees in open adoptions (e.g., support for contact agreements, supervising contact after adoption)?</p> <p><input checked="" type="checkbox"/> Yes. Please specify the support / services provided and any challenges and / or good practices in this regard:</p> <p>In domestic adoption cases, adoption counselling provides assistance in evaluating and drafting the contract and support to the various parties in implementing the contact agreement. The provider of adoption counselling shall, where necessary, also provide the advice, assistance and support after the granting of an adoption.</p> <p><input type="checkbox"/> No. Please explain your response:</p> <p>Please insert text here</p>
59.	<p>Has your State encountered situations where adoptees, adoptive parents and / or birth parents wanted to change the frequency or the method of contact between them after the adoption?</p> <p><input type="checkbox"/> Yes. Please specify what action was taken in response:</p> <p>The Adoption Board has no specific information on this. In domestic adoptions a decision concerning a right of contact may be amended by a new decision by the court where the child's former parent and adoptive parents have agreed upon an amendment to a right of</p>

¹⁶ C&R No 31 of the 2015 SC:

"The SC noted that, where not prohibited by domestic legislation, and after professional matching, **contact between the adoptee and biological family** in intercountry adoption may be **beneficial** in some cases. In order to maximise the benefits and minimise the risks of such contact, professional support should be offered to prepare the parties, as well as to assist them during and after contact. The adopted child's best interests should guide the nature of this contact, considering his or her wishes" [emphasis added].

	<p>contact granted, if there has been a change in circumstances after the granting of the right of contact or if there are other reasons thereto.</p> <p><input type="checkbox"/> No.</p>
60.	<p>(a) Please specify any other challenges your State encounters regarding open adoptions: Sending and receiving countries need enough communication between each other to secure that there is full understanding of prerequisites and aims of an open adoption.</p> <p>(b) Please specify any good practices of your State with regard to open adoptions, including those for overcoming any challenges: Adoptive parents receive mandatory adoption counselling which includes preparing PAP's to be open and supportive if possibilities to have contact with biological parents exist or emerge. The adoption counselling social worker and post-adoption service is available to provide the guidance and support for the different parties. Post-adoption service of the accredited bodies may also support collaboration with the sending countries professionals when needed. Communication on domestic adoption experience of open adoption should be shared in developing intercountry adoptions.</p>

6. NON-CONSENSUAL ADOPTIONS

In this Questionnaire, non-consensual adoption refers to the adoption of children whose birth parents have been deprived of parental responsibility by a competent authority but nonetheless disagree with the adoption. It does not intend to cover adoption where consent of the birth parents is required but not sought (such adoptions would fall under the category of illegal adoption), or where consent of the birth parents cannot be sought (e.g., they are deceased or unknown).

States of origin only

61.	<p>What are the circumstances in your State in which a parent can lose his or her parental responsibility?</p> <p>Please insert text here</p>
62.	<p>Does your State permit the adoption of children whose birth parents have been deprived of parental responsibility?</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) whether the consent of the birth parents who have lost their parental responsibility is <u>still</u> required?</p> <p><input type="checkbox"/> Yes. Please explain your response: Please insert text here</p> <p><input type="checkbox"/> No. Please explain your response: Please insert text here</p> <p>(b) how your State ensure that the principle of subsidiarity is respected. Please also specify whether measures to support the birth family's reunification and alternative care options (e.g., long-term foster care, kinship care) are considered prior to making the decision of non-consensual adoption. Please insert text here</p> <p>(c) what is the procedure applicable to such non-consensual adoptions (e.g.: how the child is declared adoptable; if the birth parents are given notice of the procedure; if the birth parents can contest). Please insert text here</p>

	<input type="checkbox"/> No. Please explain your response: Please insert text here
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Receiving States only

63.	<p>Has your State encountered situations in which the birth parents in the State of origin contested a non-consensual intercountry adoption when the child was already in the receiving State?</p> <p><input checked="" type="checkbox"/> Yes. Please specify what actions, if any, your State has taken to deal with these situations: Yes, but only in one single case that we know of, the ethical problem rose as the parental rights had been denied.</p> <p><input type="checkbox"/> No.</p>
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Both States of origin and receiving States

64.	<p>What is the profile of children for whom a non-consensual intercountry adoption is made, either in your State or in the State(s) with which your State cooperates?</p> <p>In the Finnish legislation non-consensual adoptions are not possible. In the countries with which Finland works with such cases occur at times, mainly children whose biological parents are incapable of giving a decision.</p>
65.	<p>(a) Please specify any challenges your State encounters with non-consensual adoptions: In cases where the District Court in Finland has been making the ruling on finalizing the adoption, the court might need additional information of the circumstances and legal bases for the non consensual adoption.</p> <p>(b) Please specify any good practices of your State regarding non-consensual adoptions, including those for overcoming any challenges: Please insert text here</p>

7. CONTACT BETWEEN THE PAPs AND THE CHILD BEFORE MATCHING

Both States of origin and receiving States

7.1. General questions

66.	<p>Does your State prohibit any contact between the child and the PAPs before matching?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response: The Finnish Adoption Act requires that adoption service providers check that the child referral is in line with the adoption permit and only after this checking proceed to present the referral to the adopters. There is thus no possibility of contact between adopter and child prior to checking the entire content of the referral and clearance that the process may continue.</p> <p><input type="checkbox"/> No. Please specify:</p> <p>(a) in which circumstances such contact is permitted; Please insert text here</p> <p>(b) the experience of your State with regard to such contact. Please insert text here</p>
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7.2. Summer camps / hosting programmes

In this Questionnaire, the “summer camps” practice is when adoptable children and PAPs attend an event (usually a camp) in the PAPs’ State of residence (i.e., receiving State) or in the State of origin, usually for a period of several weeks. The hope is that the PAPs will want to apply to adopt one or more of the children they have spent time with during this event.

“Hosting programmes” (including “respite care” programmes for children who go abroad to improve their physical and psychological well-being) are when adoptable children are hosted by families living abroad, usually for a period of several weeks, sometimes with the hope that the families will wish to adopt them after the hosting.

67.	<p>Is your State involved in summer camps / hosting programmes for children?¹⁷</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>(a) whether such programmes specifically aim to be a precursor to adoption for some children (e.g., for children with special needs):</p> <p><input type="checkbox"/> Yes. Please explain your response: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p> <p>(b) whether such programmes have, in fact, resulted in the adoption of children:</p> <p><input type="checkbox"/> Yes. Please specify the percentage of children involved in the programmes that are adopted: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p> <p>(c) where a child is adopted following such a programme, how is it ensured that the safeguards of the 1993 Adoption Convention have been respected (bearing in mind that it is likely that the child remains “habitually resident” in his or her State of origin and thus the adoption would fall within the scope of the Convention under Art. 2)? Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
68.	<p>If your State is involved in summer camps / hosting programmes specifically aimed at the adoption of some children, please specify:</p> <p>(a) whether the children benefiting from these programmes must have been declared adoptable before they can be part of such programmes; Please insert text here</p> <p>(b) whether the PAPs participating in such programmes must have been declared eligible and suitable to adopt to be allowed to take part in such programmes; Please insert text here</p> <p>(c) how the PAPs and children are selected to participate in such programmes, and whether a selection is made in cooperation with the other State; Please insert text here</p> <p>(d) how the children are prepared for such programmes; Please insert text here</p>

¹⁷ Regarding respite care, if applicable, you may wish to refer to your State's response to Question 54 of the [2014 Questionnaire](#).

	<p>(e) what are the effects on and the feedback from the children who participated in such programmes but were not adopted; Please insert text here</p> <p>(f) whether there have been situations where the adoption broke down after the child was adopted following participation in such programmes; Please insert text here</p> <p>(g) if the PAPA wish to adopt the child, whether it is possible for the child to remain in the receiving State or whether he or she must return to the State of origin before the adoption procedure can be initiated; Please insert text here</p> <p>(h) who finances such programmes; Please insert text here</p> <p>(i) what is the experience of your State with these practices (<i>i.e.</i>, challenges and any potential benefits). Please insert text here</p>
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7.3. Voluntourism

In this Questionnaire, "voluntourism" refers to the practice of an individual travelling to another State to volunteer in that State. One common practice is to travel to volunteer in a children's institution. In these situations, some volunteers may subsequently wish to adopt one or more children from the child institution in which they were volunteering.

69.	<p>Has your State experienced situations where "voluntourists" commenced an adoption procedure to adopt a child from the children's institution in which they volunteered?</p> <p><input type="checkbox"/> Yes. Please specify how your State handled these situations and any difficulties these situations may have caused: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
70.	<p>Has your State taken any action to prohibit, regulate or to otherwise add safeguards to the practice of "voluntourism"?</p> <p><input checked="" type="checkbox"/> Yes. Please explain your response: Habitual residence policy is applied in our adoption legislation. An adoption permit is required from all adopters to process an adoption to Finland. Adopters have to have habitual residency in Finland when applying for the permit. An adoption that has taken place in another country may only be recognized in Finnish court, if the adopters had minimum of one year habitual residency in the country where they adopted. Voluntourism would very likely thus result in an adoption not being recognized in Finland.</p> <p><input type="checkbox"/> No. Please explain your response: Please insert text here</p>

7.4. Adoption of children already under the care of PAPA

71.	<p>If your State is aware of situations where PAPA have adopted or wished to adopt a child who was already under their care in the State of origin (<i>e.g.</i>, as part of a foster care placement,</p>
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	<p>kinship care, “<i>niño puesto</i>”,¹⁸ or a more informal arrangement such as temporary care by neighbours or within a community), please specify:¹⁹</p> <p>(a) whether the child had already been declared adoptable before the PAPs’ adoption application was submitted; Not necessarily if the child is still in the birth country</p> <p>(b) at what stage in the process the PAPs were declared eligible and suitable to adopt; During adoption counselling before applying for adoption permit, and in the permit procedure - if the permit is required. If all the parties are already living in Finland, the case will be processed in District Court. The court will study the child’s adoptability under Finnish legislation, based on the report on adoption counselling and supporting documentation.</p> <p>(c) what the profile of these children was; Profile of children varies.</p> <p>(d) what was done to ensure that the safeguards and procedures of the 1993 Adoption Convention had been respected; Depending on who is the authority competent to process the case (the Adopiton Central Authority or the District Court) will take the precautions as requied in the Finnish Legislation that is based on the 1993 Adoption Convention.</p> <p>(e) your State's experience with such adoptions. For cases that the Finnish CA has processed, these have appeared to be in line with the requirements, we have thus no special consern although we do aknowledge that the checking of the true bases for each case needs to be thorough.</p>
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8. USE OF NEW TECHNOLOGIES

Both States of origin and receiving States

72.	<p>Has your State changed its practices recently to integrate new technologies into work processes (e.g., blockchain to facilitate transmission and access to data)?</p> <p><input type="checkbox"/> Yes. Please specify (a) what the experiences of your State are in this regard (i.e., benefits and challenges) and (b) how your State take into account data protection in this context: Please insert text here</p> <p><input checked="" type="checkbox"/> No.</p>
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9. STATISTICS

Both States of origin and receiving States

73.	<p>Please specify the number of intercountry adoptions per year (between 2015 and the present date) involving your State that are:</p> <p>(a) relative adoptions (i.e., excluding stepparent adoptions);²⁰</p>
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¹⁸ “*Niño puesto*” refers to a practice in some Latin American States where persons who already have care of a child request to adopt even if the child has not yet been declared adoptable nor have the persons been declared eligible and suitable to adopt.

¹⁹ Regarding foster care, if applicable, you may wish to refer to your State's response to Question 55 of the [2014 Questionnaire](#).

²⁰ For receiving States, you may wish to refer to your State's response to the HCCH [Annual Adoption Statistics Form](#).

	<p>We can only verify the adoption permits for adoptions without service provider (relative adoptions)</p> <p>(b) stepparent adoptions; We do not have this data.</p> <p>(c) simple adoptions; Not applicable.</p> <p>(d) open adoptions or adoptions that involve a certain degree of openness; and Finnish legislation covers open adoption arrangements with District court securing agreement on contact bases. However, such cases have not been finalized in intercountry adoptions to Finland.</p> <p>(e) non-consensual adoptions. Data not available.</p>
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10. OTHER MATTERS

74.	<p>Please specify any other comments your State wishes to make concerning the implementation and / or operation of the 1993 Adoption Convention.</p> <p>Please insert text here</p>
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