

STATE OF ORIGIN

COUNTRY NAME: LATVIA

PROFILE UPDATED ON: May 26, 2022

PART I: CENTRAL AUTHORITY

1. Contact details ¹	
Name of office:	Ministry of Welfare of the Republic of Latvia
Acronyms used:	-
Address:	28 Skolas Street, Riga, LV-1331, Latvia
Telephone:	+371 80205100
Fax:	-
E-mail:	lm@lm.gov.lv
Website:	http://www.lm.gov.lv
Contact person(s) and direct contact details (please indicate language(s) of communication):	Ms Ilze Kurme (Director of the Department of Children and Family Policy), telephone +371 67021592, Ilze.Kurme@lm.gov.lv Languages: Latvian and English
<i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i>	

PART II: RELEVANT LEGISLATION

2. The 1993 Adoption Convention and domestic legislation	
a) When did the 1993 Adoption Convention enter into force in your State? <i>This information is available on the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i>	December 1, 2002

¹ Please verify whether the contact details on the “Adoption Section” of the HCCH website < www.hcch.net > under “Central Authorities” are up to date. If not, please e-mail the updated contact information to < secretariat@hcch.net >.

<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Adoption Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>1) Procedures for Adoption (entered into force November 8, 2018), link: https://likumi.lv/ta/en/en/id/302796-procedures-for-adoption</p> <p>2) The Civil Law (entered into force September 1, 1992), link: https://likumi.lv/ta/en/en/id/225418-the-civil-law</p> <p>3) Civil Procedure Law (entered into force March 1, 1999), link: https://likumi.lv/ta/en/en/id/50500</p>
---	--

3. Other international agreements on intercountry adoption ²	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input checked="" type="checkbox"/> Bilateral agreements (please specify):</p> <ul style="list-style-type: none"> • Russian Federation, • Republic of Moldova, • Republic of Kirghizia, • Ukraine, • Republic of Poland, • Belarus, • Republic of Uzbekistan, • Republic of Estonia; • Republic of Lithuania <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>

PART III: THE ROLE OF AUTHORITIES AND BODIES

4. Central Authority(ies)	
Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Adoption Convention in your State.	Accreditation of foreign adoption service providers, Home study evaluation and approval, update of foreign adopters'

² See Art. 39(2) which states: "Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Articles 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention" (emphasis added).

See Arts 6-9 and Arts 14-21 if accredited bodies are not used.	database, matching of adoptable child with prospective adopters, issuing referrals about adoptable child/ children for definite adopters, issuing Allowance to meet a definite child/ children, issuing Minister's Allowance for Adoption, issuing Agreement that the Adoption May Proceed (Article 17), issuing the Certificate of Conformity of Intercountry Adoption, evaluation of post-adoption reports.
--	---

5. Public and competent authorities	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</p>	<p>Orphans' Court- provides decisions about adoptable child such as availability for adoption abroad, possibility to be separated from siblings in case of adoption, ability to travel abroad, evaluates pre-adoption care period with adopters and makes decision about adoption to be in particular child's interests in particular family, makes decision on pre-adoption care period extension until adoption confirmation in District court.</p> <p>District Court-confirms adoption.</p>

6. National accredited bodies ³	
<p>a) Has your State accredited its own adoption bodies?</p> <p>See Arts 10-11.</p> <p>N.B. the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH (see Art. 13).⁴</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 7</p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.⁵</p>	
<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	
6.1 The accreditation procedure (Arts 10-11)	

³ “National accredited bodies” in this Country Profile means adoption bodies based within your State (State of origin) which have been accredited under the 1993 Adoption Convention by the competent authorities in your State. See further *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (“GGP No 2”), available on the [Adoption Section](#) of the HCCH website < www.hcch.net > at Chapters 3.1 *et seq.*

⁴ *Ibid.*, Chapter 3.2.1 (para. 111).

⁵ *Ibid.*, Chapter 3.4.

a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?	
b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i> .	
c) For how long is accreditation granted in your State?	
d) Please briefly describe the criteria and the procedure used to determine whether the accreditation of a national adoption body will be <i>renewed</i> .	
6.2 Monitoring of national accredited bodies⁶	
a) Which authority is competent to monitor / supervise national accredited bodies in your State? <i>See Art. 11(c).</i>	
b) Please briefly describe how national accredited bodies are monitored / supervised in your State (<i>e.g.</i> , if inspections are undertaken, how frequently).	
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (<i>i.e.</i> , withdrawn).	
d) If national accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (<i>e.g.</i> , fine, withdrawal of accreditation): <input type="checkbox"/> No

7. Authorised foreign accredited bodies⁷ (Art. 12)	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State? <i>N.B. the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – go to Question 8
b) Please indicate the number of foreign accredited bodies authorised to work with, or in, your State. If this number is	There are currently 6 foreign accredited adoption service providers authorised to work in Latvia:

⁶ *Ibid.*, Chapter 7.4.

⁷ “Authorised foreign accredited bodies” are adoption bodies based in another Contracting State to the 1993 Adoption Convention (usually a receiving State) which your State has authorised, under Art. 12, to work with, or in, your State on intercountry adoption. See further GGP No 2, *ibid.*, Chapter 4.2.

<p>limited in any way, please indicate on what basis your State limits the number.⁸</p>	<ol style="list-style-type: none"> 1. ASSOCIAZIONE ADOZIONI ALFABETO (Via Francesco Petrarca N.20, 61100 Pesaro, Italy) 2. ASSOCIAZIONE AGAPE' – ONLUS (Via Vecchia Ognina, n. 142/b 95127 Catania, Italy) 3. World Links Association, Inc. (418 Jefferson Avenue, Scranton, PA 18510, USA) 4. An Open Door Adoption Agency, Inc. (P.O.Box 4, Thomasville, Georgia 31799, USA) 5. CCAI (dba Chinese Children Adoption International) (5825 Glenridge Drive Bldg 1 Suite 126, Atlanta GA30328, USA) 6. Lifeline Children's Services (100 Missionary Ridge, Birmingham, AL 35242, USA)
<p>c) Please briefly describe the role of authorised foreign accredited bodies in your State.</p>	<p>Foreign accredited bodies submit their accreditation documentation and adoptive families' documentation, forward all documentation issued by us to adoptive families, assist families, give families all information regarding adoption process, communicate with us in unusual cases and regarding all questions regarding particular adoption case or general questions, submit post-adoption reports.</p>
<p>d) Are there any requirements concerning the way foreign accredited bodies must operate in your State?</p> <p><i>Please tick any which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): OR</p> <p><input checked="" type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: The communication between us and foreign accredited body is mostly direct, but representative is also involved or informed about all interaction. OR</p> <p><input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in your State: OR</p> <p><input type="checkbox"/> Other (please specify):</p>

⁸ See GGP No 2, *ibid.*, Chapter 4.4 on “limiting the number of accredited bodies authorised to act in States of origin”.

	<input type="checkbox"/> No
--	-----------------------------

7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	Central Authority- Ministry of Welfare
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . ⁹ If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	<p>For an authority which is officially recognised in a foreign state to be able to commence operation in the field of adoption in Latvia, it shall submit to the Ministry:</p> <ol style="list-style-type: none"> 1. the certification of the relevant foreign central authority on the ability of the authority to adequately fulfil the obligations entrusted thereto in the foreign state and Latvia, including to meet the requirements laid down in legal acts and to ensure that it is also done by the foreign adopters represented by the authority; 2. the confirmation that the foreign adopter will complete the training programme in accordance with set criteria in "Procedures for Adoption" and will be informed of the culture, traditions, and customs of Latvia; 3. information regarding the maximum costs to be covered by the foreign adopter for the services of the authority, including for the preparation and submission of the adoption file in Latvia, translation services, expenses related to travelling and staying in Latvia until approval of the adoption in a court, and other potential expenses; 4. the certification that after the adoption has been approved in court it will provide the post-adoption supervision and submit the post-adoption supervision reports to the Ministry; 5. foreign accredited body's Certificate of Accreditation, which is awarded by the Central Authority, which asserts the authorization and suitability of the organization to perform the activities in the scope of adoption to foreign countries including Latvia; 6. foreign accredited body's licence on provided services; 7. foreign accredited body's cover letter that states their planned directions of activities in Latvia, taking into consideration

⁹ In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

	<p>adoption tendencies in Latvia and set criteria for acceptance of foreign adopters' dossiers regarding age, number and state of health of adoptable children.</p> <p>The Ministry shall, within a month, assess the submitted documents and recognise the authority officially recognised in the foreign state as entitled to operate in the field of adoption in Latvia or provide a justified refusal.</p>
c) For how long is authorisation granted?	The same period which is granted by applicant's local authority, e.g. for the USA adoption service providers it would be the same period as in Hague Certificate issued by Council on Accreditation.
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	The procedure of evaluation for renewing accreditation is the same as with new applicants.
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹⁰	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 8
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).	
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (i.e., withdrawn).	
e) If authorised foreign accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of authorisation): <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2))¹¹	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State?	<input type="checkbox"/> Yes, our State has made a declaration according to Article 22(2). Please specify the role of these approved (non-accredited) persons in your State:

¹⁰ *Ibid.*, Chapter 7.4 and, in particular, para. 290.

¹¹ *Ibid.*, Chapter 13.

<p>N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Adoption Convention, available on the Adoption Section of the HCCH website. If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the HCCH should be informed of the names and addresses of these bodies and persons (Art. 22(3)).¹²</p>	<input checked="" type="checkbox"/> No
<p>b) Is the involvement of approved (non-accredited) persons <i>from other Contracting States</i> permitted in intercountry adoption procedures in your State?</p> <p>N.B. see Art. 22(4) and check whether your State has made a declaration according to this provision. You can verify this on the Status Table for the 1993 Adoption Convention, available on the Adoption Section of the HCCH website.</p>	<input checked="" type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State: We do not have previous experience. <input type="checkbox"/> No, our State has made a declaration according to Article 22(4).

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
Please briefly describe the general profile of the children usually in need of intercountry adoption in your State (e.g., age, sex, state of health).	1) Three and more children of one family (siblings); 2) Children above age of 9; 3) Children who are seriously ill or with remarkable health (mental and/or physical development) problems.

10. The adoptability of a child (Art. 4(a))	
a) Which authority is responsible for establishing that a child is adoptable?	District court.
b) Which criteria are applied to determine whether a child is adoptable?	The custody rights for parents of a child are deprived, a child is entered in the Registry of adoptable children, a child resides in an out-of-family care institution and is not in a guardianship and foster care.
c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (e.g., search for the child's birth family). N.B. the issue of consent is dealt with at Question 12 below.	Consent to the adoption of a child shall be necessary from: 1. the parents; 2. the guardian, if guardianship has been established for a child; and

¹²

Ibid., Chapter 13.2.2.5.

	<p>3. the child to be adopted if such child has attained 12 years of age.</p> <p>The consent of the parents to the adoption of a child shall no be necessary:</p> <ol style="list-style-type: none"> 1. if the custody rights of the parents have been removed in accordance with the procedures prescribed by law; 2. if the parents are deceased; 3. if the court has determined that the place of residence of the parents is unknown; or 4. if the court has determined that according to the factual circumstances the consent of the parents is not possible due to a permanent obstacle (for example, unknown parents).
--	--

11. The best interests of the child and subsidiarity (Art. 4(b))	
a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (e.g., through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).	The principle of subsidiarity is ensured before adoption by social support service, including promotion of family reunification and also domestic alternative care solutions.
b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?	Orphans' court.
c) Please briefly explain how that decision is reached (e.g., whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.	When a child becomes adoptable a local family is searched for a child. In case there are no local adopters available for a child, Orphans' court once again tries to reach child's biological relatives (grandparents, aunts, uncles, major siblings) to inquire about possible change in their ability to take care of a child. Adoption of a child to foreign countries shall be allowed if it is impossible to ensure the upbringing and care of the child in a family in Latvia and the Orphans' court, by the decision of which the child has been placed in an out-of-family care institution, has taken a relevant decision thereof.

12. Counselling and consents (Art. 4(c) and (d))	
a) According to your State's domestic legislation, please explain which	(i) both parents (father's consent if paternity has been stated) and a child of age

<p>person, institution or authority has to consent to the adoption of a child in the following scenarios – where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (iv) One or both parents have been deprived of his / her / their parental responsibilities (<i>i.e.</i>, the rights and responsibilities which attach to being a parent). <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.</p>	<p>above 12, and a guardian if a child has one. If one or both parents are minor, they do not give their content and it should be given by a child's guardian (usually grandparent) or Orphans' court if a child is in out-of-family care. Information regarding father's consent and minor parents applies to all following cases;</p> <ul style="list-style-type: none"> (ii) one parent and a child of age above 12, and a guardian if a child has one; (iii) a child of age above 12, and a guardian if a child has one; (iv) a parent who has not been deprived of parental responsibilities, a child of age above 12, and a guardian if a child has one.
<p>b) Please describe the procedure for:</p> <ul style="list-style-type: none"> (i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and (ii) obtaining their consent(s) to an adoption.¹³ 	<ul style="list-style-type: none"> (i) If a birth family is not cooperating in order to regain parental rights, they are informed about the possible consequences of adoption; (ii) If parents have not been deprived of parental rights but they deliberately decide to refuse to take care of their child even after counselling, they sign a consent to an adoption
<p>c) Does your State use the model form “<i>Statement of consent to the adoption</i>” developed by the Permanent Bureau of the HCCH?</p> <p><i>The model form is available on the Adoption section of the HCCH website.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose: Annex 1 of Regulations: https://likumi.lv/ta/en/en/id/302796-procedures-for-adoption</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child's wishes and opinions when determining whether an intercountry adoption should proceed.</p> <p><i>See Art. 4(d)(2).</i></p>	<p>Written consent is asked from children above age 12 if their state of health allows them to do that. For younger children orphans' court asks their opinion and takes it into consideration, a help of psychologist can also be asked to evaluate and ensure that a child understands the situation or in cases when child is not able to express the opinion. If a child does not wish to be adopted, the adoption process is stopped.</p>
<p>e) Please briefly describe the circumstances in which a child's</p>	<p>If a child is at least 12 years old and has no health problems that would limit his/ her capacity, a child is asked to give consent to</p>

¹³ See also Part VIII below on “Simple and Full Adoption” and Art. 27 of the 1993 Adoption Convention.

<p><u>consent</u> to an intercountry adoption is required in your State.</p> <p>Where the child's consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.</p> <p><i>See Art. 4(d)(1).</i></p>	<p>adoption. Before doing that Orphans' court is responsible for appropriate counselling of the child of the effects of adoption.</p>
---	---

13. Children with special needs	
<p>a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".</p>	<p>Special needs are understood as serious health problems which are mostly not treatable and in most cases a child has been granted a disability status. The most common illnesses in this category include alcohol fetopathie, epilepsy, mental development delay, asthma of moderate to serious degree, Down Syndrome, HIV positive, hepatitis C, illnesses connected to heart problems, hydrocephalus, multiple moderate to serious health problems for one child.</p>
<p>b) What, if any, procedures does your State use to expedite the adoption of children with special needs?</p>	<p>In cases when there is no family in a foreign adopters' queue for a particular child with particular special needs, the information on such child is placed in a list of children for whom we seek families abroad, which is sent to all bodies accredited to work in Latvia (without confidential person-identifying information). In that way we ensure that every child which cannot be matched with a family from foreign adopters' register still has a chance to be proposed to some prospective adopters.</p>

14. The preparation of children for intercountry adoption	
<p>Is there a special procedure in your State to prepare a child for an intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please provide details (e.g., the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used): When a child becomes adoptable, orphans' court has a conversation with a child about adoption. When there is a prospective family, which is planning to meet a child there is a thorough preparation: a special person like a psychologist, social worker or a specialist of the Orphans' court may use various means such as books, special stories, known examples, or even letters</p>

	<p>and photo albums of prospective family for their conversations with a child. The time, methods and responsible person is chosen according to every child's circumstances and needs.</p> <p><input type="checkbox"/> No</p>
--	---

15. The nationality of children who are adopted intercountry¹⁴	
<p>Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?</p>	<p><input type="checkbox"/> Yes, always</p> <p><input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration (<i>e.g.</i>, the nationality of the foreign resident prospective adoptive parents (“PAPs”), whether the child acquires the nationality of the receiving State): The child always acquires the nationality of the receiving State, but it depends on the receiving State and the child's choice whether besides the new nationality the child chooses also to keep his/her original nationality.</p> <p><input type="checkbox"/> No, the child will never retain this nationality</p>

PART V: PROSPECTIVE ADOPTIVE PARENTS (“PAPs”)

16. Limits on the acceptance of files	
<p>Does your State place any limit on the number of PAPs' files which are accepted from receiving States?¹⁵</p>	<p><input checked="" type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: We do not limit amount of accepted files but we limit the documentation regarding criteria of the application. The families may apply only if they express their wish to adopt either:</p> <ol style="list-style-type: none"> 1) three and more children of one family (siblings); 2) children above age of 9; 3) children who are seriously ill or with remarkable health (mental and/or physical development) problems; 4) children to whom finding foreign adopters has not succeeded (according to applications of adopters already submitted in the Ministry) and on whom the Ministry has provided information in separate

¹⁴ Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (“GGP No 1”), available on the [Adoption Section](#) of the HCCH website < www.hcch.net >, at Chapter 8.4.5.

¹⁵ See GGP No 2 (*op. cit.* note 3), Chapter 3.4.2 and, in particular, para. 121.

	<p>information summary lists of adoptable children for adoption agencies;</p> <p>5) children, who are adoptable to foreign countries, without age and health limitations, if this wish is expressed by a person or spouses habitually residing abroad and from whom at least one has a citizenship of Latvia or status of a non-citizen of Latvia.</p> <p><input type="checkbox"/> No</p>
--	---

17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State ¹⁶	
<p>a) Do PAPs wishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)?</p> <p><i>Please tick any / all boxes which apply and indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</i></p>	<p><input checked="" type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption:</p> <p><input checked="" type="checkbox"/> Married, heterosexual couples:</p> <p><input type="checkbox"/> Married, same-sex couples:</p> <p><input type="checkbox"/> Heterosexual couples in a legally registered partnership:</p> <p><input type="checkbox"/> Same-sex couples in a legally registered partnership:</p> <p><input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:</p> <p><input checked="" type="checkbox"/> Single men:</p> <p><input checked="" type="checkbox"/> Single women:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No, there are no relationship status criteria for PAPs.</p>
<p>b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Minimum age requirements: 25 years</p> <p><input type="checkbox"/> Maximum age requirements:</p> <p><input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: At least 18 years.</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child</p>

¹⁶ *I.e.*, this section refers to the eligibility criteria for PAPs who are habitually resident in *another* Contracting State to the 1993 Convention and who wish to adopt a child who is habitually resident in *your* State: see further Art. 2 of the 1993 Adoption Convention.

	<p>with special needs (please specify):</p> <p><input type="checkbox"/> Couples must supply evidence of infertility:</p> <p><input type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):</p> <p><input checked="" type="checkbox"/> Other (please specify): the criteria regarding the age, number and state of health of expected child, mentioned in Point 16.</p> <p><input type="checkbox"/> No</p>
--	--

18. Preparation and counselling of PAPs (Art. 5(b))	
<p>Does your State require that PAPs wishing to undertake an intercountry adoption in your State receive preparation and / or counselling concerning intercountry adoption <i>in the receiving State</i>?</p>	<p><input checked="" type="checkbox"/> Yes, please explain what kind of preparation is expected: there are special requirements set in Regulations regarding development of the training programme, for the quality assessment of the training and the requirements for the qualification of implementers of training-lecturers. Duration is at least 40 academic hours (theoretical and practical lessons) and at least 16 academic hours (practice - experience with children in out-of-family care, for example, voluntary work in a child care institution, crisis centre, day centre, child camps under guidance of a coach). The practice part is organised individually for each family.</p> <p><input type="checkbox"/> No</p>

PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications	
<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	<p>Central Authority- Ministry of Welfare.</p>
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</p> <p><input checked="" type="checkbox"/> A statement of “approval to adopt” issued by a competent authority in the receiving State</p> <p><input checked="" type="checkbox"/> A report on the PAPs including the “home study” and other personal assessments (see Art. 15)</p>

	<ul style="list-style-type: none"> <input type="checkbox"/> Copies of the PAPs' passports or other personal identification documents <input type="checkbox"/> Copies of the PAPs' birth certificates <input type="checkbox"/> Copies of the birth certificates of any children living with the PAPs <input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances): copy of marriage certificate for married couples as well as last divorce certificate or death certificate of a spouse for couples and single adopters, if applicable. <input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required): the statement issued by the family doctor on the current state of health of the person, as well as the opinion of the psychiatrist on the state of mental health of the person and the opinion of the narcologist on the person being addicted to narcotic and psychotropic or other addictive substances. <input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): Evaluation of family's finances must be included in a home study, evidence is not obligatory. <input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): Employment status should be evaluated in a home study. <input checked="" type="checkbox"/> Proof of no criminal record <input checked="" type="checkbox"/> Other(s): please explain the curriculum vitae (CV); an extract from the court judgment or a certified copy of the true copy by which the capacity to act of the person has been limited, if the capacity to act of the person is limited; an extract from the court judgment or a certified copy of the true copy on the recognition of the other spouse as missing (having disappeared), if the spouse of the person has been recognised as missing (having disappeared); a document certifying that the adopter has completed a training programme, and append a document in which the content and number of lessons of the completed training programme is indicated; a document in which the adopter certifies that he or she shall ensure the
--	--

	submission of post-adoption supervision reports to the Ministry.
c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure? ¹⁷	<input checked="" type="checkbox"/> Yes, please specify whether it must be a <i>national</i> accredited body, a <i>foreign authorised</i> accredited body or whether it may be either of these accredited bodies. ¹⁸ Please also specify at which stage(s) of the procedure an accredited body must be involved (<i>e.g.</i> , for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure): Foreign families apply through accredited adoption service provider, which is obligatory, but they also choose to have a local representative (power of attorney), although it is not obligatory. Adoption service providers must submit home study and assist families, including document transfer, for all stages of the procedure. <input type="checkbox"/> No
d) Are any <i>additional</i> documents required if PAPs apply through an accredited body? <i>Please tick all which apply.</i>	<input type="checkbox"/> Yes <ul style="list-style-type: none"> <input type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a written document provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption): <input type="checkbox"/> A contract signed by the accredited body and the PAPs: <input type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions: <input type="checkbox"/> Other (please specify): <input checked="" type="checkbox"/> No
e) Please specify the language(s) in which any documents must be submitted:	Documents must be prepared in the official language of the Receiving state and translated in the official language of the State of Origin.
f) Do any of the required documents need to be legalised or apostilled?	<input checked="" type="checkbox"/> Yes, please specify which documents: All documents, which are issued by institutions- home study, criminal background check, medical reports,

¹⁷ See GGP No 1 (*op. cit.* note 14), paras 4.2.6 and 8.6.6: “independent” and “private” adoptions are not consistent with the system of safeguards established under the 1993 Adoption Convention.

¹⁸ See the definitions provided at notes 3 and 7 above.

	passports, if submitted, and any other issued by legal entity. <input type="checkbox"/> No – go to Question 20
g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Apostille Convention)? <i>This information is available on the Status Table for the Apostille Convention (see the Apostille Section of the HCCH website).</i>	<input checked="" type="checkbox"/> Yes, please specify the date of the entry into force of the Apostille Convention in your State: January 30, 1996 <input type="checkbox"/> No

20. The report on the child (Art. 16(1)(a))	
a) Who is responsible for preparing the report on the child?	The Ministry of Welfare of the Republic of Latvia.
b) Is a “standard form” used for the report on the child?	<input type="checkbox"/> Yes, please provide a link to the form or attach a copy: <input checked="" type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it: After ascertaining the opinion of the child to be adopted, the child care institutions shall provide information regarding the child to be adopted to the Ministry, filling in a registration form of the child to be adopted of specific sample. Within a month from the day when the opinion of the child has been ascertained and the child has become adoptable, the head of the child care institution shall fill in the registration form of the child for each child to be adopted in the child care institution and shall send it to the Ministry. The registration form contains information about child's family, characteristics of the child, special needs of the child, medical history etc. important information about child. When is received aboved mentioned information, the Ministry of Welfare prepare the report on the child including this information.
c) Does your State use the “Model Form – Medical Report on the Child” and the	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<p><i>"Supplement to the general medical report on the child"?</i></p> <p>See GGP No 1 – Annex 7, available here.</p>	
---	--

21. The report on the PAPs (Art. 15(2))	
a) For how long is the report on the PAPs valid in your State?	If the term of validity is not indicated in the study materials of the family of the adopter, their term of validity shall be deemed to be three years from the day when the decision on recognising the adopter has entered into effect. The competent authority shall, once a year during validity of the decision, check essential information regarding the adopter and submit it to the Ministry.
b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it. <i>E.g., does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</i>	<p>The competent authority or the foreign adopter shall, within six months after expiry of the term of validity of the documents, submit updated adoption file documents.</p> <p>Entirely new dossier is required if documents are submitted later than six months after expiry of the term of validity of the documents.</p>

22. Matching of the child and the PAPs (Art. 16(1)(d) and (2))	
22.1 The authorities and the matching procedure	
a) Who is responsible for the matching of the child and the PAPs in your State?	The Ministry of Welfare of the Republic of Latvia.
b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?	The access to Adoption Registry and the right to perform matching process is available only for authorised international adoption specialists.
c) What methodology is used for the matching in your State?	As soon as the Ministry of Welfare receives information on a child adoptable abroad, a family is being sought for the child in the sequence of foreign adopters' queue and, according to the adoption applications of the adopters, they are provided with information on a child. The database of Adoption Registry is also partially automated and does not allow to match adopters with a child, whose age, gender

	and number does not correspond to adopters' application.
d) Is any preference given to PAPs who have a close connection with your State (e.g., nationals of your State who have emigrated to a receiving State)?	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No
e) Who is responsible for notifying the receiving State of the matching?	The Ministry of Welfare of the Republic of Latvia.
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	<p>Child's Orphans' Court (in total there are approx., 43 Orphans' Courts), is the competent institution which legally represents the child and makes most of legal decisions regarding the child (to separate the child from the family, to allow the child to be adopted abroad, to allow the child to cross border etc.). The Orphans' Court submits application in the District Court for custody right deprivation of the parents. The District Court is the competent institution who decides whether to deprive or not parents of their custody rights. The Ministry of Welfare receives information on the child only when the child is already adoptable. Therefore even the Ministry has no information on children who are to be adoptable until the legislation's prescribed procedures have not been respected and all necessary decisions had been made. As soon as the child is available for adoption (first domestically), child's Orphans' Court sends report on the child, therefore the Ministry of Welfare includes this child in the Adoption Register and searches for domestic adopters, if there aren't any, then, if the Orphans' Court makes a decision that adoption abroad is in the child's interests, the adopters are sought abroad.</p>
22.2 Acceptance of the match	
a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?	<input type="checkbox"/> Yes, please provide details of the required procedure: <input checked="" type="checkbox"/> No
b) How much time is the receiving State given to decide whether to accept a match?	No later than 10 working days from the date of receipt of information letter on adoptable child.
c) If the relevant authorities / bodies of the receiving State and / or the PAPs	If the adopters refuse to meet the child in person after learning information on the child, first of all, it is advisable to state the

refuse the match, what, if any, are the consequences in your State?	reason of such decision. If adopters refuse of 3 proposals, proposed to them according to adoption application, during the period of 1 year, the Ministry of Welfare suspends adopters' file for 6 months (if they refuse due to their own circumstances).
22.3 Information following acceptance of the match	
Once the match has been accepted, do PAPs receive information regularly concerning the child and his / her development (<i>i.e.</i> , during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input type="checkbox"/> Yes, please specify who is responsible for providing this information: <input checked="" type="checkbox"/> No

23. Agreement under Article 17(c)	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	The Ministry of Welfare of the Republic of Latvia.
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17(c) agreement to the receiving State with the proposed match; OR <input type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17(c) agreement; OR <input checked="" type="checkbox"/> Other (please specify): First adopters receive information on the child from the Central Authority which is the Ministry of Welfare. After adopters have agreed to meet the proposed child, the Ministry of Welfare issues a warrant for adopters allowing them to meet a child in person. Within 30 days adopters must come to Latvia and meet a child in person. Orphans' Court of a child evaluates whether parent-child relationship is developing between the adopters and the child and makes a decision that adopters are allowed to take the child in a pre-adoption care and supervision in Latvia usually for at least 3 weeks. During this period the Orphans' Court at least 3 times supervises and observes how mutual relationship are developing between the adopters and the child, and whether everything is developing well. When the pre-adoption care and supervision of the child (usually after 3 weeks) ends, Orphans' Court shall decide whether the adoption in this family is in the interests of the child and, if so, then the Orphans' Court makes a decision that the

	pre-adoption care and supervision shall be prolonged in the place of residence of the adopters until the adoption is confirmed at the court. On the grounds of this decision made by Orphans' Court the Ministry of Welfare can issue Article 17 agreement.
--	---

24. Travel of the PAPs to your State ¹⁹	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: After adopters have agreed to meet with the proposed child, the Ministry of Welfare issues a warrant for adopters allowing to meet the child in person within 30 days. 1st trip - adopters must come to Latvia and meet the child in person. Orphans' Court of the child evaluates whether parent-child relationships are developing between the adopters and the child and makes a decision that adopters are allowed to take the child in a pre-adoption care and supervision in Latvia, usually for 3 weeks. 2nd trip - adopters shall come to the court hearing on adoption confirmation (at least one of adopters should be present) and afterwards, when the court verdict has entered into legal force, adopters come to Latvia for the 3rd time to receive child's new Birth Certificate and passport. - How many trips are required to complete the intercountry adoption procedure: 3 - How long the PAPs need to stay for each trip: 1st trip approx. 4weeks. 2nd and 3rd trip several days. - Any other conditions: <input type="checkbox"/> No
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

25. Entrustment of the child to the PAPs (Art. 17)
--

¹⁹ See GGP No 1 (*op. cit.* note 14), Chapter 7.4.10.

<p>After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs?</p> <p>Please include an explanation of the procedures used to prepare the child for entrustment (<i>e.g.</i>, counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>After adopters have agreed to meet with the proposed child, the Ministry of Welfare issues a warrant for adopters allowing to meet the child in person. Adopters must come to Latvia and meet the child in person. For this visit a child has a thorough preparation: a special person like a psychologist, social worker or a specialist of the Orphans' court may use various means such as books, special stories, known examples, or even letters and photo albums of prospective family for their conversations with a child. The time, methods and responsible person is chosen according to every child's circumstances and needs. Adopters visit a child up to 3 times before taking him in pre-adoption care. Orphans' Court of the child evaluates whether parent-child relationships are developing between the adopters and the child and makes a decision that adopters are allowed to take the child in pre-adoption care and supervision in Latvia, usually for 3 weeks. During this period the Orphans' Court supervises and observes how mutual relationships are developing between the adopters and the child, and whether everything is developing well (at least 3 visits, possible recommendations for additional support or specialists' visits). When the pre-adoption care and supervision of the child (usually after 3 weeks) ends, Orphans' Court shall decide whether the adoption in this family is in the interests of the child and, if so, then Orphans' Court also makes a decision that the pre-adoption care and supervision shall be prolonged in the place of residence of the adopters until the adoption is confirmed in the court. The prolonged pre-adoption care and supervision lasts usually up to 3 months. The prolonged pre-adoption care and supervision in the residing state of adopters is supervised by a competent insitutiton of adopters' residing state.</p>
--	--

26. Transfer of the child to the receiving State (Arts 5(c) and 18)	
<p>a) Which documents does your State require in order for the child to be permitted to leave your State and travel</p>	<p>Passport of the child and a decision of the child's Oprhans' Court that the child is allowed to leave the country and cross the border together with the adopters, visa (if</p>

to the receiving State (e.g., passport, visa, exit permit)?	applicable according to the receiving State).
<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<p>Passport.</p> <p>A decision of the child's Orphans' Court that the child is allowed to leave the country and cross the border together with the adopters.</p>
<p>c) Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave your State and travel to the receiving State?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>

27. Final adoption decision and the Article 23 certificate	
<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<p><input checked="" type="checkbox"/> In our State – go to Question 27 c)</p> <p><input type="checkbox"/> In the receiving State – go to Question 27 b)</p>
<p>b) Following the making of the final adoption decision in the receiving State:</p> <p>(i) Are any further steps required in your State to complete the procedure (e.g., obtaining a copy of the final adoption decision from the receiving State)?</p> <p>(ii) Which authority or body in your State should receive a copy of the Article 23 certificate issued by the receiving State?</p>	<p>(i)</p> <p>(ii)</p> <p><u>Go to Question 28</u></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and</p> <p>(ii) Issues the certificate under Article 23 of the 1993 Adoption Convention?</p> <p><i>N.B. According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Adoption Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</i></p> <p><i>The answer to (ii) above should therefore be available on the Status Table for the 1993 Adoption Convention (under "Authorities"),</i></p>	<p>(i) The competent District Court.</p> <p>(ii) The Ministry of Welfare of the Republic of Latvia.</p>

available on the Adoption Section of the HCCH website.	
<p>d) Does your State use the “<i>Recommended model form – Certificate of conformity of intercountry adoption</i>”?</p> <p>See GGP No 1 – Annex 7, available here.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g.</i>, how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</p>	<p>Article 23 certificate can be issued only after District Court’s decision has entered into legal force – if the court confirms the adoption then the verdict enters into legal force after 21 day. The Article 23 certificate is sent to the embassy of the receiving State.</p>

28. Duration of the intercountry adoption procedure	
<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable;</p> <p>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</p>	<p>(i) approx. up to 2 weeks (ii) approx. up to 1 month (iii) approx. 3 months (court hearing)</p>

PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

29. Procedure for the intercountry adoption of a child who is a relative of the PAPs (“intra-family intercountry adoption”)	
<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an “<i>intra-family intercountry adoption</i>” in your State. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a “relative” of those PAPs.</p>	<p>Foreigners that do not have permanent resident permit or Latvian citizen who reside outside Latvia can adopt:</p> <ul style="list-style-type: none"> • child of his/her spouse; • child from guardianship or foster care, in case adopters are the child's relatives; • child residing in a child care institution, if it has not been possible to ensure the necessary care and upbringing in a family in Latvia.
<p>b) Does your State apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions?</p>	<p><input checked="" type="checkbox"/> Yes – go to Question 30 <input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-</p>

<p>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993 Adoption Convention, the Convention is applicable, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</p>	<p>family intercountry adoptions – please specify: . Go to Question 30</p> <p><input type="checkbox"/> No – go to Question 29 c)</p>
<p>c) If your State does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p> <p>(i) The counselling and preparations which PAPs must undergo in the receiving State;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>

PART VIII: SIMPLE AND FULL ADOPTION²⁰

30. Simple and full adoption	
<p>a) Is “full” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is “simple” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 31</p> <p><input type="checkbox"/> In certain circumstances only (e.g., for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) If a “simple” adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family’s consent(s)²¹ to a “full” adoption where this is in the child’s best interests (i.e., so that a “conversion” of the adoption may be undertaken in the receiving State if the other conditions in Art. 27(1) are fulfilled)?</p> <p><i>See Art. 27(1)(b) and Art. 4 (c) and (d).</i></p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input type="checkbox"/> No</p>

²⁰ According to the 1993 Adoption Convention, a **simple** adoption is one in which the legal parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his / her adoptive parents is established. A **full** adoption is one in which the pre-existing legal parent-child relationship is terminated. See further Arts 26 and 27 and GGP No 1 (*op. cit.* note 14), Chapter 8.8.8.

²¹ Or other person(s) whose consent to the adoption is required under Art. 4 (c) and (d) of the 1993 Adoption Convention.

d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family ²² to the conversion of a "simple" adoption into a "full" adoption (in accordance with Art. 27) when the request is made many years after the original adoption?	
--	--

PART IX: POST-ADOPTION MATTERS

31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child	
a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?	The Ministry of Welfare stores the file of the adopters together with the file of the adopted child for 15 years. Also the District Court stores the file of adopters and the adopted child for a certain period of time. The Orphans' Court of the child and orphanage, if the child was placed in the orphanage, also has information which is preserved. Afterwards it is stored by State Archives of Latvia.
b) For how long is the information concerning the child's origins preserved?	State Archives of Latvia stores it without specified term.
c) Does your State permit the following persons to have access to information concerning the child's origins and / or information concerning the adoption of the child: (i) the adoptee and / or his / her representative(s); (ii) the adoptive parents; (iii) the birth family; and / or (iv) any other persons? If so, are there any criteria which must be met for access to be granted (e.g., age of the adopted child, consent of the birth family to the release of information concerning the child's origins, consent of the adoptive parents to the release of information concerning the adoption)? <i>See Art. 9(a) and (c) and Art. 30.</i>	(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: Pursuant to Article 20 of the Law on the Register of Natural Persons natural persons and legal entities can receive data from the Register about another individual on the basis of a motivated application. Pursuant to Article 18 only an adoptee reached majority can require and receive the information prescribed in point 29 of the first part of Article 11 (information regarding a ruling regarding establishment or revocation of adoption). Until the adoptee has not reached majority, only adopters can require and receive this information. <input type="checkbox"/> No (ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: Pursuant to Article 20 of the Law on the Register of natural persons https://likumi.lv/ta/en/en/id/296185 – natural persons and legal entities can receive data from the Register about another individual on the basis of a

	<p>motivated application. Pursuant to this law only an adoptee reached majority can require and receive the information regarding an adjudication regarding establishment or revocation of adoption. Until the adoptee has not reached majority, only adopters can require and receive this information.</p> <p><input type="checkbox"/> No</p> <p>(iii) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: In cases, when the Office of Citizenship and Migration Affairs of Latvia has no legal reason to issue information regarding other person from the Population Register, it is possible to contact the searched person (a relative, whose address is not known) with a help of the Office of Citizenship and Migration Affairs by resending a previously prepared letter. The Office of Citizenship and Migration Affairs can send to the searched person a letter prepared by the demander. To receive such a service, it is necessary to submit a corresponding submission. More detailed information about this service available in Latvia can be obtained by contacting the Office of Citizenship and Migration Affairs, as well as in the web page: https://latvija.lv/ppk/dzives-situacija/apakssituacija/p599/procesaapraksts</p> <p><input type="checkbox"/> No</p>
<p>e) Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (e.g., regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p>

<p>a) Is there a model form which is used by your State for post-adoption reports?</p>	<p><input checked="" type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (<i>e.g.</i>, provide a link or attach a copy): Annex 4 of Regulations: https://likumi.lv/ta/id/302796-adopcijas-kartiba</p> <p>In conformity with Annex 4 of the Regulation the post-adoption report the following information shall be provided: information on the family life conditions of a child (adaptation period in the new living conditions, information on progress in the pre-school education institution/school, community, description of residence, etc. information relating to the child) information relating to the child's health status; or the child shall maintain a relationship with one of the relatives/friends/out-of-family carers or other persons in Latvia; other relevant information relating to the child and the conditions of his or her life and at least one photograph of the child.</p> <p><input type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling):</p>
<p>b) What are the requirements of your State in relation to post-adoption reports? Please indicate:</p> <ul style="list-style-type: none"> (i) How frequently such reports should be submitted (<i>e.g.</i>, every year, every two years); (ii) For how long (<i>e.g.</i>, until the child is a certain age); (iii) The language in which the report must be submitted; (iv) Who should write the reports; and (v) Any other requirements. 	<ul style="list-style-type: none"> (i) Pursuant to Article 82 of the regulations No.667 of the Cabinet of Ministers dated 30th of october, 2018 „Procedures for Adoption”the competent authority or the adopter of a foreign state, following approval of the adoption, shall submit to the Ministry of Welfare and the Orphan's Court, which has decided on the out-of-family care of the child two post adoption reports are required each year for two years after adoption has been approved in a court; starting from the third year after adoption – one annual post adoption report is required; (ii) Post adoption supervision continues until the child is 18; (iii) Post-adoption reports shall be submitted with a notarially certified translation in Latvian. Documents issued abroad shall be legalized or certified in accordance with the Hague Convention of 5th October, 1961 „On Abolishing the Requirement of Legalization for Foreign Public Documents", if the different order has not been

	<p>prescribed in the international contracts binding to Latvia.</p> <p>(iv) Competent authority of receiving State.</p> <p>(v) The competent authority or the adopter of a foreign state, following approval of the adoption, shall: 1) until the reaching of age 18 of the adopted child provide the Orphan's Court, which has decided on the out-of family care of the child, the possibility to communicate with the adopted child via video or by telephone; 2) within a period of three business days inform the Ministry of Welfare regarding the removal of a child from the adopter's family, the arrival of a child in the sight of the social service, court or law enforcement authorities or other essential information, which may further affect the stay of the child in the foreign adopter's family.</p>
<p>c) What, if any, are the consequences in your State if post-adoption reports are either:</p> <p>(i) Not submitted at all; or</p> <p>(ii) Submitted, but not in accordance with your requirements?</p>	<p>(i) When accrediting or re-accrediting adoption service providers, the Ministry of Welfare informs that the adoption service provider is obliged to comply with the requirements for the submission of post-adoption reports in accordance with Article 9 (e) of the Convention. If the adoption service provider does not timely comply with the requirement to submit the necessary reports for each adopted child, the Ministry may suspend co-operation with the adoption service provider in the Republic of Latvia until the submission of the necessary reports.</p> <p>(ii) Each year the Ministry of Welfare prepares the list of families who have failed to comply with post-adoption requirements in a timely manner and sends it to the adoption service providers who represent these families. Also families, who have submitted post-adoption reports in a form not as required, are included in the particular list and are asked to submit post-adoption report according to our requirements.</p>
<p>d) What does your State do with post-adoption reports? (<i>i.e.</i>, to what use are they put?)</p>	<p>The Ministry of Welfare receives post-adoption report, evaluates the information in it, and preserves it together with adopter-child file.</p>

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²³

States of origin are also kindly requested to complete the “Tables on the costs associated with intercountry adoption”, available on the [Adoption Section](#) of the HCCH website.

33. The costs ²⁴ of intercountry adoption	
a) Are the costs of intercountry adoption regulated by law in your State?	<input type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (e.g., link to a website or attach a copy). Please also briefly explain the legal framework: <input checked="" type="checkbox"/> No
b) Does your State monitor the payment of the costs of intercountry adoption?	<input type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: <input checked="" type="checkbox"/> No
c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c) above) or directly by the PAPs themselves? <i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 86.</i>	<input type="checkbox"/> Through the accredited body: <input type="checkbox"/> Directly by the PAPs: <input checked="" type="checkbox"/> Other (please explain): No, there are no such costs.
d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer? <i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 85.</i>	<input type="checkbox"/> Only by bank transfer: <input type="checkbox"/> In cash: <input checked="" type="checkbox"/> Other (please explain): State's prescribed fee of District Court hearing. Child's new passport issuing fee.
e) Which body / authority in your State receives the payments?	The Treasury of the Republic of Latvia.
f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)? <i>N.B. Please also ensure that your State has completed the “Tables on the costs associated with intercountry adoption” (see above).</i>	<input type="checkbox"/> Yes – please indicate how this information may be accessed: <input checked="" type="checkbox"/> No

34. Contributions, co-operation projects and donations²⁵

²³ See the tools developed by the “Experts’ Group on the Financial Aspects of Intercountry Adoption”, available on the [Adoption Section](#) of the HCCH website: i.e., the *Terminology on the financial aspects of intercountry adoption* (“Terminology”), the *Note on the financial aspects of intercountry adoption* (“Note”), the *Summary list of good practices on the financial aspects of intercountry adoption* and the *Tables on the costs associated with intercountry adoption*.

²⁴ See the definition of “costs” provided in the Terminology, *ibid*.

²⁵ See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 23.

<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁶ to your State if it wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the “Note on the financial aspects of intercountry adoption” at Chapter 6.</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • What type of contribution is required: • Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body): • How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in your State?</p>	<p><input type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> • What type of co-operation projects are permitted: • Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): • Whether such projects are monitored by an authority / body in your State: • How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): • What donations are used for:

²⁶

See further the Terminology, *supra*, note 23, which states that there are two types of contributions: (1) contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. The amount is set by the State of origin. These contributions are managed by the authorities or others appropriately authorised in the State of origin which decide how the funds will be used; (2) contributions demanded by the accredited body from PAPs. These contributions may be for particular children’s institutions (*e.g.*, for maintenance costs for the child) or for the co-operation projects of the accredited body in the State of origin. The co-operation projects may be a condition of the authorisation of that body to work in the State of origin. The amount is set by the accredited body or its partners. The payment may not be a statutory obligation and accredited bodies may present the demand in terms of “highly recommended contribution”, but in practice it is “mandatory” for the PAPs in the sense that their application will not proceed if the payment is not made.

<p>N.B. This is <u>not</u> recommended as a good practice: see further the “Note on the Financial Aspects of Intercountry Adoption” at Chapter 6 (in particular, Chapter 6.4).</p>	<ul style="list-style-type: none"> • Who is permitted to pay donations (e.g., only authorised foreign accredited bodies or also PAPs): • At what stage of the intercountry adoption procedure donations are permitted to be paid: • How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
---	--

35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	State Police.
b) What measures have been taken in your State to prevent improper financial or other gain?	If such case arises State Police shall be informed about it.
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Sanctions are applied according to Criminal Law of The Republic of Latvia.

PART XI: ILLICIT PRACTICES²⁷

36. Response to illicit practices in general	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. ²⁸	If such case arises The Ministry of Welfare informs State Police about it and cooperates in this matter to help the investigation if the criminal proceeding has been initiated.

37. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State’s intercountry adoption programmes.	Children Right Protection Law of the Republic of Latvia.

²⁷ “Illicit practices” in this Country Profile refers to “situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child’s origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)” (from p. 1 of the *Discussion Paper: Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases*, available on the [Adoption Section](#) of the HCCH website < www.hcch.net >).

²⁸ *Ibid.*

Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).	
b) Please explain how your State monitors respect for the above laws.	The State Inspectorate For Protection of Children's Rights monitors the respect of Latvia's legislation.
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	Sanctions are applied according to Criminal Law of The Republic of Latvia.

38. Private and / or independent adoptions	
<p>Are private and / or independent adoptions permitted in your State?</p> <p><i>N.B. "Independent" and "private" adoptions are <u>not</u> consistent with the system of safeguards established under the 1993 Adoption Convention: see further GGP No 1 at Chapters 4.2.6 and 8.6.6.</i></p> <p><i>Please tick all which apply.</i></p>	<p><input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State:</p> <p><input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in your State:</p> <p><input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted</p>

PART XII: INTERNATIONAL MOBILITY

39. The scope of the 1993 Adoption Convention (Art. 2)	
<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State²⁹ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: foreigners who have permanent residence permit can adopt as local adopters, under the law of Latvia.</p> <p><input type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in India.</i></p>	<p><input type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>

²⁹ According to the 1993 Adoption Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Adoption Convention, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Guinean national PAPs are habitually resident in Germany and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: This would be treated as intercountry adoption in Latvia but if adopters are ready to live in Latvia while the research of family is performed by the Orphans' Court of their declared place of residence which lasts up to 6 months and afterwards to take child in a pre-adoption care and supervision in Latvia which lasts approximately 3 months, then they are allowed to adopt as local adopters.</p> <p><input type="checkbox"/> No</p>
--	---

PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION³¹

40. Selection of partners	
<p>a) With which receiving States does your State currently partner on intercountry adoption?</p>	<p>Italy and USA.</p>
<p>b) How does your State determine with which receiving States it will partner?</p> <p>In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p> <p><i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the Status Table for the 1993 Adoption Convention (accessible via the Adoption Section of the HCCH website < www.hcch.net >).</i></p>	<p>On December 16, 2021, were adopted amendments to the "Children Right Protection Law", which provides that the rights to adopt children abroad will remain to those countries that are bound by the Hague Convention of 29 May 1993 on the Protection of Children and Cooperation in Interstate Adoption (hereinafter – the Convention) , as well as the Convention on the Rights of the Child of 20 November 1989 (hereinafter – the Child rights) and country in question has entered into a bilateral Agreements on Legal Cooperation in the field of Adoption with the Republic of Latvia. Adopters will be able to adopt children abroad if the Orphan's Court, which has decided on out-of-family care, receives an opinion of the Foreign Adoption Commission, which includes the conclusion that the adoption process to a foreign state conforms to the principles for the protection of the rights of the child and the best interests of the child specified in the regulatory framework.</p>

³⁰ According to the 1993 Adoption Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAPs and the child (despite their common nationality). The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

³¹ In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2 (*op. cit.* note 3), Chapter 3.5.

	Changes to the regulatory framework took effect on July 1, 2022.
c) If your State also partners with <i>non</i> -Contracting States, please explain how it is ensured that the safeguards of the 1993 Adoption Convention are complied with in these cases. ³²	<input checked="" type="checkbox"/> Not applicable: our State only partners with other <i>Contracting</i> States to the 1993 Adoption Convention.
d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (<i>e.g.</i> , the conclusion of a formal agreement ³³ with that receiving State)?	<input checked="" type="checkbox"/> Yes – please explain the content of any agreements or other formalities: ³⁴ bilateral agreements on legal cooperation in the field of adoption <input type="checkbox"/> No

³² See GGP No 1 (*op. cit.* note 14), Chapter 10.3 regarding the fact that “[i]t is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions”.

³³ See note 2 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Adoption Convention.

³⁴ *Ibid.*