

the central authorities of other receiving countries regarding what measures might have been proposed or made a condition for continuing the cooperation.

- The Committee considers that, throughout the entire placement period, there was a risk of a breach of the prohibition on remuneration/profit in adoptions and a risk that the birth parents had not voluntarily surrendered their children. Furthermore, the Committee considers that there is a risk of a breach of the principle of subsidiarity, including in the period after 2006, when the Hague Convention came into force in China.

18 Sri Lanka

18.1 Introduction and scope

A total of 222 adoptions were arranged from Sri Lanka to Norway during the period 1975–2015. This accounts for just over 1 per cent of all adoptions arranged to Norway.

In Norway, only the organisation Adopsjonsforum has held a placement licence for Sri Lanka. Adopsjonsforum was granted the licence by the Ministry of Social Affairs on 19 May 1978, but states that it facilitated 32 adoptions from Sri Lanka from 1975 up to and including 1978. The placements arranged by the organisation through its awareness-raising activities in the 1970s were, from the Norwegian authorities' perspective, a known and apparently tolerated practice.¹⁶⁵⁶

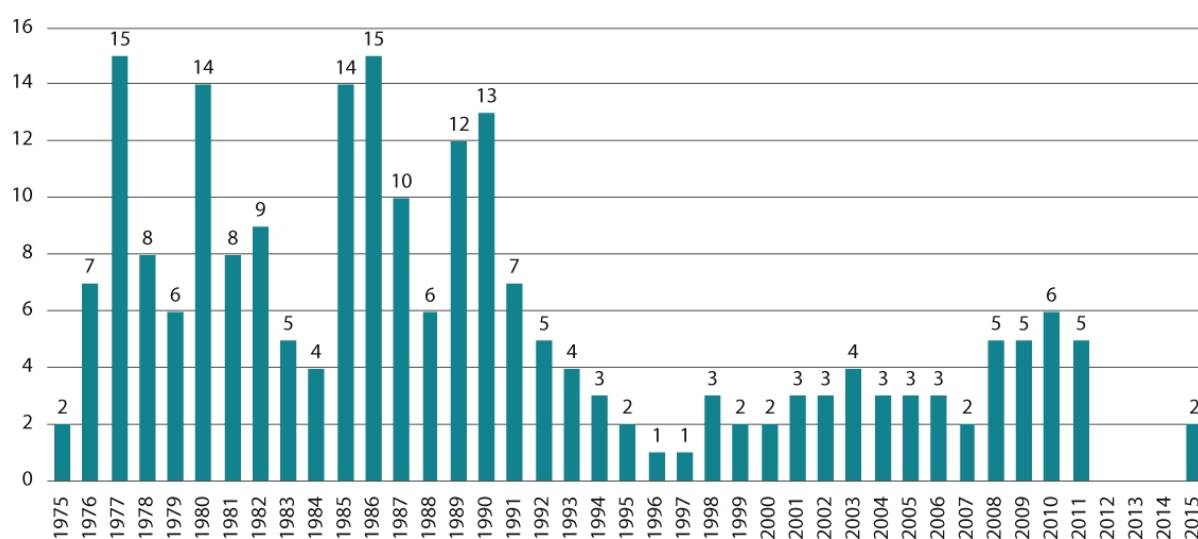


Figure 18.1 Adoptions arranged from Sri Lanka to Norway 1975–2015

Source: Figures taken from Bufdir's and Adopsjonsforum's statistics (see section 3.5)

Irregularities and illegalities relating to international adoptions from Sri Lanka have been a well-known issue for the Norwegian authorities and adoption agencies ever since the 1970s.¹⁶⁵⁷ In various

¹⁶⁵⁶ See sections 7.5.2 and 25.3.1.

¹⁶⁵⁷ The Ministry of Foreign Affairs informed the Norwegian adoption authorities (RIA) that newspapers in Colombo were warning against 'child trafficking' in connection with international adoptions, on 26 April 1979.

periods, the Sri Lankan authorities have suspended all international adoptions in an attempt to clean up the system, and there have been several internal investigations in the country.¹⁶⁵⁸

Adoptions from the country have been investigated by Switzerland, Sweden, the Netherlands and Denmark. These investigations describe several irregularities and illegal practices, which have primarily been linked to private/independent adoptions. Cases of ‘fake mothers’ have been reported – that is, women who, in return for payment, pretended to be the child’s mother and appeared in court to give false consent to the adoption. There have also been cases where intermediaries have charged substantial fees for arranging adoptions, particularly in connection with independent/private adoptions. Furthermore, cases are described in which families and parents in vulnerable situations have been approached by ‘agents’ working for foreign adoptive parents and offered money to give their children up for adoption, and in which children have been abducted from their parents.

The investigation reports also describe cases where children have deliberately been swapped and sent abroad using another child’s documents. In some cases, mothers are said to have been deceived or pressured into giving up their children. There are also descriptions of so-called ‘baby farms’ – a term typically used to refer to places whose purpose was to procure children for adoption, and where pregnant women, sometimes under duress, stayed until giving birth, after which their children were adopted, often without the informed consent of the biological parents, and with financial gain as the main motive.¹⁶⁵⁹ Sri Lankan government representatives have in recent years confirmed that these problems existed.¹⁶⁶⁰

Although the problems have mainly been linked to private/independent adoptions, investigation reports from other receiving countries also describe criticisable or worrying circumstances surrounding adoptions facilitated by certain Danish, Swedish and Dutch intermediary organisations and other actors. Among other things, some of the Swedish intermediary organisations are said to have collaborated with actors whom the Swedish adoption authorities at the time highlighted as problematic, for example because their work appeared to be profit-driven, or because the children’s home also arranged private and independent adoptions. One such children’s home was run by nuns,¹⁶⁶¹ just like the children’s homes with which Adopsjonsforum collaborated (see 18.6.6).

This country chapter will examine adoptions from Sri Lanka to Norway from the 1970s up to 2015.

The following section will first present general, relevant information about the country; an account of investigations carried out in other countries; and an overview of the investigations conducted for this report. This will be followed by an overview of Sri Lankan adoption legislation and procedures across different periods. Next comes an account of the development of Norwegian adoption placements from the country. Finally, there is an overall assessment of the findings and risk factors associated with placements from the country.

18.2 General information, history and legal system

Sri Lanka is a democratic republic in South Asia with a population of approximately 22 million. The largest ethnic groups are the Sinhalese (approx. 75 per cent) and the Tamils (approx. 18 per cent). Ethnic and religious

¹⁶⁵⁸ Adoptions were suspended, amongst other times, in 1976, 1978 and 1987; see SOU 2025:61, vol. 2, pp. 510–513.

¹⁶⁵⁹ SOU 2025:61, vol. 2, pp. 518–527; Berthet and Falk, 2022. The adoption of children from Sri Lanka in the Canton of St Gallen 1973–2002; Bitter, Bangerter, Ramsauer, 2020. The adoption of children from Sri Lanka in Switzerland 1973–1997; Commission on Intercountry Adoption. 2021; The National Social Appeals Board. 2022. Sri Lanka. Memorandum on adoption arrangements with Denmark in the 1980s.

¹⁶⁶⁰ BBC, 21 September 2017, ‘Sri Lankan baby trade: Minister admits illegal adoption trade’, <https://www.bbc.com/news/world-asia-41339520>

¹⁶⁶¹ SOU 2025:61, vol. 2, pp. 547–548.

These conflicts have at times led to violence, and from 1983 to 2009 a civil war raged in which over 60,000 people are believed to have lost their lives.¹⁶⁶²

The conflict stemmed from increased tensions between Sinhalese and Tamils after Sri Lanka became an independent state in 1948, when Sinhalese became the official language and Buddhism the state religion. This led to growing discontent amongst the Tamil-speaking, predominantly Hindu minority, and resulted in the emergence of the Liberation Tigers of Tamil Eelam (LTTE), which demanded an independent Tamil state.¹⁶⁶³

Norway acted as an impartial facilitator in the peace process between the government and the LTTE from 1999 to 2006, which made Norway well known in the country, but also led to some criticism of Norway for being too sympathetic towards the Tamil Tigers.¹⁶⁶⁴ After 26 years, the civil war came to an end in 2009 when the government declared the LTTE defeated.¹⁶⁶⁵

During the 1980s, several thousand refugees arrived in Norway from Sri Lanka, mainly from the Tamil minority. Between 1986 and 1990, an average of 850 people arrived in Norway from Sri Lanka each year. From 1991 to 2002, the number of people moving to Norway from Sri Lanka stood at 400–500 per year.¹⁶⁶⁶

In 2004, the country was hit by the Asian tsunami and more than 5,000 children lost one or both parents. The Sri Lankan authorities then introduced a number of security measures to prevent child trafficking and illegal adoptions.¹⁶⁶⁷

Sri Lanka is a developing country whose main exports are agricultural produce and light industry, whilst tourism was also growing prior to the civil war. The country has an uneven distribution of income, with particularly marked poverty in rural areas.¹⁶⁶⁸

Sri Lanka's President is elected in general elections for a six-year term and may be re-elected. Legislative power rests with a parliament comprising 225 members elected for six years. The country is administratively divided into nine provinces, each with its own provincial council and several subordinate districts.¹⁶⁶⁹

Sri Lanka follows a *common* law model in which its legal system combines elements of Dutch, English and Sinhalese law, as well as other traditional and religious legal systems.¹⁶⁷⁰ The judiciary consists of the Supreme Court, the Court of Appeal, high courts, district courts, magistrates' courts and primary courts, with the latter four acting as courts of first instance and the Court of Appeal serving as the court of first appeal.¹⁶⁷¹

District Courts have jurisdiction at first instance in civil cases, including family law (in which case they may be referred to as Family Courts).¹⁶⁷²

¹⁶⁶² Haugan, S.: *Sri Lanka in the Great Norwegian Encyclopaedia* at snl.no. Retrieved 8 September 2025 from https://snl.no/Sri_Lanka

¹⁶⁶³ Haugan, S. (2025).

¹⁶⁶⁴ Haugan, S. (2025); Fuglerud, Ø. 2019, *War and Peace in Sri Lanka*, Universitetsforlaget.

¹⁶⁶⁵ Haugan, S. (2025).

¹⁶⁶⁶ Statistics Norway, Benedicte Lie. 2004. Facts about ten immigrant groups in Norway.

¹⁶⁶⁷ *Fifty two*, 3 September 2022, 'The Match', <https://fiftytwo.in/story/the-match/>

¹⁶⁶⁸ Haugan, S. and Hofstad, K. 'Economy and business in Sri Lanka' in *Store norske leksikon* at snl.no. Retrieved 8 September 2025.

¹⁶⁶⁹ Berg, O. T. and Haugan, S. 'Sri Lanka's political system' in *Store norske leksikon* at snl.no. Retrieved 8 September 2025.

¹⁶⁷⁰ Berg, O. T. and Haugan, S. (2025).

¹⁶⁷¹ Berg, O. T. and Haugan, S. (2025).

¹⁶⁷² Judiciaries Worldwide (n.d.) *Sri Lanka*. <https://judiciariesworldwide.fjc.gov/country-profile/sri-lanka>

It is primarily the District Courts and Family Courts that have dealt with adoption.¹⁶⁷³

In 1970, the average number of children born per woman in Sri Lanka was 4.39. In 1980, the figure was 3.73; in 1990, it stood at 2.54; in 2000, at 2.21; and in 2010, at 2.13.¹⁶⁷⁴

In Sri Lanka, abortion is, in principle, illegal, except in cases where it is necessary to save the woman's life. This is laid down in the country's Penal Code of 1883, which remains in force.¹⁶⁷⁵ Pregnancy resulting from rape or incest does not entitle a woman to an abortion either, and various attempts to liberalise the abortion law have been unsuccessful.¹⁶⁷⁶

In Sri Lanka, attitudes towards single mothers have been shaped by social norms that value marriage as the best framework for parenthood. There is no state support for single mothers.¹⁶⁷⁷

Sri Lanka's ranking on Transparency International's Corruption Perceptions Index (CPI) has fallen significantly over the last four years, reflecting a growing perception that the public sector is corrupt:

- In 2024, the country scored 32 points and was ranked 121st out of 180 countries.
- In 2020, Sri Lanka was ranked higher, with 38 points, placing 94th out of 180 countries.
- In 2015, which was the last year in which adoptions took place to Norway, the country scored 37 points, down from 40 points in 2012.¹⁶⁷⁸
- When the CPI first began measuring Sri Lanka in 2003, the country scored 3.4 points (out of a possible 10), placing it 66th out of 133 countries.¹⁶⁷⁹

Sri Lanka's ranking on the WJP's Rule of Law Index in 2015 was 0.50, or 63rd out of 102 countries. In terms of the sub-categories 'absence of corruption' and 'fundamental rights', Sri Lanka was then above the regional average but below the global average.¹⁶⁸⁰

Sri Lanka is represented in Norway by its embassy in Oslo, whilst Norwegian interests in Sri Lanka are looked after by the Norwegian embassy in New Delhi. Norway had its own embassy in Colombo from 1996 to 2023. Prior to this, there was a NORAD office in Colombo which acted as an extension of the embassy in New Delhi. In 2023, the embassy in Colombo was closed and the secondary accreditation from New Delhi was reinstated.¹⁶⁸¹

¹⁶⁷³ Laws of Sri Lanka (2023). Judicature Act, <https://www.srilankalaw.lk/revised-statutes/volume-iv/567-judicature-act.html>; Human Rights Library, University of Minnesota, (n.d.) Adoption of Children Ordinance, https://hrlibrary.umn.edu/research/srilanka/statutes/Adoption_of_Children_Ordinance.pdf. The archive material also shows that, in some cases, adoption cases have been heard in Magistrates' Courts.

¹⁶⁷⁴ Country Economy (n.d.), Sri Lanka – fertility 1960–2015, <https://countryeconomy.com/demography/fertility/sri-lanka?year=2015>

¹⁶⁷⁵ Center for Reproductive Rights (n.d.). Sri Lanka's Abortion Provisions, <https://reproductiverights.org/maps/provision/sri-lankas-abortion-provisions/>

¹⁶⁷⁶ International Viewpoint (2021). 'Sri Lanka's abortion law: A straitjacket on women', <https://internationalviewpoint.org/spip.php?article7279>

¹⁶⁷⁷ Jordal, M., Wijewardena, K. and Olsson, P. Unmarried women's ways of facing single motherhood in Sri Lanka – a qualitative interview study. *BMC Women's Health* **13**, 5 (2013).

¹⁶⁷⁸ Transparency International (2024). Sri Lanka, <https://www.transparency.org/en/countries/sri-lanka>

¹⁶⁷⁹ Transparency International (2003). Corruption Perceptions Index 2003. https://images.transparencycdn.org/images/2003_CPI_PressRelease_EN.pdf

¹⁶⁸⁰ World Justice Project Rule of Law Index (2025). Sri Lanka Overall Rule of Law Score Over Time, <https://worldjusticeproject.org/rule-of-law-index/country/2015/Sri%20Lanka/>

¹⁶⁸¹ Email from the Ministry of Foreign Affairs to the Inquiry Committee, 20 February 2025.

18.3 Overview of the Committee's country reviews

The Inquiry Committee's investigations into adoption placements from Sri Lanka have followed the template for country studies, as outlined in Chapter 3. General country information from various sources has been obtained. Investigations by other receiving countries and information from ISS have been reviewed, and literature and media searches relating to adoptions from the country have been carried out. Adoption authorisations and applications for adoption from the country have been reviewed, along with related documentation. Archival searches have been carried out at Bufdir, the Ministry of Children and Families, the National Archives and the Ministry of Foreign Affairs. The Committee has also been granted access to Adopsjonsforum's physical archives and digital shared resources.

In its work on the country studies, the Committee has exchanged experiences with the Swedish inquiry and received several contributions from the organisation Romantisert Innvandring. The Committee has received a total of three enquiries from adoptees from Sri Lanka and conducted interviews with two of them. Interviews have also been conducted with several people who have been involved in adoption work relating to that country, both within the Norwegian authorities (8) and at Adopsjonsforum (4).

A total of 43 individual cases from the period 1978–2015 have been reviewed. 17 of the cases are from the period 1978–1987. 13 cases are from 1988–1998. 13 cases are from 2000–2015. See section 18.5.7 for further information on the review of individual cases and the assessments relating to it.

Adoptions from Sri Lanka have been investigated in several receiving countries: the Netherlands (2021), Denmark (2017 and 2022), Switzerland (in various reports from 2017, 2020 and 2022 respectively) and Sweden (2025), and have also been briefly examined by Iceland (2022).¹⁶⁸² The report from the Netherlands examines circumstances during the period 1973–1997. The Swiss reports look at circumstances during the period 1973–1997/2002. The report from the Danish National Social Appeals Board examines circumstances in the 1980s. The Swedish investigation report examines conditions during the period 1973–2020, with a particular focus on the period up to 1996. Iceland's report deals with adoptions in 1984–1986. Findings and circumstances from these reports that are relevant to adoptions from Sri Lanka to Norway will be addressed in the following description where relevant.

18.3.1 Accounts from people adopted from Sri Lanka to Norway

The Committee has been in contact with people adopted from Sri Lanka to Norway, who have reported the following circumstances:

One person adopted in the 1980s stated that their date of birth was unknown, and that the adoptive parents were asked to choose a date of birth for the child. The adoptive parents also had to pay money to the lawyer handling their case, behind the courtroom before the hearing. The manager of the children's home nearly handed over the wrong child to the prospective adoptive parents, which the adoptee believes may indicate that the child was merely staying there in transit. In general, the adoptee believes that the documentation is incomplete, meaning that satisfactory information about their birth family and background cannot be obtained.

A person adopted in the 1980s has stated that the adoptive parents were initially allocated a child who, by the time they arrived at the children's home, had been given to someone else. The applicants were then allocated the adoptee 'on the spot' and accepted the arrangement. It is unclear whether this allocation was approved by the Department of Probation and Child Care Services (DPCCS, the adoption authority in Sri Lanka; see section 18.4). All the documents the adoptee has from their case are dated the same day, approximately five weeks after the adoptive parents were offered a new child.

The adoptee has since been reunited with her birth mother, who explained that although she had intended to give her child up for international adoption – due to a difficult family situation and a lack of means to provide for the child – she had not understood what the consent document on which she had placed her fingerprint was. The birth mother was to symbolically hand over the child to the prospective adoptive parents in front of

¹⁶⁸² See section 3.4.1.

the judge, but the adoptive parents had to return the child to the birth mother before leaving the room, as the final transfer of custody took place later. In this way, the adoptee felt that it became less clear to the birth mother what the legal proceedings were actually about. The birth mother also explained that she had been placed in the maternity home attached to the children's home by a family member, and that she was not allowed to leave the premises. The birth mother further stated that her date of birth and address in the child's documents were incorrect. The adoptee pointed out that this led to great difficulties in locating the birth mother, a task that was only successful because the adoptee had photographs of the birth mother from the adoptive parents' trip to collect the child.

The adoptee has also stated that enquiries for further information to the Sri Lankan Registrar General and to the DPCCS were unsuccessful: they were unable to locate the adoption file or the registration entry. The Registrar General's explanation was that, as an adoptee, one is removed from the system. The DPCCS stated that it did not have individual case information from the period 1987–1988, in connection with the suspension (see section 18.4.4).

An adoptee from the 1990s who has also been reunited with her birth mother has explained that, during the civil war, her birth mother's family suffered when her father died young and their house was later destroyed by flooding. As a young woman, her mother had to support her siblings by working as a domestic helper and became pregnant against her will by the man of the house. To protect her family and the child, she moved to a shelter run by the Salvation Army. Shortly after the birth, she met her future Norwegian adoptive parents. Due to language barriers and the fact that communication was mediated by the children's home's matron, she believed the arrangement was temporary and intended to provide respite, not that the child was to be adopted. The adoptive parents, for their part, believed the process was being carried out correctly, but in hindsight wonder what was actually communicated to my mother.

The organisation Romantisert Innvandring, which, amongst other things, represents the interests of adoptees, has submitted the following to the committee:

- Staff at DPCCS were involved in approving processes that should not have been approved.
- It was a problem that adoption cases were dealt with in 'staged' court proceedings, which either took place in premises that were not a court, or took place in actual courtrooms but, for example, before or after opening hours, and without any real examination of the conditions. Judges or deputy judges often had links to local adoption agencies.
- Adoption documents that are not registered in the Register General indicate irregularities in the process.
- The use of 'fake mothers' to confirm consent before the court was also widespread amongst the institutions with which Adopsjonsforum collaborated.

Information from adoptees and organisations has provided important input to the committee's investigations and assessments.

18.4 Adoption regulations in Sri Lanka

Adoptions from Sri Lanka to other countries began in the 1970s, mainly as a result of poverty, the social stigma attached to unmarried mothers, and the fact that Sri Lanka became a tourist destination for Western tourists. For countries such as Sweden, Switzerland, Australia, England and the Netherlands, Sri Lanka became a major country of origin for adoption. It has been estimated that between 1974 and 2019, at least 11,000 children were adopted from Sri Lanka to other countries.¹⁶⁸³

¹⁶⁸³ Swissinfo.ch (2020). "Swiss authorities were aware of illegal adoptions from Sri Lanka, report reveals", https://www.swissinfo.ch/eng/society/international-adoption_swiss-authorities-were-aware-of-illegal-adoptions-from-sri-lanka-report-reveals/45583238; *Fifty two*, 3 September 2022, "The Match"; Kane (1993) states that between 1980 and

The Sri Lankan Adoption Act was amended in 1977, 1979 and 1992.¹⁶⁸⁴ According to the Swedish investigation report, the amendments were mainly aimed at restricting independent/private adoptions.¹⁶⁸⁵ Such adoptions took place on a fairly large scale to Sweden.¹⁶⁸⁶ These were not as common to Norway, but have occurred, probably only in small numbers (see also section 18.5.3).¹⁶⁸⁷

In Sri Lanka, it is the courts that decide on adoption cases. They review the documents, meet with the parties and make the decision on adoption.¹⁶⁸⁸

In the early 1970s, prospective adoptive parents could apply directly to a Sri Lankan court to arrange an adoption. Following the changes in 1977 and 1979, applications had to be submitted to Sri Lanka via the authorities in the receiving country.¹⁶⁸⁹

The Department of Probation and Child Care Services (DPCCS) is the authority in Sri Lanka which has been responsible for international adoptions since 1977. Its responsibilities have varied somewhat, but have included receiving adoption applications, carrying out or approving the matching process, sending allocation letters to applicants, interviewing prospective adoptive parents and, at times, the birth mother as well, and providing a statement to the court before it reached a decision in the adoption case.¹⁶⁹⁰

Lawyers have also played a key role in the process, as they assisted the applicants in presenting the case to the court, obtained the child's birth certificate and the mother's declaration of consent, as well as having the adoption decision registered with the Sri Lankan *Registrar General* and arranging for the translation of key documents into English.¹⁶⁹¹

18.4.1 Adoptions prior to 1977¹⁶⁹²

Since 1944, Sri Lanka has had a law governing domestic adoptions. From 1964, it became possible for British nationals to adopt from the country. Other countries followed suit. During the first half of the 1970s, international adoptions were regulated by a revised version of the 1944 Adoption Act.¹⁶⁹³

In 1989, 6,815 children were adopted from Sri Lanka for placement abroad (p. 330, Kane, S. 1993. The movement of children for international adoption: An epidemiological perspective. *The Social Science Journal*, 30(4), 323–339.)

¹⁶⁸⁴ SOU 2025:61, vol. 2.

¹⁶⁸⁵ SOU 2025:61, vol. 2, p. 505. According to AF, this had been a requirement imposed by the Sri Lankan authorities as early as 1975.

¹⁶⁸⁶ Throughout the entire period, one-third of all adoptions from Sri Lanka to Sweden have been independent/private. In the 1970s, 86 per cent of all adoptions from Sri Lanka to Sweden were private adoptions. See SOU 2025:61, vol. 2, p. 504.

¹⁶⁸⁷ Chapter 28 describes the difficulties in determining the exact number of independent adoptions to Norway. In the Adoption Forum's archives, the committee has found scattered references to independent adoptions in the 1970s and 1980s (fewer than ten in total), and we have also seen examples of this in the review of individual cases. This primarily concerns cases where the applicants had a particular connection to the child or the country of origin. See also section 18.5.3 on adoptions through 'private channels'.

¹⁶⁸⁸ SOU 2025:61, vol. 2, p. 509.

¹⁶⁸⁹ SOU 2025:61, vol. 2, p. 505.

¹⁶⁹⁰ SOU 2025:61, vol. 2, p. 509.

¹⁶⁹¹ AF, 'Adoption from Sri Lanka', May 1977 – this states that *the Adoption Order* was to be sent by registered post from the court to *the Registrar General*, but according to a report from adoptive parents (dated 1977), it could also be handed over to AF's solicitor or overseas contact, who would then register it; see also p. 509, SOU 2025:61, vol. 2.

¹⁶⁹² The account in sections 18.3.1 to 18.3.5 is largely based on the report in SOU 2025:61, vol. 2, pp. 509–517.

¹⁶⁹³ Adoption of Children Ordinance, 1956 revision; Adoption of Children (Amendment) Act No. 1 of 1964, cf. p. 50, note 17, SOU 2025:61, vol. 2.

The Act stipulated that anyone wishing to adopt should apply to a court in Sri Lanka, which would assess whether the statutory conditions for adoption had been met.

Under the Act, it was a condition that the parents, guardian or custodian gave their consent to the adoption. An exemption from this condition could be granted by the court if the child had been abandoned or if the guardian was unable to give consent, or if the court deemed that consent should not be sought.¹⁶⁹⁴

The court was also required to ensure that the person giving consent understood what the adoption entailed and that it was permanent.¹⁶⁹⁵

If the requirements were met, the court issued an *Adoption Order* and drew up a ‘schedule’ containing information on the names and addresses of the adoptive applicants, the date of registration and the adoption order.

The information was then registered by the country’s central population register authority. A printout of this registration served as proof of the adoption.

Once the child had arrived in Norway, the adoption was registered here.

18.4.2 Adoptions after 1977

In October 1976, all adoption activities in Sri Lanka were suspended pending a change in the law.

The new Adoption Act came into force on 18 February 1977 and was intended, amongst other things, to put a stop to private adoptions. The Act permitted adoptions only through the DPCCS, and a placement agency was established within the DPCCS. However, the requirement that adoptions be conducted solely through the DPCCS had already been imposed by the Sri Lankan authorities as early as 1975.

The Act did not have the desired effect, as applications for private adoptions were still being brought before the courts, whereupon the court gave the DPCCS a 14-day deadline to comment on the case. As there were so many applications, the DPCCS’s staff had to devote all their time to this and had no time to arrange placements for children from state-run children’s homes. According to the Swedish inquiry report, all adoptions from state-run children’s homes ceased, whilst private placements and direct placements from various institutions to applicant couples continued.¹⁶⁹⁶

18.4.3 Legislative amendment in 1979¹⁶⁹⁷

In June 1978, the Sri Lankan government once again suspended international adoptions pending a legislative amendment. An amendment to the Adoption Act was passed in July 1979, and foreign nationals were once again permitted to adopt from the country.

The purpose of the legislative amendment was, once again, to restrict private/independent adoptions. Applicants were henceforth required to submit their applications to the Sri Lankan embassy in the receiving country, which would then forward them

¹⁶⁹⁴ Chapter 61, Adoption of Children Ordinance, Ordinances No. 24 of 1941, No. 54 of 1943. 1 February 1944. Part I, 3 (3).

¹⁶⁹⁵ Adoption of Children Ordinance, 1956 revision, section 6. (1): ‘Upon an adoption order being made, all rights, duties, obligations and liabilities of the parent or parents, guardian or guardians of the adopted child in relation to the future custody, maintenance and education of the adopted child, including the rights to appoint a guardian or to consent to the child’s marriage, or to give notice forbidding the issue of a certificate for the solemnisation of such marriage, shall be extinguished; and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as though the adopted child were a child born to the adopter in lawful wedlock, and in respect of the same matters and in respect of the child’s liability to maintain its parents, the adopted child shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock.’

¹⁶⁹⁶ SOU 2025:61, vol. 2, p. 511.

¹⁶⁹⁷ SOU 2025:61, vol. 2, pp. 511–513.

further to the DPCCS. If the DPCCS considered that a suitable child was available at a state-run or DPCCS-registered children's home, the applicants were informed of this. According to the Swedish investigation report, however, it was still possible to adopt a child directly from the child's mother, but this was now to be the exception rather than the rule, and applicants were to have first received an allocation from the DPCCS before travelling to Sri Lanka.

Applicants had to instruct a solicitor to assist with the application for legal proceedings, birth certificates and declarations of consent from the birth parents. The DPCCS interviewed the adoptive parents and reviewed the application documents, including for adoptions arranged through private children's homes. The DPCCS then submitted a statement and an application for adoption to the court, which, after hearing the adoptive parents and the birth parents, made a decision on the adoption.

The adoption decision was then, as before, registered with the registration authority, which subsequently issued an adoption certificate. The parents then applied for a Sri Lankan passport for the child and an entry visa to Norway. The adoption was subsequently registered in Norway.¹⁶⁹⁸

However, the changes did not halt private/independent adoptions, as some applicants continued to travel to Sri Lanka after they had submitted their application to the DPCCS, but before they had received a placement. There, they contacted private intermediaries and/or lawyers who found a child and took the case to court. The court asked the DPCCS for a statement on the case, which in turn meant that DPCCS staff did not have time to arrange and match children with applicants themselves.¹⁶⁹⁹

18.4.4 Ban on international adoptions, June 1987–July 1988

Following revelations about so-called '*baby farms*' (see 18.1), the Sri Lankan government decided on 3 June 1987 that international adoptions should be banned. Adoptions that were already in progress were allowed to continue.¹⁷⁰⁰ A commission was set up to review the legislation.¹⁷⁰¹

When international adoptions were once again permitted in July 1988, this applied only to seven state-run children's homes.¹⁷⁰² In January 1989, the Sri Lankan government approved a draft of a new law

permitting adoption from

'voluntary children's homes' in addition to the seven state-run ones. The process of getting the law passed dragged on,

and in the meantime, local courts continued to authorise adoptions from non-state children's homes.¹⁷⁰³

18.4.5 Legislative amendment in 1992 and a brief overview of developments in subsequent years

In March 1992, Sri Lanka finally passed a new adoption law that restricted the possibilities for international adoptions. Adoption via private agencies was banned, and adoptive parents could no longer search for adoptive children on their own. Only adoptions through the DPCCS and authorised organisations in the receiving country were permitted, and only from state-run or state-registered children's homes.¹⁷⁰⁴ The principle of subsidiarity was also enshrined in law, stipulating that suitable parents must first be sought within Sri Lanka.¹⁷⁰⁵

¹⁶⁹⁸ SOU 2025:61, vol. 2, p. 512.

¹⁶⁹⁹ SOU 2025:61, vol. 2, p. 513.

¹⁷⁰⁰ Letter from the Ministry of Foreign Affairs to SAK, 25 January 1988, 'Sri Lanka – rules on adoption'. 'In process' probably refers to the situation of applicants who had submitted their documents to the DPCCS and, where applicable, had also received approval, and were awaiting placement.

¹⁷⁰¹ SOU 2025:61, vol. 2, p. 513.

¹⁷⁰² SOU 2025:61, vol. 2, p. 513.

¹⁷⁰³ SOU 2025:61, vol. 2, p. 513.

¹⁷⁰⁴ SOU 2025:61, vol. 2, pp. 514–515.

¹⁷⁰⁵ SOU 2025:61, vol. 2, p. 515.

The Act imposed a total ban on paying or in any way rewarding persons involved in adoptions.¹⁷⁰⁶ Following the introduction of the Act, the number of adoptions from the country fell sharply.¹⁷⁰⁷

Sri Lanka was one of the first countries to ratify the Hague Convention in 1995, and following this, adoption figures fell further.¹⁷⁰⁸

In 1995, the UN Committee on the Rights of the Child noted in its ‘concluding observations’ that Sri Lanka’s new legislation on international adoption ensures protection against the sale and trafficking of children.¹⁷⁰⁹

In 1997, Adopsjonsforum informed the Norwegian adoption authorities that the birth mother would now have three months after giving birth to change her mind before she could consent to the final release of the child.¹⁷¹⁰

From 2010, foreign adoptive parents could only apply to adopt children with special needs.

In 2012, the DPCCS set up a committee to oversee international adoptions, and a maximum quota was introduced for the annual number of international adoptions from the country.¹⁷¹¹

18.5 Adoptions to Norway

18.5.1 Regarding placement prior to Adopsjonsforum’s placement licence in 1978

In March 1975, the first child adopted from Sri Lanka arrived in Norway through Adopsjonsforum. One of the adoptive parents subsequently acted as Adopsjonsforum’s country contact. A total of 32 children arrived in Norway before May 1978, when Adopsjonsforum was granted a placement licence by the Ministry of Social Affairs (see 18.5.2).

The children’s ages during this initial period ranged from 1 month to 4 years, but most were between six months and one year old (10), or between 1 and 2 years old (8). The children were matched with their adoptive parents through the DPCCS and came from institutions in various parts of Sri Lanka, such as Colombo, Kandy, Galle, Jaffna, Pannadura and Anuradhapura¹⁷¹².

Adopsjonsforum’s international liaison was a Sri Lankan man who also acted as the international liaison for the Swedish adoption agency AC. He was a qualified sociologist who had retired in 1976 from a post in the adoption department of Sri Lanka’s Ministry of Social Welfare. As ‘Assistant Commissioner’ in the DPCCS, which was a department within the Ministry of Social Welfare, he had helped to facilitate adoptions from Sri Lanka to other countries in the early 1970s.

¹⁷⁰⁶ Adoption of Children (Amendment) Act, No. 15 of 1992. 6. Replacement of section 14 of the principal enactment: ‘Any adopter who, except with the sanction of the court, receives from any person, or makes or gives, or agrees to make or give to any person, any payment or reward in consideration of the adoption of any child under this Part; and any person who, except with the sanction of the court, receives from any adopter, or makes, gives or agrees to make or give to any adopter any such payment or reward, shall be guilty of an offence under this Ordinance and shall, on conviction following summary trial before a Magistrate, be liable to a fine not exceeding ten thousand rupees or to imprisonment of either description for a term not exceeding two years, or to both such fine and imprisonment.’

¹⁷⁰⁷ SOU 2025:61, vol. 2, p. 515.

¹⁷⁰⁸ SOU 2025:61, vol. 2, p. 508.

¹⁷⁰⁹ SOU 2025:61, vol. 2, p. 515; CRC/C/15/Add.40.

¹⁷¹⁰ From AF to BFD, via SAK, 22 September 1997, ‘Application for renewal of the broadcasting licence for Sri Lanka’.

¹⁷¹¹ SOU 2025:61, vol. 2, p. 517.

¹⁷¹² Information letter from AF to applicants regarding Sri Lanka, 5 October 1977. A document entitled ‘Current Countries’ dated 21 October 1975, found in AF’s archives, also states that ‘[a] man who owns a private nursery in North Ceylon has agreed to act as a contact person in Sri Lanka for some of our applicants’. The Committee has found no further information regarding this contact.

On 4 July 1976, Adopsjonsforum's country representative for Sri Lanka stated that a letter from the DPCCS dated 24 January 1976 had stipulated that all foreign adoption organisations must support the Nutrition Centre in Sri Lanka. They estimated that the support would amount to approximately 20,000 NOK for the current year.¹⁷¹³

Adoption Forum's foreign liaison officer visited Norway in August 1976 and met with the heads of department at the Ministry of Social Affairs and the Ministry of Justice, as well as other staff working on adoptions in Norway. At this meeting, the foreign liaison officer raised the issues surrounding adoptions from Sri Lanka that had bypassed the central administration. According to the minutes of the meeting, such adoptions had taken place to Sweden, Denmark and the Netherlands, but, as far as the meeting participants were aware, not to Norway.¹⁷¹⁴ The foreign liaison officer denied that there was a requirement for financial contributions to feeding centres in connection with adoption, but said that the need existed and that the contacts they had were being asked to help.¹⁷¹⁵

Until September 1976, Adopsjonsforum charged 1,000 NOK from each adoption applicant for the support scheme

'Nutrition Centre' in Sri Lanka. This was discontinued when a parents' group was established for adoptive parents and applicants to Sri Lanka, where annual membership fees and registration fees were to be used for this support, which would thus be 'voluntary and kept separate from the adoption procedure'.¹⁷¹⁶

A memo dated September 1976 from another employee in the Ministry of Social Affairs to the Director-General of the Ministry states that Adopsjonsforum had indicated that there was no *requirement* from the Sri Lankan authorities for financial support to be provided to aid initiatives, but that the authorities *wished for* this, and that 'if no financial support were provided by Norway, it would *not* be possible to adopt children here'.¹⁷¹⁷

In March 1977, Adopsjonsforum was approved by the DPCCS as a foreign intermediary in Sri Lanka.¹⁷¹⁸

Reports from adoption trips written by adoptive parents in the early years, at the request of the country representative to gather experiences, show that in 1976 a couple on an adoption trip made contact with a Sri Lankan lawyer. The lawyer is described as 'very keen to help prospective adoptive parents'. In addition, he ran a hotel called Ceylon Inns. The lawyer assisted both Norwegian and Swedish applicants, initially charging 400 Sri Lankan rupees (LKR) per case (approx. 160 NOK in 1976).¹⁷¹⁹ During 1976, this rose to 750 LKR (approx. 300 NOK).¹⁷²⁰

Overall, the costs of an adoption from Sri Lanka amounted to approximately 7,600 NOK, including travel and accommodation. If both parents travelled, the total expenses would be closer to 13,000 NOK.¹⁷²¹

Several adoption trip reports indicate that a number of parents felt the lawyer appeared unreliable: he charged the parents extra after the court case had concluded 'to have the papers drawn up quickly', but refused to provide a receipt for this. On several occasions, he charged more than agreed, but concealed this from the overseas contact.

¹⁷¹³ From AF's country contact for Sri Lanka to Norges Bank, 4 July 1976, 'Application for a foreign exchange licence'.

¹⁷¹⁴ This meeting was arranged on AF's initiative, as they wished to introduce their contact in Sri Lanka, and because they ultimately sought an agreement 'similar to the one Sri Lanka has with Sweden via the NIA'. The Norwegian authorities provided information on the work being done to organise the adoption placement service and stated that it was not appropriate to discuss any agreements until this had been finalised. 'Minutes of the meeting at the Ministry of Social Affairs on Wednesday 18 August 1976', undated.

¹⁷¹⁵ 'Minutes of a meeting at the Ministry of Social Affairs on Wednesday 18 August 1976'.

¹⁷¹⁶ From AF's country contact for Sri Lanka to the Ministry of Social Affairs, 9 September 1979, 'Support for the Nutrition Centre in Sri Lanka'.

¹⁷¹⁷ Memorandum to the Head of Department, Ministry of Social Affairs, 1 September 1976. "Subject: Currency transfer to Sri Lanka in connection with adoption".

¹⁷¹⁸ From AF to RIA, 19 May 1979, 'Application for approval of Adopsjonsforum's contact in Sri Lanka'.

¹⁷¹⁹ Letter from the lawyer to AF's country contact, 20 October 1976. ¹⁷²⁰ Report on a trip to collect a child for adoption in 1976. The exchange rate given here is 1 LKR = 0.40 NOK. ¹⁷²¹ Information letter about Sri Lanka from AF to applicants, 5 October 1977.

However, the parents were very satisfied with the overseas contact and placed particular emphasis on the fact that he had good connections and ‘so much power and respect that he can sort out most things’.¹⁷²² He was described as ‘particularly useful when certain officials are a little slow to show goodwill’.¹⁷²³

However, a collection trip report indicates that both the overseas contact and the lawyer ‘were involved in brokering private adoptions’. The parents found this ‘unpleasant’, as such cases were, in their view, ‘unacceptable’.¹⁷²⁴

In 1977, the adoption process was described as follows by Adopsjonsforum in a letter to prospective adoptive parents:¹⁷²⁵

- a) Applicants who have been approved in Norway send the required documents (social history, approval from the Child Welfare Board, approval from the PU and, where applicable, the Ministry of Justice, as well as health, marriage and birth certificates) to a state-authorised translator for translation, after which they are sent to the Ministry of Foreign Affairs for legalisation.
- b) The country contact then forwards the application to the Sri Lankan Embassy, and subsequently to the DPCCS.
- c) It can take 8–9 months from the application being submitted until applicants receive approval from the DPCCS.
- d) Approval is granted by the DPCCS; applicants confirm this and provide details of their arrival.
- e) An application for an entry visa is submitted to the Norwegian Directorate of Immigration.
- f) At least one of the applicants must travel to Sri Lanka. On arrival, they visit the DPCCS for an interview and permission to visit the child.
- g) The applicants must present their case in court themselves, and Adopsjonsforum’s international liaison officer, with the assistance of a lawyer, helps the applicants with this. (The lawyer arranges the adoption documents which the applicants must sign.) The international liaison officer arranges medical examinations and similar procedures if necessary.
- h) The court’s decision on the adoption is made 2–7 days after the documents are submitted. The court hearing lasts 10–15 minutes and the child is handed over immediately afterwards.
- i) The original Adoption Order is sent by registered post from the court to the Registrar General (the Civil Registry).
- j) A passport and exit visa are issued upon presentation of the Adoption Order (from the court) or the Certificate of Adoption (from the National Register) at the Department of Immigration & Emigration in Sri Lanka.
- k) The Norwegian Consulate issues an entry visa to Norway.
- l) Re-adoption should be carried out as soon as possible in Norway, but not before the adoptive parents have sorted out their residence permits, registration with the National Population Register and matters with the social security office, as it may take several weeks to receive the documents back from the County Governor.¹⁷²⁶ The adoptive parents must have the foreign adoption documents translated into Norwegian and obtain the application form from the County Governor.
- m) Citizenship may be changed after the child has been re-adopted.

According to a collection trip report from an adoption in 1977, a report from the DPCCS was also required to be submitted to the court. The report was to state the date of birth and confirm that the child had been abandoned or was parentless

¹⁷²² Pick-up^{trip report} from an adoption in 1977.

¹⁷²³ Information letter on Sri Lanka from AF to applicants, 5 October 1977.

¹⁷²⁴ Adoption travel report from 1978.

¹⁷²⁵ May 1977, information letter from AF’s country contact to applicants in Sri Lanka. A simplified description of the same process is set out in AF’s application for approval of a contact person in Sri Lanka, 19 May 1979.

¹⁷²⁶ Re-adoption was recommended until 1980, cf. section 6.3.

resolved. The report was drawn up on the basis of the child's 'files', and the adoptive parents expressed frustration that it was not until one and a half weeks after their arrival that the manager of the children's home was instructed to forward the child's 'files' to the DPCCS.

It also emerges from the collection trip reports that, despite international adoptions being suspended by the Sri Lankan authorities from June 1978 until July 1979, two children arrived in Norway. These prospective adoptive parents were granted special permission by Sri Lanka's Minister of Justice to take the children out of the country as foster children and to finalise the adoptions in Norway. The reason for this was that the children had been allocated to the applicants by the DPCCS, and that 'the authorities wished to fulfil their responsibility towards the applicants they had invited to come to Sri Lanka'. The cases were explained in detail to the Norwegian adoption authorities.¹⁷²⁷

18.5.2 First placement licence, 19 May 1978

Adopsjonsforum was granted a placement licence as an adoption agency by the Norwegian Ministry of Social Affairs on 19 May 1978. Sri Lanka was one of eight countries covered by the licence. A condition of the licence was that the overseas contact be approved by RIA within one year.

On 19 May 1979, Adopsjonsforum applied to the Norwegian adoption authorities for approval of a contact person in the country, namely the retired sociologist from the adoption department of the Ministry of Social Affairs in Sri Lanka.¹⁷²⁸ They stated that all adoptions were processed through the Department of Probation and Child Care Services (DPCCS), a department within the Ministry of Social Affairs. The process and costs were as described above.

The Norwegian adoption authorities approved the contact.¹⁷²⁹

18.5.3 Arrangements 1979–1985

18.5.3.1 *Adoptions via 'private' channels to Norway*

In September 1979, Adopsjonsforum's country representative travelled to Sri Lanka. One of the aims was to discuss with the foreign contact 'what opportunities we have to speed up the adoption procedures by making the initial contact with the child (and, where applicable, the parents) ourselves, rather than through the Commissioner of Probation [DPCCS]'.¹⁷³⁰

During the trip, a scheme was developed for what the country representative refers to as 'private adoption'. This is described as follows in Adoption Forum's travel report:

Under the law, it is not illegal to carry out private adoptions as long as no payment is made for the child. In most cases, this will involve unmarried mothers who wish to conceal the fact that they are expecting a child, or families who cannot afford to have more children themselves. We must be prepared to accommodate the mother in a home until the child is born and for a certain period afterwards. We only pay for the mother's and child's accommodation and do not otherwise give any money to the mother.¹⁷³¹

Applicants were required to pay the estimated costs in advance to the country contact, who transferred these to an account in Sri Lanka. The funds could then be used by the overseas contact to cover expenses as they arose.

The overseas contact later provided the local contact with documentation showing how the money had been spent.

¹⁷²⁷ 'Statement in connection with an application for the adoption of a Sri Lankan child: [NN], born [dd.mm].1977 in Colombo', sent by the adoptive parent to RIA, registered on 11 September 1978.

¹⁷²⁸ From AF to RIA, 19 May 1979, 'Application for approval of Adopsjonsforum's contact in Sri Lanka'.

¹⁷²⁹ The committee has not been able to locate this document, but it is clear from subsequent authorisations that approval was granted.

¹⁷³⁰ 'Country contact visit to Sri Lanka, September 1979', AF's archives.

¹⁷³¹ 'Country contact trip to Sri Lanka, September 1979', AF's archives.

The country contact wrote: ‘We estimate that living expenses may amount to as much as Rs 3,000 to 4,000, i.e. NOK 1,000 to 1,300, but in many cases will be less than this’. The applicants and the child still had to be approved by the DPCCS, and the case had to be brought before the court like any other case. Furthermore, the contact wrote that they would probably be offered two private adoptions in the near future.¹⁷³²

No details were given as to how contact with these unmarried mothers and poor families was to be established. According to the plan, the children arriving via the private adoption system were to be accommodated at Jayanthi Children’s [presumably Infants’] Home in Colombo.¹⁷³³

The Committee has found a letter from the country representative to an applicant couple, dated summer 1980. In it, the country representative stated that he had received the final invoice from the overseas representative in connection with the couple’s adoption. It was as follows:

- ‘1. Expenses for food, accommodation, etc. for the mother [for just over 6 months] Rs. 1,800
2. Expenses for travel and escort for the mother for six hospital visits: Rs. 325,-
3. Grant to the mother to enable her to attend a typewriting rehabilitation course Rs. 500
4. Clothing for the mother Rs. 155 Total Rs. 2,700” [just over 1,000 NOK at the exchange rate of the time]. The country contact pointed out that item no. 4 seemed ‘somewhat dubious, as I have previously stated that we will not pay money directly to the mother’, but considered that the amount was so small and would certainly be used as stated by the overseas contact that the contact recommended it be covered.

The Committee has not found any more reliable information providing details of the ‘private’ system, such as how Adopsjonsforum was to identify mothers/families who wished to give up their children. Nor has it been clarified how many children were adopted to Norway through such ‘private’ channels.¹⁷³⁴ However, in October 1980, the Norwegian adoption authorities were informed that five couples had received children from Jayanthi Infants’ Home.¹⁷³⁵ This may provide some indication, as it appears that this children’s home was intended to function as a sort of transit home for children arriving via ‘private’ channels whilst the adoption process took place in Colombo.

The Committee has found no information or other documentation to suggest that Adopsjonsforum informed the Norwegian adoption authorities about the system of ‘private’ adoptions, and assumes that this was not done.¹⁷³⁶

18.5.3.2 *Donations to children’s homes were suggested by Adopsjonsforum’s country contact*

Among other matters arising during the country liaison officer’s visit in September 1979, it was mentioned that the lawyer in Sri Lanka raised the issue that he was constantly having to pay ‘a few extra rupees to various officials’

¹⁷³² ‘Country contact trip to Sri Lanka, September 1979’, AF archives.

¹⁷³³ ‘Country contact trip to Sri Lanka, September 1979’, AF’s archives.

¹⁷³⁴ In its comments to the Committee on 31 March 2026, having been presented with the factual basis (see section 3.6.11), AF noted that the information suggesting that AF had bypassed the system is inconsistent with other documents AF holds from this period. AF referred, amongst other things, to a letter to AF’s applicants dated 15 October 1976 regarding the need for the newly established Sri Lankan Commission of Inquiry, which was to investigate illegal adoptions from the country. AF also referred to a letter from AF’s country to the managing director dated 10 February 1983, which states that AF received its allocations through the DPCCS and not by other, unethical means, such as by setting up its own children’s homes that had ‘their “agents” in hospitals, in villages and amongst the poor, who are promised money if they give their children up for adoption’. In the letter to the managing director, this is presented as an explanation for why AF had arranged far fewer adoptions than, for example, Swedish intermediary organisations during the same period.

The Committee points out, however, that the latter country contact was not the same country contact who established the system of adoptions through ‘private’ channels in 1979.

¹⁷³⁵ RIA, 28 October 1980, ‘Report to the Council for International Adoptions on the 1980 trip to Asia undertaken by staff of the Secretariat’.

¹⁷³⁶ This is not mentioned in the applications for approval of the contact network from 1979 or 1984, nor does it appear from RIA’s report on the 1980 trip that this was disclosed.

‘at the offices they visited in connection with a case’. The country contact advised the lawyer to ‘include it in his fee and call it “administrative expenses”’. The lawyer raised his fee to Rs 1,000 and the overseas contact’s fee to Rs 500, equivalent to 330 NOK and 170 NOK per case respectively at the exchange rate at the time. It was also noted that Adoption Forum’s overseas contact was now working part-time as head of administration at the Ceylon Inns hotel, run by Adoption Forum’s lawyer in the country.¹⁷³⁷

In December 1979, Adoption Forum’s new country liaison travelled to Sri Lanka. The purpose of this visit was, once again, to discuss, amongst other things, the possibility of speeding up the adoption procedure.¹⁷³⁸

The country representative wrote that it appeared that some people were managing to ‘get hold of information about which children the Commissioner is allocated to his applicants’, and that this resulted in these children being adopted privately instead. The foreign liaison officer believed it was likely that someone working at the Commissioner’s office was, in return for payment, passing on such information to certain lawyers and others involved in private adoptions. The country contact noted that ‘The whole of Sri Lanka is also rife with corruption, and even small, routine services – even in court – require a little under-the-table payment to ensure the job is done quickly and on time’.¹⁷³⁹

In addition to visiting Jayanthi Infants’ Home, where Adopsjonsforum ‘is allocated children directly from a children’s home and not through the Commissioner’, the country contact established contact with Good Shepherd Convent in Wattala, just outside Colombo. This was a Catholic institution run by an Irish nun, who stated that the children’s home ‘had been authorised to place children for adoption without going through the Commissioner’. In 1978, one child from there came to Norway.¹⁷⁴⁰

In the report on the trip in December 1979, the country representative concluded as follows: ‘I have the impression that we have not made much progress in terms of increasing the number of adoptions to Norway’, and that he believed ‘in future, a small donation to the children’s homes must be factored into the price. This will generate greater goodwill.’¹⁷⁴¹

18.5.3.3 *The Norwegian adoption authorities’ inspection visit in 1980 and the issue of independent/private adoptions to Norway*

Norwegian adoption authorities travelled to Sri Lanka in the autumn of 1980. They visited Jayanti Infants’ Home, where they were informed that the home generally only placed children for adoption with Buddhists, but that the Commissioner could transfer orphaned children from this home to state-run homes and arrange for their adoption from there.¹⁷⁴² There is no mention of the home having served as a transit home for children to be adopted via Adopsjonsforum’s ‘private channels’.

The adoption authorities also visited The Haven, which was described as a children’s and youth institution run by the Salvation Army. Here, unmarried mothers could be given temporary accommodation. Others were destitute children up to the age of 16, transferred to the institution by court order. The institution had a capacity of 70 children. ‘Some of the young women placed in the institution give birth to their children there. The Salvation Army then applies to be appointed as the child’s guardian, after which the child can be put up for adoption’. It was reported

¹⁷³⁷ ‘National Contact Trip to Sri Lanka, September 1979’, AF’s archives.

¹⁷³⁸ ‘Country contact trip to Sri Lanka, December 1979’, AF’s archives. ¹⁷³⁹ ‘Country contact trip to Sri Lanka, December 1979’, AF’s archives. ¹⁷⁴⁰ ‘Country contact trip to Sri Lanka, December 1979’, AF’s archives. ¹⁷⁴¹ ‘Country contact visit to Sri Lanka, December 1979’, AF archives.

¹⁷⁴² RIA, 28 October 1980, ‘Report to the Council for International Adoptions on the 1980 trip to Asia undertaken by the secretariat’s staff’.

It was noted that in Colombo there were 40 similar children's homes run by various organisations. Across Sri Lanka, there were 135. Seven of these were state-run.¹⁷⁴³

They also visited Good Shepherd, which housed 150 children aged 3–17. They were told that some unmarried mothers come here, and their children are transferred from the neonatal ward to the children's home when they turn 3. They were told that 'many mothers are schoolgirls who give birth and then return to school'.¹⁷⁴⁴

During a meeting with the Secretary to the Minister for Social Affairs, the Norwegian delegation was informed that only state-run children's homes and homes run by approved private organisations are authorised to arrange adoptions. They were further informed that the authorities required applicants to submit a social report certified by the Sri Lankan embassy in the country concerned. The Norwegian adoption authorities noted:

We found it necessary to emphasise very clearly that a Norwegian social report is *not* a sufficient basis for approval. Approval from the Ministry of Justice *must* be obtained, and the adoption should be processed through the AF. He [the Secretary to the Minister of Social Affairs] was unreceptive to this, as he regarded it as a Norwegian problem, not his own.¹⁷⁴⁵

The Norwegian adoption authorities, however, believed that there were good opportunities to verify that this was in order through the consulate. The Consul-General stated that a visa was never issued for a child without permission having been obtained from the Norwegian Directorate of Immigration, which normally based its decision on the PU's ruling (see section 6.4).¹⁷⁴⁶

Overall, the Norwegian adoption authorities' impression following the visit was that the association's overseas contact adhered strictly to the authorities' regulations; however, it was pointed out that '[i]t cannot be denied, however, that it would not be difficult for someone to find children outside the approved channels'.¹⁷⁴⁷

In December 1980, the Consul-General in Sri Lanka sent some news articles from Sri Lanka concerning the problems with private adoptions to the embassy in New Delhi. He remarked: 'I am afraid I too feel that in most of the private adoption cases, it really amounts to selling these children because the local agents charge fairly substantial amounts for the services rendered.'¹⁷⁴⁸ The news articles were forwarded to RIA in January 1981.¹⁷⁴⁹

There is also a report written by the Consul-General in Sri Lanka, who also attended the meeting with the Secretary to the Minister for Social Affairs in Colombo. This report points out that the latter categorically maintained that only the DPCCS was authorised to match children from approved institutions. On the other hand

¹⁷⁴³ RIA, 28 October 1980, 'Report to the Council for International Adoptions on the 1980 trip to Asia undertaken by the Secretariat's staff'.

¹⁷⁴⁴ RIA, 28 October 1980, 'Report to the Council on International Adoptions on the 1980 trip to Asia undertaken by staff of the Secretariat'.

¹⁷⁴⁵ RIA, 28 October 1980, 'Report to the Council on Intercountry Adoptions on the 1980 trip to Asia undertaken by staff of the Secretariat'.

¹⁷⁴⁶ RIA, 28 October 1980, 'Report to the Council on International Adoptions on the 1980 trip to Asia undertaken by staff of the Secretariat'.

¹⁷⁴⁷ RIA, 28 October 1980, 'Report to the Council on International Adoptions on the 1980 trip to Asia undertaken by staff of the Secretariat'.

¹⁷⁴⁸ From the Norwegian Consulate-General in Colombo to the Norwegian Embassy in New Delhi, 20 December 1980, 'Adoption of Children'.

¹⁷⁴⁹ From the Ministry of Foreign Affairs to the RIA, 15 January 1981, 'Sri Lanka. Adoption of children.'

During the visit, the Norwegian adoption authorities had been informed by various individuals that they could organise the matching themselves. The Consul described this as confusing.¹⁷⁵⁰

There is, however, little doubt that the religious children's homes with which Adopsjonsforum collaborated were themselves responsible for the matching process. For example, correspondence found in Adopsjonsforum's archives shows that, in 1980, the process involved applicants writing letters directly to the heads of the Good Shepherd Convent, The Welcome House (which was the Good Shepherd convent in Colombo) and The Haven (an institution in Colombo run by the Salvation Army) to request a placement. This is also evident from correspondence between, amongst others, the head of the Good Shepherd Convent and the country contact:

There is another baby girl at The Welcome House, which is our convent in Colombo, and I think she will be suitable for the Fam [NN] from [NN]. [...] The baby is just three days old but quite healthy, and I suppose she will be about two weeks old by the time they arrive.¹⁷⁵¹

As well as from correspondence between the Christian institutions and the prospective adoptive parents:

Dear Mr and Mrs NN, This is to inform you that your long wait to adopt a baby has come to an end. I can allocate to you NN – a boy – born on [dd.mm.] 1983.¹⁷⁵²

In an interview with Adopsjonsforum's case officer for Sri Lanka, the Committee enquired about the procedures for placements by private agencies. The case officer stated that the private agencies would put forward a proposal for a placement, but that the DPCCS had to approve these. However, the DPCCS never disagreed with the placements.¹⁷⁵³

18.5.3.4 *Adoption Forum's working visit to Sri Lanka in 1982*

In February 1982, Adoption Forum's country contact travelled to Sri Lanka. The travel report states that, in recent years, Adoption Forum had been allocated children for adoption mainly from The Haven and Good Shepherd.

The purpose of the trip was to establish new contacts. The country representative reported that a former contact was no longer able to play an active role in the adoption work, as he had been appointed Officer in Charge of Probation and Child Care Services in Kalutara. However, the former contact suggested to Adopsjonsforum that a retired social worker in Kandy might be a suitable new contact.¹⁷⁵⁴ The Committee has found no documentation to suggest that approval for this former contact was sought from the Norwegian adoption authorities.

The country contact discussed changes to the way adoption cases were handled with Good Shepherd's lawyer, 'Mr P.'.

It is also stated that adoptive parents who had adopted from Sri Lanka were sponsors of the Sri Lankadahara Balika Nivasay children's home through the Sri Lanka-Norway Friendship Association, and that the association had assumed responsibility for 50 per cent of the running costs of this children's home. The Committee has been unable to establish whether any children were adopted from this home to Norway.

¹⁷⁵⁰ From the Norwegian Consulate-General to the Norwegian Embassy in New Delhi, 26 September 1980, 'Visit of a three-member delegation from the Norwegian Council for Inter-Country Adoption, Oslo'

¹⁷⁵¹ Letter from the head of the Good Shepherd Convent in Wattala to AF's country contact, 8 January 1981.

¹⁷⁵² Letter from Good Shepherd to the applicant couple, dated in the second half of 1983. The letter is dated seven days after the child's stated date of birth.

¹⁷⁵³ Interview with the committee, 8 October 2025.

¹⁷⁵⁴ 'Report from monitoring visit to Sri Lanka – 19–28 February 1982 by country contact NN', AF's archives, undated.

In November 1982, the country contact travelled to Sri Lanka again.¹⁷⁵⁵ The overseas contact described the conditions at the DPCCS as ‘somewhat chaotic’. His fee was increased to 50 USD per case. The local contact enquired about the possibility of establishing contact with more children’s homes, but the overseas contact advised against this, as the three organisations to which Adopsjonsforum had been allocated placements (The Haven, Good Shepherd and Welcome House) ‘were the only ones that still had authorisation to place children and still had a good reputation’. The lawyer’s fee was also increased to 2,000 LKR per adoption – approximately 760 NOK at the exchange rate at the time. The country representative considered this to be reasonable and believed it should cover all expenses.

18.5.3.5 *Adoption Forum’s secretariat took over the work relating to Sri Lanka in 1984*

At the beginning of 1984, the country liaison work was transferred to Adoption Forum’s salaried secretariat, which had been established in 1982. In February 1984, Adoption Forum’s new country representative travelled to Sri Lanka to be introduced to the contacts and briefed on the situation.¹⁷⁵⁶

The country representative visited the three children’s homes with which Adopsjonsforum collaborated and delivered a cheque for 50 USD to each institution, as well as five applications to each home. The country representative also met the three lawyers who were representing Adopsjonsforum’s applicants in court.

18.5.3.6 *The Norwegian adoption authorities’ inspection visit to Sri Lanka in 1985 and the proposal for donations per adoption*

In early 1985, the Norwegian adoption authorities travelled to the country once again and spent three days there.¹⁷⁵⁷ A main purpose of the trip was to discuss the possibilities of a written adoption agreement with the authorities. However, such an agreement was not desired by the DPCCS, as they believed they had full control over adoptions from the country. The DPCCS representative claimed that it was the birth mother’s right to hand over her child to whomever she wished. The DPCCS could not refuse to process a case as long as the applicants could produce a social report from their home country, stamped by that country’s Ministry of Foreign Affairs and verified by the Sri Lankan embassy in the country.

During a meeting between the Norwegian adoption authorities and Adopsjonsforum’s foreign liaison officer and Good Shepherd’s lawyer, the latter suggested that ‘the lack of child placements could be due to the applicants not paying the expenses the institutions had incurred on the children’. The Norwegian adoption authorities wrote in their mission report that, although the institutions would not specify an amount, it was clear that they were dependent on donations to cover their operating costs. This could amount to approximately 400 USD per child.¹⁷⁵⁸ The Norwegian adoption authorities wrote that ‘AF should consider how to ensure that the institutions receive the necessary grants without the parents feeling that they have bought their children’. Furthermore, they suggested that ‘RIA should discuss the principles underlying this issue and provide the association with guidance on where the boundaries of what is acceptable lie’. They also noted that the fees for the lawyer and the overseas contact appeared to be low (USD 75 and USD 50 per case respectively¹⁷⁵⁹).¹⁷⁶⁰

¹⁷⁵⁵ ‘Report from a country liaison trip to Sri Lanka from 5 November to 16 November 1982’, AF’s archives, undated.

¹⁷⁵⁶ ‘Trip to Sri Lanka from 3 February to 12 February 1984’, dated March 1984, AF’s archives.

¹⁷⁵⁷ RIA, ‘Report to the Council for International Adoptions from an information and inspection trip to Asia, 19 January – 11 February 1985’.

¹⁷⁵⁸ RIA, ‘Report to the Council on International Adoptions from the fact-finding and inspection trip to Asia, 19 January – 11 February 1985’.

¹⁷⁵⁹ Report from AF’s country liaison officer’s trip, ‘Trip to Sri Lanka from 3 February to 12 February 1984’, dated March 1984, AF’s archives.

¹⁷⁶⁰ RIA, ‘Report to the Council for International Adoptions from the fact-finding and inspection mission to Asia, 19 January – 11 February 1985’.

In a communication from the Icelandic adoption authorities to the Norwegian adoption authorities in 1986, it was stated that Icelandic applicants had, over the previous two years, used a Sri Lankan lawyer who charged 1,000 USD per adoption.¹⁷⁶¹

Following this trip, the number of placements from The Haven, Good Shepherd and Welcome House to Adoption Forum's applicants increased. This was probably a result of the fixed donations of 400 USD per adoption, which had been arranged on the initiative of the Norwegian adoption authorities.

18.5.4 1986–1992: internal unrest, suspension of adoptions and donations linked to allocations

In 1986, Adoption Forum's country representative travelled to Sri Lanka. She encountered considerable unrest and several bombs exploding in the surrounding areas. Good Shepherd's lawyer, who at this point appears to have become Adoption Forum's regular lawyer, received 2,700 LKR per case (approx. NOK 770). It was agreed that the head of Good Shepherd, the Irish nun, would visit Norway for a week in July.¹⁷⁶² This trip was paid for by Adopsjonsforum.¹⁷⁶³

In 1987, the Adoption Forum's board was informed that the Sri Lankan authorities had suspended international adoptions, citing media reports concerning, amongst other things, so-called 'baby farms' (see section 18.4.4). However, it was stated at the board meeting that none of Adoption Forum's contacts were believed to be involved in the scandals that had led to the suspension.¹⁷⁶⁴

In a letter to Adoption Forum's country representative from the head of Good Shepherd, one gets the impression that the political situation in the country was coming to a head. In 1989, the head mentioned that a curfew had been imposed and that brutal murders were taking place every day. She wrote that '[p]arents with young boys live in fear and their one ambition is to get their children out of the country', that they often drove past bodies that had been burnt by the roadside, and that '[s]ome parents leave their homes at night and hide in the jungle with their children'. She was considering leaving the country because of the unrest.¹⁷⁶⁵

During this period, Adopsjonsforum routinely sent a cheque for 600 USD to the children's home from which bar-net came after each adoption. The letter accompanying the payment read, for example: 'I would like to thank you deeply for the placement of NN with the family NN. [...] Please find enclosed a cheque for \$600, which is a donation for Haven; we hope that this can be of good use to all your children in the institution'.¹⁷⁶⁶ The allocation of children was carried out by the managers of the three different children's homes with which Adoption Forum collaborated: The Haven, Good Shepherd and Welcome House.

It is further evident from correspondence between Adoption Forum and DPCCS that Adoption Forum regularly sent cheques to DPCCS for various aid programmes. In some cases, the financial transfers were linked to a request for children to be allocated to Norwegian applicants:

- Letter from Adoption Forum to DPCCS dated 24 August 1988, in which they asked DPCCS to assess the applications Adoption Forum had on file, and informed them that they were working to find more sponsors for a 'sponsorship programme'.

¹⁷⁶¹ From the Ministry of Justice and Ecclesiastical Affairs to RIA, 25 February 1986, 'Re: Placement of children from Sri Lanka for adoption in Iceland'.

¹⁷⁶² Report from AF's country representative, 16 June 1986, 'Trip to Sri Lanka from 11 May to 18 May 1986'.

¹⁷⁶³ Letter from the country representative to the director of Good Shepherd, 19 July 1986.

¹⁷⁶⁴ Minutes of the AF Executive Committee meeting, 2 March 1987.

¹⁷⁶⁵ Letters from Good Shepherd to AF's country representative for Sri Lanka, 15 February 1989 and 18 September 1989, AF's archives.

¹⁷⁶⁶ Letter from AF to The Haven, 21 November 1989.

- Letter from Adopsjonsforum to DPCCS, 1 March 1989, in which they reminded them of the applications they had submitted and informed them that a member of the Sri Lanka parents' group was working to find more sponsors.
- Letter from Adopsjonsforum to DPCCS, 12 June 1989, in which they requested further information about a project they wished to support, and also sent 600 USD to 'needy and deprived children'. An earlier version of the letter, marked 'not sent', also stated: 'And on behalf of our adoption applicants, I should like to request your kind consideration as to placing children free for adoption with our Norwegian families'. In the letter that was sent, this sentence had been omitted.
- Letter from DPCCS to Adopsjonsforum dated 4 September 1989, thanking them for the donation of 600 USD to 'departmental programmes for deprived and needy children'.
- Letter from Adopsjonsforum to the DPCCS dated 1 March 1990, reminding them of applicants who had been on the DPCCS's register for several years, and informing them that a representative from the parents' group would be visiting to discuss the sponsorship programme.

The Committee has found no documentation or other information to suggest that Adoption Forum informed the Norwegian adoption authorities of these donations, nor that the Norwegian adoption authorities requested information about donations or aid work during this period.

It is stated in Adopsjonsforum's annual report for 1991 that The Haven was closed for adoptions from May to September 1990 following a 'scandalous report'.¹⁷⁶⁷ This led to a decline in adoptions from that country to Norway, from 13 in 1990 to 7 in 1991. The Committee has found no further information on the matter. Adopsjonsforum did not mention this scandal in its application in April 1991 for re-approval of its contact network in Sri Lanka. Regarding the various institutions, they stated that Welcome House was no longer facilitating adoptions, but that they expected the good cooperation with Good Shepherd and The Haven to continue. They also stated that 'Following a scandal a couple of years ago, several private agencies that arranged the majority of adoptions from Sri Lanka were closed down', but that private adoptions were still taking place 'outside all agencies', accounting for an estimated two-thirds of all international adoptions from the country.¹⁷⁶⁸

18.5.4.1 *Adoption Forum assisted a couple who had not been approved by the Norwegian adoption authorities*

In the late 1980s, Adopsjonsforum assisted a couple living in Norway who did not have prior consent for adoption from the Norwegian adoption authorities by providing information on how they could adopt a child from Sri Lanka. The couple's application for prior consent to adoption had been rejected, mainly due to the age of one of the applicants. However, one of the applicants held Sri Lankan citizenship, meaning that the adoption could be carried out as a domestic adoption.

Following the refusal of prior consent, Adopsjonsforum assisted the applicant couple by translating their social report and other documents into English. In consultation with Good Shepherd, the organisation through which the parents wished to be matched with a child, Adopsjonsforum did not, however, send the applicants' documents to the Sri Lankan embassy, as they would normally have done. Adopsjonsforum asked the applicants to send their social report directly to Good Shepherd, which informed Adopsjonsforum that the applicant with Sri Lankan citizenship

¹⁷⁶⁷ Adoption Forum's National Conference 1992, SAK1, Part B, page 9, Annual Report for 1991, 'Sri Lanka'.

¹⁷⁶⁸ From AF to SAK, 26 April 1991, 'Application for re-approval of the contact network in Sri Lanka'. In its comments to the committee on 31 March 2026, after having been presented with the factual basis (cf. section 3.6.11), noted that the case 'was reported in the Western press and it must be assumed that this was also known to the Norwegian authorities, who have had an independent responsibility to keep themselves informed about their partner countries'.

They then had to travel to Sri Lanka, provide an address there, and have a local Probation Officer write a report that could be presented to the court.

It is clear from the correspondence between Adopsjonsforum and Good Shepherd that both were aware that the couple had not been approved for adoption by the Norwegian adoption authorities:¹⁷⁶⁹

From Good Shepherd to Adopsjonsforum:

I am writing regarding the adoption of a baby by the above couple. I note that [NN] still holds a Sri Lankan passport, and so I believe the adoption can proceed as a local adoption rather than a foreign one. That will be easier. It will be necessary for [NN] to come to Sri Lanka, stay with friends whose address she can provide, and then have a local probation officer draw up a report which can be presented in court. It is also important that she has the Norwegian Home Study, complete except for the Embassy stamp. That will not be possible – I mean the Embassy stamp.

From Adopsjonsforum to Good Shepherd:

I appreciate your kind assistance in helping [NN] and [NN1]. As you know, they have not been approved by the Norwegian Adoption Office to adopt a child due to [NN1's] age. The only way for them to adopt a child from Sri Lanka is through [NN's] Sri Lankan citizenship [...]. I will try to assist them as far as I am able. We have received the English translation from our translator and I have sent the documents to [NN] and [NN1]. They will have the Home Study Report notarised. Do we need to legalise the documents at the Ministry of Foreign Affairs? Please do let me know if we need to do so. The [NNs] will send the Home Study Report directly to you. In any case, if there are any other documents you require, please write to us.

From Good Shepherd to Adoption Forum (the following week):

Are they really keen to have a baby? If so, [NN] should come here as soon as possible. I have been looking after a lovely baby for them and it is getting bigger. The longer the mother is with the baby, the harder it will be for her to part with it. At the same time, she assures us that she has no alternative but to give the baby up for adoption and that she is staying at the convent for that purpose only. [...] I do not think it is necessary to have the documents legalised at the Ministry of Foreign Affairs, as I do not believe that will be possible. [...] Please tell the couple to send me the Home Study immediately and to make arrangements for [NN] to travel without delay.

According to Bufdir, this couple have never applied for recognition of an adoption carried out abroad. Nor are any children registered to the couple in the National Population Register. The Committee does not know whether the applicants themselves changed their minds about the adoption, or whether the adoption case was dismissed by the court in Sri Lanka.

18.5.4.2 *New adoption legislation and the Norwegian adoption authorities' inspection visit in 1992*

In the autumn of 1992, the Norwegian adoption authorities undertook their second fact-finding and inspection visit to Sri Lanka.¹⁷⁷⁰ The occasion was the country's new Adoption Act, which came into force in February of that year, and the adoption authorities wished to obtain information on its implementation and application. The Ministry of Foreign Affairs had helped to arrange meetings with the country's central authorities.

The impression gained from the visit was that the new Act was not functioning as intended, as the court in Colombo – one of the country's two courts authorised to handle international adoption cases (the other being in Mount Lavinia) – 'appears to follow its own rules' and, amongst other things, rejected several adoption cases

¹⁷⁶⁹ References to specific dates in the correspondence have been omitted here for privacy reasons.

¹⁷⁷⁰ SAK, 12 January 1993, 'Report from a trip to Asia 16 November – 9 December 1992'.

¹⁷⁷¹ According to Adoption Forum's quarterly update to applicants in Sri Lanka, the judge had, in addition, continued to grant authorisation for private adoptions.¹⁷⁷²

The adoption authorities also met with Swedish foreign affairs officials, who 'made no secret of the fact that money is involved' despite the new law prohibiting this, and that 'organisations engaged in development aid find it easier to obtain children'.¹⁷⁷³

The Norwegian adoption authorities were unable to secure a meeting with the DPCCS. However, they visited Good Shepherd and The Haven and spoke with the heads [Sister Mary Dympna and Captain Soma Wedage, respectively]. Both institutions stated that they wished to suspend adoption work until the situation had been clarified.¹⁷⁷⁴ In connection with the new law, Nordic adoption organisations were summoned to a joint meeting at the Sri Lankan Embassy in Sweden in January 1992. Here too, the issue of the previously mentioned judge in Colombo was raised. The Sri Lankan ambassador advised the organisations to work with and engage 'an expensive and reputable lawyer whom the judges respect. A lawyer who, for the sake of his reputation, does not take on cases that are not entirely flawless. If you hire a 20-krona lawyer, you get 20-krona treatment.'¹⁷⁷⁵

18.5.5 1994–2000: Sri Lanka ratifies the Hague Convention; adoption figures fall

In April 1994, Adopsjonsforum applied for re-accreditation of its contact network in Sri Lanka. In the application, they outlined the changes that had taken place following the entry into force of the country's new Adoption Act in February of that year: six Province Commissioner posts had been appointed, and these were to send lists of children available for adoption to the National Commissioner, who was now the sole body authorised to place children with foreign applicants. However, the system did not function as intended, as the Western Commissioner did not submit any lists, and a judge in Colombo was still permitting private adoptions.¹⁷⁷⁶

Adoption Forum also stated that Good Shepherd had resumed its adoption work, was approved by the DPCCS, and that all placements had to be submitted to the National Commissioner.¹⁷⁷⁷

The retired sociologist who had served as Adoption Forum's foreign contact since 1975 died in 1991. Following an interim period during which the deceased's wife acted as contact, Adoption Forum applied for approval of the man who had previously served as a guide and driver for Norwegian applicants to act as foreign contact. He was to receive 100 USD per month. The lawyer was now receiving 300 USD per case. Donations to the children's homes remained unchanged.¹⁷⁷⁸ The new liaison was approved by SAK.¹⁷⁷⁹

Towards the end of 1994, Adoption Forum applied for the renewal of its placement licence and mentioned at that time that The Haven had resumed its adoption activities after a two-year hiatus. Most children were still coming from

¹⁷⁷¹ SAK, 12 January 1993, 'Report from a trip to Asia 16 November – 9 December 1992'.

¹⁷⁷² 'Quarterly report on Sri Lanka, 2nd quarter 1993', AF's archives.

¹⁷⁷³ SAK, 12 January 1993, 'Report from a trip to Asia 16 November – 9 December 1992'.

¹⁷⁷⁴ SAK, 12 January 1993, 'Report on a trip to Asia, 16 November – 9 December 1992'.

¹⁷⁷⁵ From NIA to SAK, 11 February 1992. 'Minutes of a meeting with the Sri Lankan Embassy on 29 January 1992'.

¹⁷⁷⁶ From AF to SAK, 13 April 1994. 'Application for re-approval of a contact network in Sri Lanka'.¹⁷⁷⁷ From AF to SAK, 13 April 1994. 'Application for re-approval of a contact network in Sri Lanka'.¹⁷⁷⁸ From AF to SAK, 13 April 1994. 'Application for re-approval of a contact network in Sri Lanka'.

¹⁷⁷⁹ From SAK to AF, 13 January 1995. 'Application for re-approval of the contact network in Sri Lanka, and approval of a new overseas contact'.

Adoption Forum from the Christian institutions, and not directly from the Commissioner (between 1991 and 1994, Adoption Forum is said to have received two direct allocations from the Commissioner. The remaining 17 came from Good Shepherd and The Haven). In the application, Adoption Forum expressed doubts about the effectiveness of the controls on problematic adoptions from the country, despite new legislation, and pointed out: ‘We know that some other countries receive considerably more allocations from the public sector, and we suspect that these allocations are unlikely to be made solely on the basis of the applications submitted and the suitability of the applicants.’¹⁷⁸⁰

In 1994 and 1995, the Norwegian adoption authorities limited approval to one year, citing concerns that no written health information was available regarding the children.¹⁷⁸¹ Adoption Forum, for its part, argued that as the children from Sri Lanka were generally very young, ‘often only a few weeks old’ (in its application for re-approval of the contact network for 1996, Adopsjonsforum wrote that only 3 of the 34 children placed in Norway from Sri Lanka in the 1990s had been over 1 year old¹⁷⁸²), there would in any case be uncertainty regarding the children’s health.¹⁷⁸³

18.5.5.1 *Police investigation into The Haven*

It is evident from Adoption Forum’s internal travel report from March 1995 that The Haven had once again put its adoption work ‘on hold’ when, in December 1994, it was criticised by the judge at Colombo Court and was also the subject of a police investigation due to ambiguities concerning a birth certificate for a child who was to be adopted to Denmark.¹⁷⁸⁴

The Committee has found no further information on the matter. Nor have we found anything to suggest that Adopsjonsforum informed the Norwegian adoption authorities about this case.¹⁷⁸⁵

18.5.5.2 *The Hague Convention came into force; new cooperation with Prem Nivasa*

In May 1995, the Hague Convention came into force in Sri Lanka, and throughout the 1990s, adoption figures to Norway and other countries declined.

In 1997, Adopsjonsforum stated that the birth mother would now have three months after giving birth to change her mind before she could consent to the final release of the child. Adopsjonsforum regarded this as a positive development. They also stated that they were not accepting new applicants for the country, with the exception of those with a strong preference for it, who were largely repeat applicants.¹⁷⁸⁶

In connection with the processing of the Adoption Forum’s 1997 application, donations to children’s homes were raised as a matter of concern internally within the Norwegian adoption authorities. It was concluded, however, that the level of donations was not ‘alarming’, and since the donations were never required by

¹⁷⁸⁰ From AF to SAK, 27 December 1994. ‘Application for renewal of the right to act as an intermediary for adoptions from Sri Lanka’.

¹⁷⁸¹ From SAK to AF, 18 May 1994, ‘Application for re-approval of the contact network in Sri Lanka, and approval of a new overseas contact’; From SAK to AF, 13 January 1995, ‘Application for re-approval of the contact network in Sri Lanka, and approval of a new overseas contact’.

¹⁷⁸² From AF to SAK, 15 February 1996. ‘Application for re-approval of the contact network in Sri Lanka’.

¹⁷⁸³ From AF to SAK, 2 September 1994. ‘Regarding health information about the children’.

¹⁷⁸⁴ Travel report from AF’s archives, dated April 1995, ‘Report from working trip/escort trip to Sri Lanka/India, 20 March – 6 April 1995’.

¹⁷⁸⁵ This is not mentioned in the application for renewal of placement rights dated 27 December 1994, nor in the application sent on 15 February 1996. No mention is made of it in the liaison meetings with the Norwegian authorities on 9 March 1995 or 1 June 1995. At a liaison meeting on 7 December 1995, it was stated that ‘Sri Lanka is currently at a standstill due to local circumstances’. In its comments to the committee on 31 March 2026, after having been presented with the factual basis (see section 3.6.11), AF noted that this was most likely known to the Norwegian adoption authorities through contact with the adoption authorities of the other Nordic countries.

¹⁷⁸⁶ From AF to BFD, via SAK, 22 September 1997, ‘Application for a renewed placement licence for Sri Lanka’.

or authorities, and had previously been proposed by the Norwegian adoption authorities, it was difficult to ask them critical questions.¹⁷⁸⁷

In 1999, Adopsjonsforum began receiving placements from a new children's home, Prem Nivasa (also known as Mother Teresa's Home and, in some cases, simply referred to as the Missionaries of Charity), located in Moratuwa. This home also received 600 USD per adoption from Adopsjonsforum.

A later travel report describes the institution as being divided into three sections. Pregnant women could stay at Prem Nivasa until giving birth, and children who were released for adoption were transferred to the Shanti Nivasa institution. The children could stay at the children's home until they turned 5, after which they were moved to another children's home.¹⁷⁸⁸

18.5.6 Key points from the placement process from 2000 to 2015

Following the entry into force of the Hague Convention in Norway (from 1998), a gradual change can be seen in the work of the Norwegian adoption authorities regarding placement licences for Sri Lanka. In Adopsjonsforum's application for a renewed placement licence for Sri Lanka (29 November 1999), the information was organised in accordance with the required format provided by the BFD (in a letter dated 19 October 1999), and included a number of points that had to be accounted for.¹⁷⁸⁹

From 1 October 1999, the Norwegian Citizenship Act was amended so that all adopted children with a legally binding adoption order in the country of origin automatically acquired Norwegian citizenship and were to enter Norway on a Norwegian passport. Adoptive parents subsequently applied for the child's Norwegian passport at the Norwegian Embassy in Colombo, on the basis of a number of documents, including the Adoption Order, the allocation letter from the DPCCS, the approval letter from the DPCCS, the child's birth certificate, and the prior consent from the Norwegian adoption authorities.¹⁷⁹⁰

In the 1999 application, Adopsjonsforum stated that they had a sponsorship project in collaboration with the DPCCS, which provided support for the schooling of 35–40 children and young people aged between 8 and 18. They stated that they were still making donations to the children's homes of 600 USD per adoption.¹⁷⁹¹

The licence was renewed until 2002, and Adopsjonsforum was asked to submit an interim report by the end of 2000, as well as to report any changes that might affect the intermediary licence. The lack of health information on the children remained a point of concern for the Norwegian adoption authorities.¹⁷⁹²

18.5.6.1 Donations to the DPCCS

From the late 1990s, the committee has found evidence that Adopsjonsforum transferred money directly to DPCCS. The transfers to DPCCS were sometimes earmarked for specific projects

¹⁷⁸⁷ 10 November 1997, internal SAK memo, from case officer to management; 14 November 1997, internal memo from manager to case officer.

¹⁷⁸⁸ 'Working visit to Sri Lanka, January 2009', AF's chairperson and case officer for Sri Lanka, AF's archives.

¹⁷⁸⁹ Such as 'agreements at association or government level'; 'the procedure in adoption cases', 'costs', 'aid work/humanitarian work'; 'international contacts', etc. Although such topics have been mentioned in previous applications, they have not been systematically addressed in each application.

¹⁷⁹⁰ According to AF, the following additional documents were required: the adoptive parents' passports; a passport confirmation from AF, with a 'certificate' from the passport authorities in Norway; Mother's Consent (Form 2); and three passport photographs of the child.

¹⁷⁹¹ From AF to SUAK, 'Application for a renewed placement licence for Sri Lanka', 29 November 1999.

¹⁷⁹² From SUAK to AF, 'Renewed placement authorisation for Sri Lanka', 6 January 2000.

¹⁷⁹³ In other cases, they were not linked to specific projects, and judging by the dates, it appears that in several instances they were connected to placements with Adopsjonsforum:

On 20 September 2001, Adopsjonsforum received a letter from the DPCCS granting approval to proceed with an adoption in connection with a specific allocation to a couple applying to adopt.¹⁷⁹⁴

On 19 October 2001, Adopsjonsforum sent a cheque for 500 USD to DPCCS ‘as a donation to support your devoted work for the improvement of children’s condition’.

On 16 November 2001, the DPCCS replied that they appreciated the gesture and looked forward to continued cooperation.¹⁷⁹⁵

In another instance, Adopsjonsforum sent a cheque to DPCCS for 500 USD ‘as a donation to support your devoted work for the improvement of children’s condition’ on the same day that it also sent a letter containing a donation of 600 USD to a children’s home from which it had just received a placement.¹⁷⁹⁶

The Committee has found no information to suggest that Adopsjonsforum informed the Norwegian adoption authorities that such monetary gifts were made to DPCCS. They are not mentioned in the placement application dated 18 September 2001. It was not until the placement application of 3 September 2004 that it was stated that Adopsjonsforum made a donation of 500 USD to DPCCS per adoption. In their assessment of this application, the Norwegian adoption authorities noted that ‘there is probably no reason for any particular comments regarding expenses’, but pointed out that it was Adopsjonsforum’s overseas contact who decided to which partner institution an applicant couple’s documents should be sent, that the institutions received donations per case, and that ‘the authorities usually make matches in line with proposals from the institution’.¹⁷⁹⁷

18.5.6.2 Adoption Forum establishes cooperation in Jaffna

In 2004, Adopsjonsforum’s country representative undertook a working visit to Sri Lanka. One of the purposes of the trip was to explore opportunities for establishing contact with Jaffna. This is a district in the north of Sri Lanka that was occupied by the LTTE from 1989 to 1995, after which the Sri Lankan military regained control.¹⁷⁹⁸ In 2004, the human rights situation in Jaffna was worse than in many other parts of Sri Lanka, and characterised by systematic abuses (arbitrary arrests, torture, disappearances, extrajudicial killings, restrictions on freedom of movement and military control). Several independent reports from 2004–2006 document this (see also 18.5.6.3), and Jaffna and large parts of the Northern and Eastern Provinces were among the hardest-hit areas in the country at that time.¹⁷⁹⁹

The Country Representative met with a Probation Officer in Jaffna, a District Judge in Jaffna, and the director of the Good Shepherd Welcome House in Jaffna, who agreed to take on a pilot case for Adopsjonsforum, as well as a lawyer in Jaffna who had previously handled adoption cases for Good Shepherd. The judge—

¹⁷⁹³ In a letter from DPCCS to AF dated 28 October 1998, DPCCS expresses its gratitude for a donation of Rs. 19,650 to Universal Children’s Day. In a letter from AF to DPCCS dated 27 February 2003, AF sends 1,000 USD in cash to be used ‘for printing information material or any necessary expenses your office may need’.

¹⁷⁹⁴ ‘Approval to proceed with adoption arrangements under the Hague Convention on Inter-country Adoption’, from DPCCS to AF, 20 September 2001.

¹⁷⁹⁵ ‘I quite appreciate your kind gesture and would like to continue to work with you.’ Letter from DPCCS to AF, 16 November 2001.

¹⁷⁹⁶ Letter from AF to DPCCS, 10 October 2002; letter from AF to Prem Nivasa, 10 October 2002.

¹⁷⁹⁷ BUFA, Working Paper – dissemination licences, 17 December 2004.

¹⁷⁹⁸ Wikipedia. (2025, 7 October). Jaffna. *Wikipedia, The Free Encyclopedia*.

¹⁷⁹⁹ Amnesty International, Amnesty International Report 2004 – Sri Lanka, -, 26 May 2004, <https://www.refworld.org/reference/annualreport/amnesty/2004/en/32914>; Human Rights Watch, *Living in Fear: Child recruitment, forced disappearances and other abuses in Sri Lanka*, Nov 2004.; U.S. Department of State, *Country Reports on Human Rights Practices 2004 — Sri Lanka* <https://2009-2017.state.gov/j/drl/rls/hrrpt/2004/41744.htm>;

The official stated that the DPCCS in Colombo had to give its approval before the case could be heard in the court in Jaffna. That same year, Adopsjonsforum received its first allocation from Jaffna ¹⁸⁰⁰.

In Adopsjonsforum's application for a renewed placement licence for Sri Lanka in 2004, they named Good Shepherd Welcome House, Inuvil, Jaffna as a partner organisation, and reported that contact had been established with stakeholders and bodies in Jaffna. ¹⁸⁰¹

Whilst processing the placement application, a case officer at the Norwegian adoption authorities noted that '[t]here is very little information provided in advance about the child's background', and that '[t]he authorities are not involved in obtaining information about the child – health and background'. On the case file, the case officer raised the question of whether this was consistent with the obligations under the Hague Convention. Under the heading on the case officer's worksheet regarding whether there is 'information in the case or concerning the country that is or may be an obstacle to the granting of a placement authorisation', nothing is mentioned, and authorisation was proposed for a further two years. ¹⁸⁰²

There is no information in the archives of the Norwegian adoption authorities to suggest that further investigations into the situation in the country were carried out, and Adopsjonsforum had its authorisation renewed until 2006. ¹⁸⁰³

18.5.6.3 *The Embassy in Colombo reports a risk of corruption in the adoption process*

In September 2006, Adopsjonsforum submitted an application to the Norwegian adoption authorities for a renewal of its placement licence in Sri Lanka. ¹⁸⁰⁴ On that occasion, Bufdir sent a request to the Norwegian Embassy in the country for information on political or other circumstances that might be relevant to the assessment of the application. ¹⁸⁰⁵

In its reply, the embassy outlined the political and social situation in the country, which it believed had gradually deteriorated since 2002. The northern and eastern regions in particular were affected by increased military activity, and a deteriorating humanitarian situation had led to over 200,000 new internally displaced persons in the last eight months alone. They further stated that illegal adoptions of children without parents following the tsunami that struck the country in 2004 had been a problem. The Embassy stated that it was monitoring developments closely.

The Embassy also considered that corruption 'within large sections of Sri Lankan society' posed a threat to children's rights in the country, and that there was no reason to believe 'that the bodies involved in adoption, including the courts, are immune to corruption'. The Embassy stated that it always sought verification of documents submitted by adoptive parents. ¹⁸⁰⁶

Bufdir then asked the embassy to assess 'what impact it might have on relations between Norway and Sri Lanka' if the adoption cooperation were to be suspended, particularly in view of Norway's role in the peace process in the country. Bufdir considered that it would be difficult to justify a refusal on any grounds other than the problems associated with the widespread corruption reported by the embassy, and

¹⁸⁰⁰ AF's country representative, August 2004, 'Travel report: Sri Lanka 24 May–1 June 2004', AF's physical archive. ¹⁸⁰¹ From AF to Bufdir, 3 September 2004, 'Application for renewal of placement authorisation for Sri Lanka'. ¹⁸⁰² Bufdir, 17 December 2004, 'Working document – placement licences. Country: Sri Lanka'.

¹⁸⁰³ From Bufdir to AF, 12 January 2005, 'Application for renewal of placement licence for Sri Lanka'. ¹⁸⁰⁴ From AF to Bufdir, 29 September 2006, 'Application for renewal of placement licence for Sri Lanka'. ¹⁸⁰⁵ From Bufdir to the Norwegian Embassy in Colombo, 24 November 2006, Ref. No. 2006/28139.

¹⁸⁰⁶ From the Norwegian Embassy in Colombo to Bufdir, 21 December 2006, 'Information regarding the application for re-approval of the authorisation to arrange adoptions from Sri Lanka'.

believed this could be perceived as an expression of a general lack of trust on the part of Norway towards the country's central authorities.¹⁸⁰⁷

The Embassy gave no specific response to this, but reiterated the risks it perceived – that corruption is widespread, that the independence of the courts can generally be called into question in many cases, whilst there are a number of examples where the judicial system functions satisfactorily – and proposed a number of measures that could tighten up procedures for adoptions from Sri Lanka. Among other things, they pointed out that, in connection with birth certificates from certain countries, the Norwegian Tax Administration required DNA tests to be carried out to ensure that alleged family relationships were genuine. Sri Lanka was one of the few countries where this scheme was introduced from 2007 onwards. The Embassy further considered that the applicants' legal representative should be chosen with care. They also emphasised that although the costs of adoptions appeared modest, this did not necessarily mean that adoption processes from that country were safer.¹⁸⁰⁸ This contrasted with Bufdir's assessment that, relatively speaking, low costs entailed a lower risk of corruption in the process.

Bufdir granted Adopsjonsforum a renewed placement licence valid for a further two years.¹⁸⁰⁹

18.5.6.4 Error in birth certificate; Adopsjonsforum ordered to use a different lawyer

In the 2000s, the Norwegian adoption authorities were informed by the embassy in Colombo that, in connection with the issue of an emergency passport to an adopted child, they had raised questions regarding the validity of the child's birth certificate. This appeared irregular as it contained corrections and crossings-out. The embassy also reacted to the fact that one of the adoptive parents had attempted to pay the local embassy staff member 200 LKR 'extra', apparently to secure expedited processing.¹⁸¹⁰

The embassy first carried out its own investigations and contacted the registrar who had issued the birth certificate. It then became clear that the child's birth certificate had the wrong registration number: this number belonged to another child. A birth certificate with a different registration number, but with the same other details as on the incorrect birth certificate – with the exception that the date of birth differed by one day – was located and printed out for the embassy. However, the embassy retained the first, incorrect birth certificate, as they were concerned that a birth certificate with so many crossings-out had been accepted as part of an adoption process. The embassy believed that the fact that the birth certificate had been accepted by Adopsjonsforum's lawyer and by the court in Colombo could indicate corruption.

On the basis of the new birth certificate, the embassy issued an emergency passport to the child. However, the case was still regarded as problematic, and the embassy believed there were doubts regarding the child's identity. They also sent the birth certificate to Kripas for examination, which likewise concluded that the birth certificate had been altered.

Following discussions between the embassy and the Norwegian adoption authorities, Bufdir decided to engage a local law firm to investigate the case further. Enquiries were made with the Registrar General's Department in Sri Lanka, the District Registrar and the Registrar of Births at the hospital where the child was born. The lawyers also visited the children's home where the mother and child had been staying before and after the birth. The law firm also concluded that the birth certificate cited in the adoption case contained errors. The explanation provided by the registrar who had issued the certificate was that staff at the maternity

¹⁸⁰⁷ From Bufdir to the Norwegian Embassy in Colombo, 10 July 2007, 'Assessment of the adoption cooperation between Norway and Sri Lanka'.

¹⁸⁰⁸ From the Norwegian Embassy in Colombo to Bufdir, 12 October 2007, 'Assessment of the adoption cooperation between Norway and Sri Lanka'.

¹⁸⁰⁹ From Bufdir to AF, 28 February 2008, 'Re-approval of authorisation for adoption mediation from Sri Lanka'.

¹⁸¹⁰ References to the case documents have been omitted here to protect the child's privacy.

The registration office at the hospital where the child was born had forgotten to change the registration number when they decided to reuse/overwrite a certificate that had not been collected. The date of birth had also been changed by one day. The law firm considered that ‘the identity of the child can be ascertained accurately only by carrying out a DNA test’.

Adoption Forum and the lawyer representing the adoptive parents, on the other hand, maintained throughout that the first birth certificate – which the registrar in Sri Lanka confirmed was incorrect – was the correct one, and pointed out that this had been accepted by the court and by the DPCCS.

Bufdir informed the embassy that it had decided ‘not to pursue’ the issue of whether ‘the named biological mother is in fact the child’s biological mother’, ‘as the adoption process itself must in any case be regarded as final, all circumstances taken into account’.

The case led to a more thorough assessment of Adopsjonsforum’s next application for placement. It then became clear to the Norwegian adoption authorities that the lawyer whom Adopsjonsforum’s applicants were advised to use was also working on behalf of the various children’s homes with which Adopsjonsforum collaborated. Bufdir considered this to be an unfortunate conflict of interest and asked Adopsjonsforum to terminate its collaboration with this lawyer: ‘We ask AF to ensure that applicants receive assistance from an independent lawyer who has no other assignments for the children’s homes’.

However, the lawyer had been handling cases for Adoption Forum since 1984, whilst also being affiliated with the various children’s homes; yet, as far as the committee can ascertain, an investigation into whether any errors or irregularities had occurred in previous cases was not carried out by the Norwegian adoption authorities. This was despite the fact that the embassy made it clear to the Norwegian adoption authorities that *this* birth certificate had been flagged due to the obvious alterations and crossings-out. They could not guarantee that any less obvious irregularities in *previous* cases had been detected.

18.5.6.5 *Aid linked to adoptions*

In 2008, the then chair of Adopsjonsforum’s board undertook a trip to Sri Lanka. The conclusion from the trip was that Adopsjonsforum, which at that time received between two and three placements annually from Sri Lanka, could ‘stabilise’ the number of placements to Adopsjonsforum by providing aid to the children’s homes from which they received children:

As mentioned, the children’s homes in Sri Lanka are going through a very difficult period with regard to donations of money and goods. [...] The children’s homes are struggling to make ends meet. This is a key factor in stabilising the number of children coming to Norway. At the meetings with the heads of the children’s homes, I gained the clear impression that assistance from us could enable us to receive more children, or at least maintain the figure at 5–6 children per year. Given AF’s current situation, this would be a welcome number. [...] USD 300 per month to each of the three [children’s homes] would make a huge difference.¹⁸¹¹

It was decided to apply to Adopsjonsforum’s aid fund, Bistand for Barn,¹⁸¹² to set up a project to help the children’s homes and provide an initial donation. In addition, they were to work on finding donors in Norway.

¹⁸¹¹ AF’s archives, 13 November 2008, ‘Minutes from meetings in Sri Lanka, October 2008’.

¹⁸¹² ‘Aid for Children’ was established in 2008. All new applicants to AF were required to make a contribution to this fund. This became voluntary from 2014. The decision-making body for the aid work was the Aid Committee, which was appointed by AF’s national board. The guidelines for the aid fund state that ‘projects are primarily relevant in countries with which Adopsjonsforum cooperates or intends to initiate cooperation’, and that ‘aid projects must be reassessed if adoption mediation ceases in the country in question’. It also states that ‘it is assumed that there is no direct link between aid projects and the adoption placement of individual children’. *Guidelines and mandate for ‘Aid for Children’*, adopted by the AF National Executive Committee on 1 December 2007.

The project received 75,000 kroner in start-up funding from Aid for Children in 2009, and the aim was thereafter to raise 25,000 kroner annually for each of the three children's homes (Good Shepherd, The Haven and Prem Nivasa).

Between 2008 and 2012, Adopsjonsforum received five or six grants each year.

A draft update to donors about the project from 2010 states the following:

A new transfer of funds to the three children's homes we work with was made in December. These funds are greatly appreciated and used for the children's benefit. The children's homes have a separate ward for children with various types of disabilities. Some of these children are now being given the opportunity to receive physiotherapy, which can improve their condition and enhance their ability to cope better in everyday life. (And some may even be made available for adoption.) As the project is not to be directly linked to adoption, we should not mention this.

In 2011, the Managing Director of Adopsjonsforum travelled to Sri Lanka and raised the issue with the DPCCS that 'we make contributions to children's homes in connection with adoptions'. The report from the trip states the following:

Formally, the DPCCS does not want payments to be made to children's homes, and they will not issue guidelines on this. At the same time, they recognise that children's homes need money to ensure their operation. Currently, we provide approximately US\$750 per adoption to cover the mother and child's stay at the children's home – 75,000 Sri Lankan rupees. Others pay roughly the same amount, and this should not be changed for the time being. We emphasised that there must be full transparency regarding what we pay and how, and that the authorities in both Norway and Sri Lanka must have full insight into this. We made it clear that *no* payments or monetary gifts should be demanded from families on adoption trips. All payments must be made by our representative and form part of our accounts. Voluntary contributions following adoption should be channelled via AF / Bistand for Barn to the project supporting the children's homes.¹⁸¹³

Later in 2011, the head of the aid project and the then chair of Adopsjonsforum's board also travelled to Sri Lanka to renew the contracts with the children's homes. According to the travel report, the contracts were amended so that the aid project no longer guaranteed a specific sum to each of the children's homes (25,000 NOK annually), but rather that 'we would send the amount we manage to raise over a six-month period'. Prem Nivasa did not wish to sign a new contract with the project, as 'they had received plenty of money and were no longer dependent on our contribution'.¹⁸¹⁴

The then chair of the board (2008–2014) has informed the committee that the project was wound up in 2022, and that during the first few years regular transfers were made to the children's homes. As the years went by, several donors withdrew their support, and consequently fewer of the funds raised were transferred.

When asked about the aid projects by the then chairperson, the person in question told the committee:

We raised money from people who had previously adopted children, family members and the like, and sent a sum to Sri Lanka, to the three children's homes we were working with. But there was no link between this and them providing children in return.¹⁸¹⁵

The committee has requested the contracts referred to by the former chairperson/project manager, but has not received them.

The then managing director of Adopsjonsforum stated in an interview with the committee that he was unaware of the terms of the contracts, and that this was normal for this type of parent-run aid project. This was despite the fact that the project received funding from Bistand for Barn, that this was stated in Adopsjonsforum's placement applications, and that the funds went to Adopsjonsforum's partner organisations.

¹⁸¹³ AF travel report to the National Executive Committee and the AF Secretariat, 'Report on the trip to Sri Lanka, 21–25 August 2011'. ¹⁸¹⁴ 'Status update on SRI 01 following the project trip in October/November 2011', AF's digital archive: Aid.

¹⁸¹⁵ Interview with AF's former chair, 16 September 2025.

18.5.6.6 Police investigation into Prem Nivasa in 2011, termination of the country

partnership In November 2011, there was widespread media coverage after Sri Lanka's *National Child Protection Agency* and *Criminal Investigation Department* carried out a raid at Prem Nivasa following tips about the possible sale or illegal trafficking of children. The BBC reported that 'The authorities say there are suspicions that the sisters harboured girls who had become pregnant aged under 16 [...] and also that money may have changed hands corruptly in connection with the adoption of babies'.¹⁸¹⁶ An American couple were found on the premises with money allegedly intended for donations and/or payments to local parties.¹⁸¹⁷ Prem Nivasa denied the allegations and explained that the money found might have been intended for lawyers' fees and court costs, not a 'purchase'.¹⁸¹⁸

The nun in charge of the home was arrested and detained in connection with the investigation. In December 2011, the CID (Criminal Investigation Department) informed the court that they had found no evidence of illegal activity at Prem Nivasa, and the arrested nun was released without charge in this case.¹⁸¹⁹

In December 2011, the DPCCS sent a letter addressed to all central authorities and intermediary organisations with which they collaborated, informing them that the Sri Lankan Criminal Investigation Department had found no irregularities relating to international adoptions from Prem Nivasa. At the same time, they requested a list of all children adopted from Sri Lanka between 2001 and 2011, including the children's names and dates of birth, the names and addresses of the prospective adoptive parents, the court case number, the court and the date of the court decision, as well as a brief account of the child's current situation.¹⁸²⁰ Adopsjonsforum replied to this letter in January 2012.¹⁸²¹

According to the Swedish investigation report, Sri Lanka imposed a moratorium on new applicants in early 2012 in order to investigate the children's homes where the authorities suspected irregularities were taking place and to review the process for international adoptions.¹⁸²² As described (18.4.5), a 'Placement Committee' was also established within the DPCCS to monitor international adoptions, and a quota of a maximum of 100 international adoptions per year was introduced.

The Committee has found no information to suggest that the Norwegian adoption authorities were made aware of the matter, either by the DPCCS or by Adopsjonsforum, apart from the fact that a case officer at Bufdir stamped the overview that Adopsjonsforum sent to the DPCCS in January 2012. In Adopsjonsforum's application for authorisation to act as an adoption agency dated November 2012, they stated that there had been 'a suspension of adoption placements from Sri Lanka in 2012'.¹⁸²³ Bufdir then asked Adopsjonsforum to explain the reason for the suspension.¹⁸²⁴ Adopsjonsforum replied as follows:

To the best of our knowledge, only three international adoptions of children with special care needs were completed in 2012. A key reason for the low number of adoptions in 2012 is that a new Commissioner for the DPCCS, Mrs Perera, was appointed at the start of the year. She took up her post

¹⁸¹⁶ BBC, 29 November 2011, 'Sri Lanka nun faces charges over mother and baby home'.

¹⁸¹⁷ *The Sunday Leader*, November 2011, 'A baby shop in Rawatawatte'.

¹⁸¹⁸ *The Sunday Leader*, 3 December 2011, 'Missionaries of Charity do not deal with money... For God provides'.

¹⁸¹⁹ *Sri Lanka Guardian*, 15 December 2011, 'Rev. Sr. Eliza Set Free Without Charges Today'.

¹⁸²⁰ From DPCCS to AF, 15 December 2011, 'Enquiries about the safety of Sri Lankan children placed for foreign adoption during the period 2001–2011'. The committee has only found this letter in AF's archives and not at Bufdir.

¹⁸²¹ From AF to DPCCS, 9 January 2012. The summary is also stamped by one of Bufdir's case officers, 4 January 2012.

¹⁸²² SOU 2012:61, vol. 2, p. 516.

¹⁸²³ From AF to Bufdir, 14 November 2012, 'Application for renewal of placement licence for Sri Lanka'.

¹⁸²⁴ Email from Bufdir to AF's managing director, 18 December 2012, 'Re: application for renewal of placement licence'.

working only a couple of times a week and therefore asked for some peace and quiet to familiarise himself with his new duties.¹⁸²⁵

The circumstances relating to Prem Nivasa and the suspension referred to in the Swedish investigation report were not mentioned. It is, however, clear that Adopsjonsforum was aware of the case concerning Prem Nivasa, as the committee has found clippings of several news articles on this in Adopsjonsforum's physical archives.

After 2011, there were no adoptions to Norway for three years, before the last two adoptions arranged for Norway were completed in 2015.

In Adopsjonsforum's application for a renewed placement licence from 2015, Adopsjonsforum pointed out that although Sri Lanka prioritises national care solutions, there are children with various physical health who might need a new family, but that these children are not placed with Norwegian applicants because 'the process in Norway takes too long in relation to the deadlines set by the DPCCS and the courts'. Adopsjonsforum wanted the Norwegian adoption authorities to enter into dialogue with the DPCCS on this matter.¹⁸²⁶ The Committee has found no information to suggest that this was followed up by the Norwegian adoption authorities.

In 2017, several news articles were published about illegal adoptions from Sri Lanka in the 1980s.¹⁸²⁷ Bufdir asked the embassy in Colombo to keep them informed should any information emerge regarding the case concerning adoptions to Norway. Adopsjonsforum also conducted its own investigations and asked its representative to make enquiries with the central authority in Sri Lanka. The central authority is reported to have explained to the representative that they had limited capacity to investigate old cases, but that, to date, they had no information to suggest that Norwegian cases were involved in the circumstances that had now come to light from the 1980s.¹⁸²⁸

In 2017, Adopsjonsforum terminated its cooperation with the country as it was receiving few placements, the placements were primarily going to applicants of Sri Lankan background, and Adopsjonsforum therefore no longer had any applicants in the country.¹⁸²⁹

18.5.7 Individual cases 1975–2015

18.5.7.1 *General information about the cases*

The Committee has reviewed a total of 58 individual cases from Sri Lanka for the period 1975–2015. The selection of individual cases has been strategic and flexible; see section 3.6. The Committee has examined:

- 8 cases processed in the 1970s
- 25 cases carried out in the 1980s
- 11 cases concluded in the 1990s
- 14 cases completed in the 2000s

This accounts for approximately 26 per cent of all adoptions arranged through organisations from Sri Lanka to Norway. However, the cases in question also include some independent adoptions. In general, all the cases are characterised by the fact that there is very little information available about the children's background and the reason for the adoption

¹⁸²⁵ Letter from AF to Bufdir, 11 January 2013, 'Application for a placement licence for Sri Lanka'.

¹⁸²⁶ AF to Bufdir, 30 October 2015, 'Application for a renewed placement licence for Sri Lanka'.

¹⁸²⁷ *NRK*, 26 September 2017, 'Sri Lankan authorities: Admit to illegal adoption of children to Europe'; *BBC*, 21 September 2017, 'Sri Lankan baby trade: Minister admits illegal adoption trade'.

¹⁸²⁸ Bufdir's archives, case no. 2015/56972-6 to -10.

¹⁸²⁹ Letter from AF to DPCCS, 15 December 2017.

the information contained in the documents that have been sent to Norway and which form the basis for the registration of the adoption.

The registration of an adoption in Norway is always based on:

- *Adoption Order (Form No. 4)*, issued by a Sri Lankan court. In some cases from the 1970s, there is no Adoption Order, but an *Adoption Certificate*.

The Adoption Order is a two-page document containing details of the adoptive applicants, the biological parents (where available) and the child's previous place of residence (usually a children's home), as well as a reference to the child's original birth certificate, where available. The order states that the adoption is to be entered in the adoption register and that the original birth certificate is to be marked 'adopted'.

In addition, the following may also be available:

- *Register of Births*. This is available in 23 of the cases and is a copy of a transcript of the child's birth registration prior to the adoption. It may contain information about the child's parents (name, place of birth, date of birth, age and ethnicity) and, in some cases, grandparents as well.
- *Consent to an adoption order (Form No. 2)*, which is the birth mother's written confirmation that she consents to the adoption and understands what it entails. This is present in 18 of the cases reviewed by the committee.

In some cases, the following is also available

- a copy of the child's Sri Lankan passport (issued after the adoption).
- a copy of the child's Norwegian passport (in cases from 1999 onwards, see 18.5.6).

The so-called Children's Archive (documents that the intermediaries have forwarded to Bufdir for archiving following registration) may also contain other documents, such as medical reports and a placement letter from the DPCCS. From the early 2000s onwards, there is usually a letter from the DPCCS providing brief, anonymised background information on the birth parents and the reason for the adoption. As far as the Committee has been informed, there is no Child Archive for adoptions from Sri Lanka prior to the late 1990s.

The lack of information in these cases contrasts sharply with what may be found in individual cases in certain other receiving countries, such as Switzerland. Unlike Norwegian practice, adoptions carried out in Sri Lanka were not recognised in Switzerland. Under Swiss regulations, the children could only be adopted after they had lived for two years with their prospective adoptive parents, who during this period were, legally speaking, foster parents. To apply for adoption in Switzerland, it was necessary, amongst other things, to provide documented consent from the birth parents, a statement and approval from the Sri Lankan authorities explaining the reason for the child's placement in Switzerland, a birth certificate or extract from the birth register (or passport where applicable), a medical report on the child, and a biography describing the child's life up to the time of application.¹⁸³⁰ In several cases, there are also reports from Sri Lanka describing the child's background and the living situation of the biological parents.¹⁸³¹

18.5.7.2 Consent

In 37 of the cases reviewed by the committee (approximately 63 per cent), the names of the birth parents (usually only the mother) can be found in the documents. The committee notes a discrepancy between cases where the birth parents are known

¹⁸³⁰ Berthet and Falk, 2022, *The Adoption of Children from Sri Lanka in the Canton of St Gallen 1973–2002*, pp. 14–15. The procedure involved the child being assigned a guardian in Switzerland (other than the foster parents); in addition, the family was to be visited at least once a year by a further person. The adoption was then granted on the basis of an assessment of whether the legal requirements had been met, whether the foster parents were suitable, and whether the adoption was in the child's *best interests* – in this regard, particular attention was paid to the child's care situation and their adjustment to the family.

¹⁸³¹ Berthet and Falk, 2022, p. 39.

parents and cases involving a consent document (only around 48 per cent of cases with known parents have a consent document). However, the committee cannot rule out the possibility that a consent document exists in Sri Lanka in cases where this is missing in Norway.

Furthermore, it is somewhat unclear to the committee what status the consent document has had, given that the birth mother, where she was known, was required to appear in court in person to confirm her consent. In several cases, the consent document was signed on the same day as the court decision. Adoption Forum's case officer for Sri Lanka was unable to explain at what stage of the process this document was produced, or why it was necessary (given that the mother was, after all, due to appear in court and give her consent there).

18.5.7.3 *The children's ages*

In the 1970s, the children in the cases reviewed by the committee were older than in later periods. Only one child was under 3 months old; most were closer to 1 year old, and some were over 2 years old.

In the 1980s, this changed. With the exception of six cases where the children were between 5 months and 5 years old at the time of adoption, the children in the remaining 19 cases examined were between 3 and 17 weeks old at the time of adoption.

The same pattern applies in the 1990s. With the exception of three independent adoptions where the children were older, the children in the remaining cases were between 6 and 23 weeks old at the time of adoption.

In the 2000s, the youngest child was 16 weeks old at the time of adoption in the cases examined, which is likely linked to the introduction of the consent deadline (see section 18.4.5)

As described, the principle of subsidiarity was enshrined in law in 1992. The short period of time that in some cases elapsed between birth and adoption in the 1990s raises questions about what efforts were made to find suitable long-term care solutions in Sri Lanka. The Committee is not in a position to assess the extent to which such solutions were feasible during this period.

18.5.7.4 *The role of the lawyer*

The Committee notes that in the majority of cases from the 1980s and 1990s, it was the applicants' lawyer ('Mr P', see section 18.5.3.4) who undertook the following:

- a. Witnessed the mother's consent. The consent document is written in English, whilst the mother's signature is usually written in a local written language.
- b. A translated copy of the extract from the Register of Births and a certified translation ('I do hereby certify that this is the true translation of the Register of Birth') of that same extract. In most cases, the original Sri Lankan version is *not* included in the file.
- c. A copy of the Adoption Order was drawn up, which was subsequently stamped by the Registrar at the court. In some cases, it is also stamped 'True Copy' by the lawyer themselves, in addition to bearing the signature of the Registrar at the court. In several cases, the judge's signature also appears to have been written on these copies by the lawyer, and then certified by the Registrar. The Committee has been unable to ascertain whether a Sinhalese version of the adoption order also exists, and whether the version contained in the case files in Norway is therefore a translation rather than a copy.

The Committee has found no information or other documentation indicating that the Norwegian adoption authorities raised any questions with Adopsjonsforum regarding practices relating to the translation or copying of court decisions.

The Committee has noted that in a case handled by this lawyer, the mother's date of birth contains obvious errors (she is stated as having been born in the same year as her own child) in the English translation of the birth certificate, which was drafted and certified by the lawyer. This does not appear to be an attempt to conceal the mother's actual date of birth, but highlights the vulnerability of the system, in which one and the same person was responsible for issuing and certifying copies of key documents. The Committee also finds it striking that, in some later cases, there is information from the DPCCS stating that the mother is said to have consented to the adoption,

whilst the consent document itself is signed by one of the nuns at the maternity home (listed as ‘guardian’), or that the consent document is not available at all.

As far as the Committee understands, the Norwegian adoption authorities have not had a real opportunity to uncover such inconsistencies, as the letters from the DPCCS were sent to Adopsjonsforum and only forwarded to Bufdir after the adoption had been registered.

See also 18.6.5 for an assessment of the role of lawyers and 18.6.8 for an assessment of the possibility of obtaining information about biological origins.

18.6 Summary of findings and the Committee’s assessments

18.6.1 The system for ‘private’ adoptions

As described (18.5.3.1), Adopsjonsforum developed a system for what they termed ‘private’ adoptions around 1979/1980. As mentioned, the Committee has not been able to ascertain how many adoptions took place through such private channels or how long this system was in use, but the marked increase in adoptions from 1979 to 1980 may provide an indication.

As described (18.5.3.1), it appears that Adopsjonsforum’s applicants covered the pregnant women’s expenses for food, accommodation, medical appointments, training, clothing, etc., for several months, in return for being allowed to adopt the mother’s child. The Committee has not found any information on how contact with the pregnant women was established, but it appears that Adopsjonsforum’s foreign contact in the country was involved. The Committee has not found any information to suggest that Adopsjonsforum informed the Norwegian adoption authorities about adoptions arranged in this way.

The Committee considers that the system of adoptions through private channels was open to criticism. The procedure appears to differ little from the heavily criticised adoptions that took place in Sri Lanka during that period, where ‘agents’ acting on behalf of foreign adoptive parents travelled around seeking out poor and vulnerable mothers and families to persuade them to give their children up for adoption in return for payment. It is positive that Adoption Forum had a clear policy of not paying the mother in cash. On the other hand, these were pregnant women in a vulnerable situation who were provided with board, lodging and expenses on the condition that the mother would give her child up for adoption. There is a clear risk that the mother’s consent was influenced by this.

There is also the question of how much control Adopsjonsforum had over what the money was spent on. As described (18.5.3.1), Adopsjonsforum’s overseas contact had a sum transferred to his account, which he was free to use to cover the pregnant women’s day-to-day expenses, and he subsequently sent a statement of accounts to Adopsjonsforum in Norway. The Committee considers that there was enough money in circulation to pose a risk of improper practices (such as cash payments to the women, payments to social workers to establish contact with the women, or payments to intermediaries), and that Adopsjonsforum’s control over how the money was used appears to have been inadequate.

Although these adoptions also had to be submitted to the DPCCS and processed by the Sri Lankan courts, the procedure at that time was that the DPCCS itself was responsible for making the placements, a fact of which Adopsjonsforum was aware. The fact that the DPCCS was, at that time, so overwhelmed with applications from private applicants that it was unable to allocate children itself was not a sufficient reason to circumvent the rules.

Furthermore, it is particularly reprehensible that Adopsjonsforum failed to inform the Norwegian adoption authorities about this system for adoptions. Adopsjonsforum had given the clear impression that the DPCCS was responsible for matching and allocation, and should have disclosed the change.¹⁸³²

18.6.1.1 *Still few independent adoptions to Norway*

As described (see section 3.5), there are challenges in calculating the exact number of adoptions to Norway arranged outside of organisations. Nevertheless, it seems clear that Norwegian adoption authorities, compared with other countries such as Sweden, have been restrictive in permitting this (see Chapter 28). The Committee has found scattered references to adoptions from Sri Lanka arranged outside the organisation throughout the entire period of placement, but the number does not appear to be high.

Even when the Norwegian authorities have, in exceptional cases, permitted such adoptions, it appears that they have been aware of the risks involved. For example, the Committee has examined a single case from the early 1980s in which a couple wished to adopt outside an agency. The Norwegian adoption authorities were able to permit this as the applicants were of Sri Lankan origin, but they required detailed information about the contacts the applicants had in Sri Lanka and how the adoption was to be carried out; furthermore, if the adoption concerned a specific child, the applicants had to provide thorough information about the child and the reason for the adoption.

Given that prior consents (since 1980) have normally been granted on the condition that applicants use an approved adoption agency, people in Norway wishing to adopt a child from Sri Lanka have had far fewer opportunities to travel there and use well-paid intermediaries who found children through more or less dubious channels than is the case in other countries.

The Committee regards this general aspect of Norwegian adoption regulations as highly positive, and in the case of Sri Lanka, it has probably played a significant role in preventing a number of illegal and unethical practices described in investigations from other receiving countries.

18.6.2 Adoption Forum assisted applicants whose prior consent had been refused

Section 18.5.4.1 described how, in the 1980s, Adopsjonsforum assisted a couple without valid prior consent after they had been refused by the Norwegian adoption authorities. Adoption Forum advised the couple on how to proceed with a domestic adoption in Sri Lanka and drew up an agreement regarding a specific child with one of its partner organisations. Both Adoption Forum and the director of the local Good Shepherd children's home were aware of the refusal, but apparently saw no problem in helping the couple to adopt the child nonetheless.

The Committee has referred the matter to Adoption Forum's case officer for Sri Lanka at that time. The case officer did not recall the specific case, but considered it important that the applicant couple, as members of Adoption Forum, received advice and guidance on Sri Lanka's adoption laws and regulations so that the adoption could be carried out in a responsible manner. The case officer did not regard this as a circumvention of the law as long as Adoption Forum was not directly involved.¹⁸³³

Until the legislative amendment in 2010, adoptions carried out in the country of origin where the adoptive applicant(s) were nationals were automatically recognised in Norway, even if they were resident in Norway and no prior authorisation had been granted.¹⁸³⁴ The Committee nevertheless considers that Adopsjonsforum should not have provided such assistance to applicants whose applications for prior consent had been refused, and that its conduct in this regard was open to criticism. Prior consent is a tool for safeguarding the best interests of the child. A refusal implies that the authorities me-

¹⁸³² This was not mentioned in the application of 19 May 1979, nor in the application of 26 October 1984, nor was any information provided on this matter during the RIA's inspection visit in 1980.

¹⁸³³ Interview with the committee, 8 October 2025.

¹⁸³⁴ This followed from section 19(1) of the Adoption Act 1986, until the provision was amended by Act No. 18 of 4 June 2010.

where the applicants do not meet the requirements for stability, care capacity and suitability to provide a child with proper care. When an adoption agency nevertheless actively contributes to facilitating an adoption, it chooses to disregard a Norwegian administrative decision and accepts the risk that the adoption primarily serves the adults' desire for a child, rather than what is in the child's best interests.

18.6.3 Donations in connection with adoptions

18.6.3.1 *Donations to partner children's homes*

As described (see section 18.5.3.5), Adopsjonsforum made small donations to its partners in Sri Lanka in the early 1980s. However, it was not until the Norwegian adoption authorities, following their visit to the country in 1985, suggested that Adopsjonsforum should make donations of around 400 USD per adoption to the children's homes from which they received placements, that Adopsjonsforum began making regular donations to the children's homes (see section 18.5.3.6). As described, this led to an increase in the number of placements from these institutions to Adopsjonsforum.

The donations were intended to cover the actual expenses incurred by the institutions in connection with the mothers' and children's stay. Furthermore, the proposal was put forward at a time when the regulations governing financial arrangements in adoption work were relatively underdeveloped, both nationally in Norway and internationally. Nevertheless, the Committee considers it reprehensible that the Norwegian adoption authorities proposed this scheme.

Donations directly linked to adoptions could entail a risk that they would be taken into account in the allocation of children and in the running of private children's homes, which ran counter to the primary consideration in adoptions – the best interests of the child. This could, for example, have resulted in increased pressure on mothers in vulnerable situations to give up their children, and a challenge to the principle of subsidiarity in that Norwegian families were prioritised over domestic adoption and other suitable long-term care arrangements for the child in Sri Lanka.

Donations may also carry the risk that applicants from some recipient countries are prioritised over applicants from other recipient countries, regardless of which applicants would be the best parents for each individual child. Given that the donations were made to institutions which also ran maternity homes for pregnant women in vulnerable situations, this could create a risk of pressure that undermined the requirements for informed consent. Nor did the situation provide the institutions with incentives to prioritise counselling and support for the mothers to enable them to keep their children.

The Committee has asked a former employee of Adopsjonsforum, who worked on adoptions from Sri Lanka, what happened if pregnant women staying at the maternity homes chose to keep their child. The person in question stated that this had no consequences for the women, that several actually chose to keep their child, and that some also continued to live at the institution with their child for a period of time. The Committee has found references in the correspondence between the Adoption Forum and the institutions to mothers occasionally changing their minds regarding adoption, even after the institution had informed the Norwegian applicants of the allocation.¹⁸³⁵

The fact that mothers did in fact change their minds appears to be a sign that, at least in some cases, they had a genuine opportunity to reconsider their decision.

Adoption Forum's expenses in connection with the adoptions were relatively modest compared with what adoptive applicants from other countries might have paid in Sri Lanka during the same period. The financial incentives in the adoption cooperation with Sri Lanka also appear to have been less central than, for example, in Adoption Forum's donations to private children's homes in Colombia.

¹⁸³⁵ For example, a letter from AF to Good Shepherd, 28 September 1989: 'The [NNs – the applicant couple] are taking it hard, losing [NN1 – the child], but are happy for the baby's sake that the mother is willing to take the baby'.

The Committee nevertheless considers that the scheme entailed a risk of undue pressure being exerted on the mothers, and that decisions on placement could be made without the child's best interests being the primary consideration.

As described (see section 18.4.5), from 1992 onwards, it was prohibited in Sri Lanka to pay or in any way reward a party in connection with adoptions. The Committee has found no information to suggest that Adopsjonsforum or the Norwegian adoption authorities carried out a legal assessment of the donations in connection with the legislative amendment in 1992. The Committee believes this should have been done.

The Committee has found information indicating that Adopsjonsforum informed the DPCCS of the donations in 2011, and that the DPCCS then expressed a certain degree of acceptance of them (see section 18.5.6.5). The Committee has been unable to ascertain whether the donations were reported to the Sri Lankan authorities at an earlier date.

18.6.3.2 *Donations to DPCCS*

As described, Adopsjonsforum also sent monetary gifts and donations directly to DPCCS. The Committee has found information indicating that this took place in the late 1980s and early 1990s (see section 18.5.4), and also from the late 1990s (see section 18.5.6.1). It was not until 2004 that Adopsjonsforum informed the Norwegian adoption authorities that it made a donation of 500 USD to DPCCS per adoption (see section 18.5.6.1). In subsequent placement applications, the amount is described as a 'fee'.

As described, the Committee has found evidence that, in some cases, the money transfers were linked to a desire for placements to be awarded to Norwegian applicants (see section 18.5.4). In other cases, it seems likely that they were provided as a reward following the allocation of children to Norwegian applicants (see section 18.5.6.1).

The Committee considers that there was a clear risk that the monetary gifts could provide incentives to prioritise, or approve, placements for Norwegian applicants. Such a practice is reprehensible and entails several risks.

Adoption mediation must be free from any form of undue influence or financial interest.¹⁸³⁶ When a mediator sends money to a central authority, this may create a relationship of dependency between the parties. Even if the transfer is termed a 'contribution', it may give the impression of payment for services that are supposed to be carried out impartially and in accordance with official procedures. This may undermine confidence that decisions are made in the best interests of the child, rather than on the basis of financial considerations.

Adoption services must be organised in such a way that financial contributions do not influence decisions regarding the release, placement or prioritisation of children.¹⁸³⁷ Even modest financial transactions to a central authority may be perceived as a reward or incentive to approve applications, place children or expedite processes. In countries with weak control mechanisms or a high risk of corruption, such payments may contribute to systemic corruption and lead to children being placed without proper case processing or the genuine consent of their parents.

If some intermediaries pay money to authorities in the country of origin, whilst others do not, this gives rise to inconsistent practices and competition for favour. This may result in children not being placed on the basis of need or the child's best interests, but on the basis of which intermediary pays the most or has the closest ties to local authorities.

The Committee notes that, in one case, the DPCCS requested that the monetary gift be sent in cash rather than by cheque (footnote 138).

All financial transactions in adoption processes must be transparent, documented and verifiable.¹⁸³⁸ When money is transferred directly from an intermediary to a foreign central authority, it is

¹⁸³⁶ The Hague Convention, Articles 8 and 32(1), and the UN Convention on the Rights of the Child, Article 21(d).

¹⁸³⁷ The Hague Convention, Articles 7 and 32(2).

¹⁸³⁸ The Hague Convention, Articles 6 and 33.

often unclear how the funds are used, and whether they actually cover legitimate administrative costs. A lack of transparency increases the risk that funds are used for personal or other purposes that do not benefit the children, and to influence the decisions of local officials in adoption cases.

The Committee is also critical of the fact that no questions were put to Adopsjonsforum and no further investigations were carried out by the Norwegian adoption authorities when they reported the transfers in 2004.

18.6.4 Confusion between aid and adoptions

The Committee has found evidence that, in 2008, the chair of Adopsjonsforum's board initiated an aid project whose explicit aim was to increase the number of adoptions from that country to Norwegian applicants (see section 18.5.6.5). In the following year, the three collaborating institutions each received NOK 25,000 annually, which appears to have resulted in precisely the increase in adoptions to Norway that the chair of Adopsjonsforum had hoped to achieve.

The Committee has also seen documents showing that the chair was aware at the time that development aid should be kept separate from adoptions, but that both he and Adopsjonsforum chose to disregard this. In addition, support of NOK 75,000 was provided to the project from Adopsjonsforum's development aid fund in the first year.

It is the Committee's assessment that the intention and structure of this aid project were open to criticism. The Hague Convention's guiding principles¹⁸³⁹ expressly warn against linking aid projects to placement volumes. An aid project aimed at increasing the number of placements prioritises the intermediary's needs over the child's interests.¹⁸⁴⁰ Adoption must always be based on the child's individual need for a permanent family, and should only be considered when equivalent solutions in the child's country of origin are not possible.

When an agency provides financial support to institutions that also place children, a relationship of financial dependency may arise. The institution may feel obliged to prioritise this agency in placements, or, in the worst case, increase the number of children released from care in order to maintain the support (see section 5.4).

Furthermore, the committee considers it reprehensible that Adopsjonsforum's administration was unaware of the terms of the contracts in aid projects that adoptive parents entered into with overseas partners from whom Adopsjonsforum received allocations.

Admittedly, the project manager in this case was Adopsjonsforum's chair of the board, and had an independent responsibility to inform the administration and the board about the project. Nevertheless, it appears to be a weakness in Adopsjonsforum's systems during this period that such contracts were not routinely presented to those responsible for the country in question within the administration.

Adoption Forum informed the Norwegian adoption authorities that support was being provided to 'three of the children's homes' in an application for placement on 2 September 2009, although the Committee has found no evidence that the Norwegian adoption authorities requested further information on this matter.¹⁸⁴¹ The Committee considers that this should have been done (see also section 25.9.5).

¹⁸³⁹ Guide to Good Practice No. 2, paragraph 304.

¹⁸⁴⁰ Convention on the Rights of the Child, Article 21(b): Adoption shall take place only after the competent authorities have determined that it is in the best interests of the child, and shall not be carried out to serve other interests.

¹⁸⁴¹ On 11 January 2010, the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) sent a request for further information in connection with the application, but this concerned other matters.

18.6.5 The role of the lawyers

As described (18.4 and 18.5.7), local lawyers played a key role in the adoption processes in Sri Lanka. They assisted the applicants in presenting their case to the court, obtained birth certificates for the children and certified the mother's declaration of consent, ensured that the adoption decision was registered with *the Registrar General*, and at times also translated key documents into English.

18.6.5.1 *Adoption Forum's lawyer in the 1970s*

Several adoption trip reports from the 1970s expressed concern about the lawyer with whom Adopsjonsforum collaborated in Sri Lanka, including allegations of demands for extra payments without receipts. Another report from the same period criticised the fact that the lawyer and Adopsjonsforum's overseas contact assisted in private or independent adoptions (18.5.1). As described (18.5.1), the committee has also found information indicating that Adopsjonsforum's first lawyer ran a hotel specifically aimed at adoptive parents on adoption trips, and that Adopsjonsforum's foreign contact (1976–1991) eventually took up a position at this hotel. In addition, an adoptee who has raised concerns about their adoption (dating from the early 1980s) has stated that the adoptive parents had to pay money to the lawyer at the back of the courtroom before the court hearing took place.

The Committee considers that these circumstances indicate that there was a risk that extraneous considerations influenced the work of the lawyer and the international liaison officer in relation to the adoptions from Sri Lanka during this period.

18.6.5.2 *Adoption Forum's lawyer from around 1984.*

Throughout the 1980s, Adopsjonsforum, as described (18.5.3.5 and 18.5.6.4), largely used a single lawyer, 'Mr P.', who also had links to the religious institutions. This lawyer is mentioned in Swiss investigation reports, where he is described as having handled a large number of adoption cases for Australian, German, British, Belgian, Italian and Swiss couples.¹⁸⁴² The researchers also found cases he had handled with deficiencies in the documentation, such as a lack of consent from the mother.¹⁸⁴³ The later Swiss report, which analyses 85 individual cases, includes 8 cases handled by this lawyer. In two of these cases, the researchers found errors in the documents.¹⁸⁴⁴ The researchers draw no conclusions as to what such errors might imply, other than that they indicate a negligent working method.¹⁸⁴⁵

The same lawyer is also highlighted in some of the background material for the Swedish investigation report: in news articles from the 1990s, he is described as having helped 'numerous' Swedish adoptive parents. He is also linked to the operation of a 'baby farm' in Wattala.¹⁸⁴⁶

As described, in the 2000s, Bufdir asked Adopsjonsforum to terminate its collaboration with the aforementioned lawyer in the wake of the case involving errors in birth certificates (18.5.6.4).

¹⁸⁴² Bitter, Bangerter & Ramsauer, 2020, *The Adoption of Children from Sri Lanka in Switzerland 1973–1997*. ZHAW, p. 113.

¹⁸⁴³ Bitter, Bangerter & Ramsauer, 2020, *The Adoption of Children from Sri Lanka in Switzerland 1973–1997*. ZHAW, p. 117.

¹⁸⁴⁴ In one case, the lawyer stated in their certified translation that the mother had signed the child's birth certificate (Register of Births) with a thumbprint, whilst the original version contained an 'X' as a signature. In the other case, the lawyer stated that the consent document and the child's birth certificate were both signed by the biological mother, but when the researchers examined the signatures in the original documents, these were by no means identical. In reality, someone had written 'the signature is unclear' in Sinhalese in the field for the mother's signature on the birth certificate.

¹⁸⁴⁵ Berthet and Falk, 2022, *The Adoption of Children from Sri Lanka in the Canton of St Gallen 1973–2002*, pp. 32–33.

¹⁸⁴⁶ *Sydasien*, no. 2, 1992. This is a Swedish journal established in 1977, which focuses on cultural and political events in South Asia.

The Committee's review of individual cases (18.5.7) reveals that the lawyer handled a significant proportion of the adoptions from Sri Lanka to Norway during the 1980s–2000s. As described, the Committee has noted various aspects of these cases.

The Committee has also spoken to an adoptee whose case was handled by this lawyer. As described (18.3.1), the adoptee's birth mother stated that she did not understand what the consent document, on which she placed her fingerprint, was. The adoptee also explained that the documents sent to Norway contained incorrect details regarding the mother's date of birth and address, which made tracing her origins extremely difficult.

The Committee is also aware that, in connection with a specific adoption in the 1990s, the lawyer offered the prospective adoptive parents the opportunity to speed up the process by several weeks if they paid him a certain sum.

As described (18.5.6.3), it was the assessment of both Adopsjonsforum and the Norwegian adoption authorities that the lawyer's relatively modest fee, compared with other known operators at the time, reduced the risk of errors and irregularities in connection with the adoptions. However, both the Sri Lankan Embassy in Sweden and the Norwegian Embassy in Colombo pointed out on various occasions that low fees did not provide any guarantees of legal certainty. According to Sri Lanka's ambassador, the opposite might well be the case: low payment could lead to inadequate handling of the case. Whilst the risk of intermediaries being paid to procure children for adoption through dubious channels may have been minimised, the risk of the parties taking shortcuts in the process or of other irregularities was not minimised. The lawyer's 'business model' appears to have been based on low fees but a high number of adoptions, and the committee has identified errors and omissions in several documents which may indicate that the cases were not handled properly.

The committee believes that the lawyer's involvement in several stages of the same adoption process created a risk of errors. When the same lawyer had links to the children's homes from which the children came, represented the prospective adoptive parents in court, and was also responsible for obtaining written consent from the birth mother ¹⁸⁴⁷, this constituted a conflict of interest that could lead to inadequate handling of the cases.

When the same lawyer drafted, translated and obtained legal documents on behalf of several parties involved, this also resulted in less independent scrutiny. This increased the risk that errors, distortions or deliberate manipulation of information regarding the child's background or the mother's consent would go undetected.

Overall, the committee considers that there is a risk of errors in the adoptions handled by this lawyer. The committee has no basis for commenting on the severity of any errors that may exist beyond those already identified. The committee is unable to assess whether the errors stemmed from negligence or were intended to conceal information. Nor can we determine the source of the incorrect information. In the case where the lawyer's copy of the child's birth certificate contained an error in the mother's date of birth, it cannot be ruled out that the cause lies in an error in the original registration. Regardless of the cause, such errors may result in the adoptee losing access to their own history, with consequences for identity development, a sense of belonging and the possibility of reunification with their birth family. See also 18.6.7.2 for an assessment of the Norwegian authorities' supervisory activities in relation to the lawyer's work.

¹⁸⁴⁷ However, the mother was also required to give her consent in court, and subsequently also during an interview with the DPCCS. Formally, it was the court's responsibility to ensure free and informed consent. As described, the court's consideration of the adoption case took 10–15 minutes. The Committee has been granted access to the Sri Lankan court documents relating to one adoption case from the 2000s. These show that the birth mother gave evidence in court regarding her family situation, living conditions, the reason for the adoption and how she came into contact with the religious institution. She confirmed that she neither wanted nor had received any money in connection with the adoption. A representative of the religious institution was also required to give evidence, including on the work involved in finding national adoptive parents for the child.

18.6.6 The work of religious institutions

Norwegian adoption authorities and Adopsjonsforum considered it safe to cooperate with religious institutions that were not run for profit. As described, the religious institutions were maternity homes/children's homes (and could also serve other purposes, see below), where pregnant women could stay before and after giving birth.

In recent times, cases have come to light in which questions have been raised as to whether the consent to adoption given by the women living in these institutions was always freely and knowingly given.

The Committee is aware of a case of adoption to Norway (from The Haven) in which the birth mother explained that she believed she would receive respite care and support from the maternity home and the adoptive parents, and did not realise that this involved a permanent separation and an international adoption.

There is also research literature that includes accounts from mothers who have lived in religious institutions similar to those with which Adopsjonsforum collaborated, which indicates that consent was not always given.¹⁸⁴⁸

Another adoptee from one of the institutions, who has since been reunited with her birth mother, has informed the Committee that her mother explained she was not allowed to leave the institution's grounds. Nor is she said to have received care or support from the nuns, nor any guidance on the possibilities of keeping her child.

As described (see section 18.5.3.3), it was the view of the Norwegian adoption authorities during their inspection visit in 1980 that some of the residents at The Haven institution were there 'by court order'. Some adoptees with whom the Committee has spoken have the impression that The Haven also housed detainees in a section of the institution known as Sunshine House. The Committee is aware of a description of The Haven from the 2000s which explained that the institution had an area for women on remand. Some were also placed there for their own protection. The women were reportedly not allowed to leave the area and were locked in at night in a dormitory with bars on the windows.¹⁸⁴⁹ The Committee has been unable to establish for how long The Haven has served this purpose, or whether adoptions were arranged for remanded prisoners placed there.

The Good Shepherd is a Catholic order that originated in France and subsequently established itself in various countries, including Ireland in the 19th century and Sri Lanka in the 1860s. Its mission is directed towards girls, women and children in vulnerable situations.¹⁸⁵⁰ As described, Good Shepherd Wattala had links to Ireland, and the director of the institution with which Adopsjonsforum collaborated in Sri Lanka was, for a considerable period, an Irish nun. In this context, it is relevant to note that a comprehensive public inquiry has been conducted in Ireland into conditions at fourteen maternity and children's homes in Ireland between 1922 and 1998, which housed unmarried pregnant women and their children and were run by Catholic orders.¹⁸⁵¹

¹⁸⁴⁸ Jayarathne, S. 2025. Navigating geotrauma in transnational adoption: A visual journey into first mothers' intimate biographies. *Emotion, Space and Society*. 54 (2025).

¹⁸⁴⁹ 'Visit to "The Haven", a Salvation Army home for women in Colombo' (9 September 2011), https://uphill-spin.blogspot.com/2011/09/day-9-visit-to-haven-salvation-army_09.html; The Sunshine House is also listed as a *Remand Home* in an overview from the Salvation Army: The Salvation Army Sri Lanka (n.d.). What We Do, <https://wm4.salvationarmy.org/sri/Whatwedo>

¹⁸⁵⁰ Congregation of Our Lady of Charity of the Good Shepherd (n.d.). Who We Are, <https://www.olcgs.org/who-we-are/>

¹⁸⁵¹ The inquiry was established in 2015 following the revelations in Tuam, County Galway, where the remains of over 800 children were found on the site of a former Mother and Baby Home run by the Bon Secours Sisters (active 1925–1961). The discovery attracted widespread public attention and led to calls for a full investigation into the entire system of such institutions. The Irish government therefore appointed an independent commission. The 'Final Report of the Commission of Investigation into Mother and Baby Homes' was submitted in October 2020 and comprises over 3,000 pages of analyses, statistics, personal accounts and historical context. The report revealed that the infant mortality rate at some institutions was over 30 per cent,

The report also refers to institutions run by the Good Shepherd Sisters, including mother-and-baby homes, so-called ‘Magdalene laundries’ (laundries where women worked after giving birth as a form of penance or ‘atonement’) and certain schools. The report concludes that, compared with other contemporary institutions, the Good Shepherd’s mother-and-child homes in Ireland were the least brutal of the fourteen investigated, but were still characterised by strict moral constraints. Several accounts describe the moral and emotional pressure placed on the mothers to give their children up for adoption.¹⁸⁵²

An adoptee from Sri Lanka, who has also assisted other adoptees in their search for their birth families, has told the Committee that the Good Shepherd was ‘known’ for using ‘acting mothers’ in adoption cases – that is, that a person other than the birth mother consented to the adoption in court, and also stayed at the maternity home with the child until the adoption took place. In its investigations, the Committee has not found any information to support this. In a report on Good Shepherd, carried out by a Swiss social worker in 1984, the head of Good Shepherd is portrayed as opposed to international adoption. She believed this should only be considered as a last resort. She was also critical of the fact that money played such a significant role in private international adoptions, and highlighted the problem that ‘the women who appear in court are not always the mothers, and the date of birth may be incorrect’.¹⁸⁵³

The Committee has asked Adopsjonsforum’s case officer for Sri Lanka from the 1980s to the 2000s how the religious institutions operated and how they allocated children to their various overseas partners. The person in question stated that they tried to be fair and that the process was based on a rotation system. The case officer explained that the mothers living at the institutions were entirely free to choose whether or not to give their child up for adoption, and they were not required to leave the institution if they wished to keep the child.¹⁸⁵⁴

The Committee has found information indicating that the donation which Adopsjonsforum normally sent to the institution following each placement was, in one instance in the 1980s, instead transferred to a bank account belonging to acquaintances of the nun (at Good Shepherd) who had placed the child with Adopsjonsforum in the nun’s home country. The Committee has asked Adopsjonsforum’s case officer for Sri Lanka during this period for an explanation of this, given that the donation was intended to cover expenses the institution had incurred in connection with the mother’s and child’s stay. The person in question stated that they did not recall the matter.

As described, the Committee has found information indicating that Adopsjonsforum’s partners in Sri Lanka were, at various times (1990, 1994 and 2011), suspected or accused of misconduct and illegalities in connection with international adoptions. As described (see sections 18.5.4 and 18.5.5.1, as well as 18.5.6.6), Adopsjonsforum did not inform the Norwegian adoption authorities of these cases, even in response to a direct enquiry from them (see section 18.5.6.6). The Committee considers this to be reprehensible, and after 1 December 1999, this also constituted a breach of the conditions of Adoption Forum’s placement licence.

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that many women experienced shame, isolation and harsh discipline, and that over 25,000 children were adopted, many abroad (particularly to the USA). The findings led to a public state apology from the Irish Prime Minister, and plans for compensation and remembrance schemes.

¹⁸⁵² Chapter 24, 2020. Mother and Baby Homes, Commission of Investigation, Final Report.

¹⁸⁵³ Bitter, Bangerter and Ramsauer, 2020. The Adoption of Children from Sri Lanka in Switzerland 1973–1997, pp. 115–117.

¹⁸⁵⁴ Interview with the Committee, 8 October 2025.

¹⁸⁵⁵ Regulations of 30 November 1999 on requirements for organisations placing children from foreign countries for adoption, Section 10. (1999 No. 1195) Section 10. ‘An organisation authorised to place children from a foreign state shall immediately report any changes in the organisation’s activities in Norway or abroad that may affect its placement authorisation. The organisation shall also immediately report any changes in political, legal or other circumstances abroad that may be expected to affect its placement activities. Notification shall be given to the Norwegian Directorate for Children, Youth and Family Affairs.’ In the current regulations from 2018, a corresponding provision is set out in Section 22.

There are several factors suggesting that the religious institutions' work on international adoptions has had various shortcomings – particular emphasis is placed on the national investigations and on the accounts given by adoptees who have been reunited with their birth families. However, the Committee has found no basis for drawing a definitive conclusion as to how the religious institutions dealt with the mothers and to what extent they helped to ensure the mothers' free and informed consent to adoption.

18.6.7 The Norwegian authorities' control and supervisory activities

The Committee considers that the Norwegian adoption authorities have, on several occasions, made inadequate assessments, and that the supervision of adoption arrangements from Sri Lanka to Norway has been inadequate.

The Committee has the following points of criticism:

- It is unclear what checks were carried out on the adoptions and Adopsjonsforum's placement activities before authorisation was granted in 1978.
- A placement licence was granted in 1978 despite the fact that the Norwegian adoption authorities had received information from the Sri Lankan authorities stating that adoptions to Norway would not be possible unless financial support was provided.
- During the inspection visit in 1980, the Norwegian adoption authorities encountered a reluctance on the part of the Sri Lankan authorities to comply with Norwegian requirements regarding prior consent. This paints a picture of an adoption system that does not appear particularly concerned with ensuring that the parents to whom children are allocated have been properly and thoroughly assessed. During the same visit, the Norwegian authorities received conflicting information regarding which institutions were authorised to place children for international adoption. The Committee cannot see that this led to any response or further investigations.
- Norwegian adoption authorities' awareness of the risks associated with donations and assistance linked to adoptions appears to have been very limited in the 1980s. This is illustrated by the fact that, in 1985, the Norwegian authorities themselves proposed that Adopsjonsforum should make donations in connection with each adoption, and furthermore that they did not request information on donations or aid work until the late 1990s, despite being aware of how profit-driven adoptions could be in the country. See also section 18.6.3.1.
- During the monitoring visit in 1992, the Norwegian adoption authorities were informed that the country's new Adoption Act was not functioning as intended, and that one of the country's two courts authorised to handle intercountry adoptions was following its own 'rules of procedure'. This information does not appear to have been followed up in any way by the Norwegian adoption authorities.
- In 1994, Adopsjonsforum informed the Norwegian adoption authorities that they suspected that placements with foreign applicants were being made on grounds other than the applicants' suitability. The Committee understands this to mean that Adopsjonsforum suspected malpractice at the central level of the DPCCS. The Committee has found no information to suggest that this was followed up by the Norwegian adoption authorities.
- In 2004, the Norwegian adoption authorities noted that it was Adoption Forum's international liaison officer who decided to which partner agency an applicant couple's documents should be sent, that the agencies received donations per case, and that 'the authorities usually make matches in line with proposals from the agency', without this being followed up.

18.6.7.1 *The Norwegian authorities' assessments of social conditions*

As described, a civil war broke out in Sri Lanka in 1983, which lasted until 2009 (see section 18.2). The Committee has found no information to suggest that the Norwegian adoption authorities investigated to what extent

this might affect adoptions from the country as the conflict escalated in the 1980s, nor in the 1990s.

Nor does it appear that when Adopsjonsforum initiated cooperation with stakeholders in Jaffna in 2004, this led to further investigations by the Norwegian adoption authorities (see section 18.5.6.2). The Committee considers it reprehensible that no risk assessments were carried out regarding placements from war-torn regions.

It was not until 2006 that Bufdir requested an assessment of the situation in the country from the Norwegian Foreign Ministry (see section 18.5.6.3). The embassy then warned of the risk of corruption, including in adoption processes, and proposed a number of measures to enhance security. The Committee considers it positive that advice was sought from the embassy. However, the Committee has found no information to suggest that the embassy's advice was followed up to any significant extent by the Norwegian adoption authorities.

Furthermore, the Committee takes a critical view of the fact that, in 2007, the Norwegian adoption authorities appear to have considered that factors other than the soundness of the adoption process could be given weight when assessing whether the adoption cooperation should be suspended (cf. 18.5.6.3).

Overall, the Committee considers it reprehensible that the Norwegian adoption authorities failed to follow up on several reports of irregularities in the processes, failed to ask relevant questions regarding the placement work and the adoption process, or to obtain further information on conditions in the country, for example when establishing cooperation in new regions. This is despite the fact that it was well known to the Norwegian adoption authorities that there were major problems associated with adoptions from the country (see 18.1), and that the country had been in a state of civil war for a prolonged period.

18.6.7.2 *Scrutiny of individual cases*

The Committee notes that Norwegian adoption authorities have generally accepted adoption placements from Sri Lanka involving children for whom very little information is available – such as health information, details of the birth family, or the reason for the adoption. The lack of health information on the children was, as described (see section 18.5.5), raised as an issue by Norwegian adoption authorities during the 1990s, but as far back as the 1970s there is very little information available on the children who were placed with and came to Norwegian applicants. Even well into the 2000s, information about the children was very limited and often consisted of just a couple of sentences from the DPCCS regarding the background to the adoption, as well as a brief report from a doctor on the child's state of health.

Until 1980, as far as the committee understands, most of the children who came to Norway had been abandoned by their parents. However, this does not necessarily mean that they were voluntarily handed over as infants following a stay in a maternity home, as became the norm in adoptions from that country to Norway from the 1980s to the 2000s. Rather, the children came from various state-run children's homes and were more often several years old. According to representatives of Adopsjonsforum, they were 'declared abandoned', but the Norwegian adoption authorities did not request further information about the process that led to the children being assessed as eligible for international adoption – for example, the process for appointing a guardian. They confined themselves to obtaining legal provisions stipulating that consent to adoption must be given by parents or a guardian. The Committee considers this to be inadequate.

The Committee notes that the descriptions of the adoption process as presented by Adopsjonsforum to the Norwegian adoption authorities, particularly up until the 1990s, were largely focused on the steps *applicants* were required to take, rather than on the process leading up to the adoption that applied to *the child and their birth family*. This should have been investigated more thoroughly by the Norwegian adoption authorities.

Norwegian adoption authorities noted in 1980 that it appeared straightforward to find children outside 'well-established channels' in Sri Lanka (18.5.3.3). This raises questions as to whether the Norwegian authorities have been particularly vigilant when granting permission for independent adoptions. As described in section

3.5, it is not possible to obtain an overview of the number of independent adoptions by Norwegian applicants. The Committee

Committee believes that the Norwegian adoption authorities should have maintained such an overview if they were to exercise proper control over practices in this area.

However, the process for securing informed consent from birth parents appears to be better in Sri Lanka than in several other countries, as the birth parent was required to appear in court and personally confirm the decision. Although the consent document is only available in around half of the cases the Committee has examined, where the birth parents are known, this is nevertheless more than we usually see in adoptions from several other partner countries, such as Colombia and Chile, where such supporting documents are only included in exceptional cases.

The Committee further considers that the Norwegian adoption authorities should have raised questions at a much earlier stage regarding the fact that all case documents sent to Norway (such as the Register of Births, Adoption Order and Consent to an Adoption Order) were often translated and/or drawn up by the same lawyer, and should have sought clarification of his role in the proceedings. Similarly, it is open to criticism that obvious errors in the documents sent to Norway – such as the mother being stated as having been born in the same year as her child (18.6.5) – did not prompt the Norwegian adoption authorities to carry out further investigations.

In the case concerning a child with significant errors in the birth certificate (18.5.6.4), the Norwegian adoption authorities were informed by external experts that the child's identity could only be established with certainty by means of a DNA test. The Norwegian adoption authorities chose not to pursue this matter further. As described, the case led to Bufdir asking Adopsjonsforum to recommend another lawyer to its applicants. However, no assessment was made of the cases the lawyer had previously handled. This was despite the fact that the embassy could not guarantee that it would have detected less obvious errors in the documents relating to previous cases. The Committee considers it positive that Bufdir engaged external experts to investigate the case in greater detail. However, the Committee believes that an attempt should have been made to clarify the child's identity and that an assessment of the lawyer's previous cases should have been carried out before considering the necessary measures.

18.6.8 Opportunity to obtain information about biological origins

As described (18.5.7), the names of the biological parents (usually the mother) are included in the documents sent to Norway in approximately 63 per cent of the cases the Committee has investigated. However, the Committee is aware of examples of errors in the documents – both obvious errors (such as the mother being stated as having been born in the same year as the child) and errors that have been discovered by adoptees who have searched for their origins (such as errors in the mother's date of birth, name or address). These are errors that can make it difficult to trace the birth family.

Adoptees with whom the committee has spoken have described great frustration in connection with the search process and have found themselves being sent from place to place, both in Norway (Bufdir, the State Administrator, the Adoption Forum) and in Sri Lanka (the Registrar General, DPCCS, children's homes, hospitals and the courts), without any further documents relating to the adoption – apart from those in the case file in Norway – being found. As described (18.6.7.2), these documents generally contain very little information.

When a child is adopted in Sri Lanka, an official entry is made in a separate adoption register held by the Registrar General. This register shows who adopted the child and what the child's new name is. The Registrar General must also maintain a record so that a link can still be established between the original birth register and the adoption register. This means that even if a child's birth certificate is marked 'Adopted', there must still be an internal link showing which adoption record it belongs to.¹⁸⁵⁶

¹⁸⁵⁶ ISS, 2023. 'Search for origins, Sri Lanka'.

Sri Lankan adoption law does not explicitly recognise the search for origins as a right, and a court order is required to gain access to the Adoption Register.¹⁸⁵⁷

ISS states that, according to the DPCCS, there were no centralised archives for adoptions prior to 1992. Enquiries regarding information on adoptions prior to this date may be addressed to the court responsible for the specific adoption.¹⁸⁵⁸

According to the HCCH's 2020 country profile for Sri Lanka, the Central Authority in Sri Lanka generally retains information on children's origins for a maximum of 10 years. However, the Central Authority has stated that it will nevertheless retain the information for longer. Adoption documents from 2000 onwards can be found in the archives.¹⁸⁵⁹

According to a protocol drawn up by the Sri Lankan and various European central authorities¹⁸⁶⁰, adoptees seeking information about their origins should first contact the central authority in their own country to obtain as much information as possible about the adoption. Ideally, the documents should include: a birth certificate, an Adoption Order (Form No. 4), consent from the mother or guardian (Form No. 2), the name of the children's home, approval documents, intermediaries and case workers.

Once you have gathered all the information you can find, a request should be sent to the Sri Lankan central authority (DPCCS).

Once the Sri Lankan central authorities have received the request (for example, to trace biological origins), they will send official enquiries to the relevant local authorities, such as

- the Probation Officer in the relevant province
- the Child Rights Promotion Officer in the relevant municipality or district any other local or national authorities responsible for such matters

It is important to provide the case number relating to the adoption from the court, as this helps them to locate the correct documents in the registers.

There is no charge for requesting such a search for origins in Sri Lanka.

The authorities usually take at least six months to investigate the case. Once the investigation is complete, they will either inform the other central authority (if the enquiry was sent via them) or contact the adoptee directly regarding the result.

According to information from the ISS and the HCCH, a child adopted from Sri Lanka will not retain their Sri Lankan citizenship.¹⁸⁶¹

18.7 Summary

The Committee's mandate is to examine adoptions at a systemic level, including by assessing how the Norwegian authorities have carried out control and supervision, how the handling of individual cases has been organised, how reports of matters requiring follow-up have been dealt with, and what assessments and measures have been taken.

¹⁸⁵⁷ ISS, 2023. 'Search for origins, Sri Lanka'.

¹⁸⁵⁸ ISS, 2023. 'Search for origins, Sri Lanka'.

¹⁸⁵⁹ HCCH, 2020. Country Profile: Sri Lanka. Part IX: Post-adoption matters, paragraph 31 (b).

¹⁸⁶⁰ Federal Office of Justice (FOJ) (n.d.) Protocol: Search for origins process in Sri Lanka, <https://www.bj.admin.ch/bj/de/home/gesellschaft/adoption/illegale-adoptionen.html>

¹⁸⁶¹ ISS, 2023. Country Situation, Sri Lanka; HCCH, 2020. Country Profile: Sri Lanka.

In the following, the Committee summarises key errors, shortcomings and risk factors that have been identified in the adoption cooperation with Sri Lanka, involving both Sri Lankan and Norwegian actors:

- The committee's archive findings show that, from the outset of the placement period, Adopsjonsforum was aware of the risks associated with adoptions from Sri Lanka, but believed that it would be able to navigate the landscape in an ethically sound manner (cf. 18.5.1). Nevertheless, at various times they established arrangements that carried obvious risks of breaching fundamental principles of adoption law (see 18.6.1 and 18.6.4).
- Norwegian adoption authorities have been restrictive in authorising independent adoptions. The Committee regards this general aspect of Norwegian adoption regulation as highly positive, and in the case of Sri Lanka, it has probably played a significant role in preventing a number of illegal and unethical practices described in investigations concerning other receiving countries.
- Corruption was a significant social problem in Sri Lanka throughout the entire period of adoption placements. In such a context, it is particularly important to avoid payments or other benefits that may entail undue financial or other gain in connection with adoptions, beyond the coverage of actual costs and reasonable remuneration for services rendered. It was the Norwegian adoption authorities who, in 1985, proposed that adoptions from the religious partner organisations should be accompanied by a fixed donation from Adoption Forum. Adoption Forum cannot, therefore, be criticised for having followed this recommendation. The situation is different with regard to Adoption Forum's donations to the central authority (see section 18.6.3.2) and Adoption Forum's aid project from 2009 aimed at increasing the number of placements for Norwegian applicants (section 18.6.4).
- The Committee considers that the Norwegian adoption authorities have, on several occasions, carried out inadequate assessments, and that the supervision of adoption placements from Sri Lanka to Norway has been inadequate. It is reprehensible that the Norwegian adoption authorities have failed to follow up on several reports of irregularities in the processes and have failed to ask relevant questions regarding the placement work and the adoption process, or to obtain further information on conditions in the country, for example when establishing cooperation in new regions. This is particularly relevant given that the country was embroiled in a civil war for much of the period during which placements took place.

19 South Korea

19.1 Introduction and scope

Between 1954 and 2024, 6,726 adoptions were arranged from South Korea to Norway.¹⁸⁶² This accounts for approximately 32 per cent of all international adoptions to Norway through adoption agencies. No other country of origin has accounted for more adoptions to Norway.

The vast majority of adoptions from South Korea have been arranged by the Norwegian agency Verdens Barn (which was known as the Norwegian Korea Association until 1978)¹⁸⁶³, which was granted permission by the Norwegian Ministry of Social Affairs to arrange adoptions from South Korea in 1969. The majority of the approximately 170 adop-

¹⁸⁶² The figure is described in more detail in section 19.6.1.

¹⁸⁶³ The Norwegian Korea Association (Korea Association) was established in 1954. In 1978, the Korea Association's adoption activities were spun off and transferred to the newly established organisation Children of the World (VB). The two organisations were merged again in 1989 under the name Children of the World (VB).

The activities carried out prior to authorisation being granted in 1969 were undertaken with some assistance from the Korea Association.¹⁸⁶⁴

In 1969, the Korea Association entered into a cooperation agreement with the largest of the four organisations in South Korea authorised by the South Korean government to arrange adoptions, Holt Children's Services (Holt).¹⁸⁶⁵ Following this, all adoptions to Norway were arranged through Children of the World / the Korea Association via Holt.¹⁸⁶⁶

In South Korea, accredited adoption agencies have played a particularly central role in the adoption process, as well as in social work in general, which sets it apart from other countries of origin. Another distinctive feature of this cooperation is that, right up until 2012, adoptions were finalised in Norway on the basis of a release declaration from the president of Holt, who had been appointed as the child's guardian.

The South Korean government has been criticised for a lack of oversight of adoption agencies, including by the South Korean Truth and Reconciliation Commission. The role of the organisation Holt in the adoption process, and the cooperation between the Korea Association / Children of the World and the Norwegian authorities with Holt, have been central to the committee's investigations.

The committee has investigated the entire period from 1954 to the present day. However, we have given particular priority to the period from when the Korea Association was granted a placement licence and cooperation with Holt was established in 1969, up to the legislative changes in South Korea in 2012, which introduced a requirement that intercountry adoptions be carried out in South Korea and dealt with by the courts there. It was during this period that the vast majority of adoptions to Norway took place (more than 95 per cent of the total). Until 2012, the Norwegian state also bore greater responsibility in individual cases, as adoptions from South Korea to Norway prior to this were decided in Norway and were subject to the Norwegian Adoption Act¹⁸⁶⁷.

19.2 General information and history¹⁸⁶⁸

South Korea is situated in East Asia, on the southern part of the Korean peninsula. The country is a republic and has a population of 51 million. In terms of religion, 57 per cent have no religious affiliation, 20 per cent are Protestants, 16 per cent are Buddhists and 8 per cent are Catholics.

The two Korean states were originally a single unified kingdom, but were occupied by Japan for a prolonged period up until the Second World War. After the war, the country was divided into two zones: the Soviet Union administered the northern part, and the USA the southern part. The division was intended to be temporary, but in 1948 North Korea and South Korea were established as two independent states. The USA continued to play a central role in South Korea economically, militarily and politically.

In 1950, the Korean War broke out following North Korean aggression. South Korea received military support from a broad US-led coalition with a mandate from the UN Security Council, whilst China and the Soviet Union supported North Korea.¹⁸⁶⁹ The war lasted from 1950 to 1953, and between 3 and 4 million people lost their lives. As early as 1951, the United Nations Korean Reconstruction Agency estimated that a total of 100,000 children had

¹⁸⁶⁴ In a report dated 3 December 1974 from the Korea Association's committee tasked with assessing the association's adoption activities, it is stated that 'the overwhelming majority' of children adopted between 1954 and 1974 were adopted with the assistance of the Norwegian Korea Association.

¹⁸⁶⁵ The agreement was concluded with the international organisation Holt International, which was based in the USA but operated in several countries. The South Korean branch of the organisation was spun off as Holt Children's Services in 1977 and has since been independent of Holt International.

¹⁸⁶⁶ A few adoptions from South Korea also took place after 1969 through other channels.

¹⁸⁶⁷ See the Committee's general discussion of the adoption authorities' responsibilities in such cases in

Chapter 27.¹⁸⁶⁸ Some of the information is taken from the UN Association of Norway's website,

<https://fn.no/land/soer-korea>¹⁸⁶⁹ Snl.no/Koreakrigen

became orphans as a result of the war.¹⁸⁷⁰ In 1954, the International Union for Child Welfare estimated that 10,000 orphaned children were living on the streets.

The conflict continues to affect both countries. The armistice agreement of 27 July 1953 has not yet been superseded by a peace treaty, and relations between North Korea and South Korea have remained extremely tense throughout this period.

Norway contributed to the war on the South Korean side with the Norwegian field hospital Normash. The hospital was in operation from 1951 to 1954, and personnel who had served there played a key role in the establishment of the Korea Association in 1954.

After the war, South Korea was for a long time a military dictatorship. Although elections were held, changes of power occurred through military coups in 1961 and 1979. Democracy first took hold as a form of government following the election and change of president in 1988. The first president without a military background was elected in 1993.

Economically, South Korea has experienced tremendous growth since the 1960s. The country has transformed from an agricultural society into an industrial one, and from being one of the world's poorest countries into one of the world's largest economies. Large family-owned companies dominate the business sector, many of which were established in the 1960s.

Corruption and close ties between political leadership and the business sector have been a significant problem, even after the era of military dictatorship came to an end. Among other things, several former presidents have received lengthy prison sentences for embezzlement and bribery.¹⁸⁷¹

On Transparency International's Corruption Perceptions Index, South Korea's results have gradually improved over time. In 1995 (the first year of measurements), the country scored 4.29 (out of 10) and ranked 27th out of 41 countries. In 2005, South Korea scored 5.0 and ranked 40th out of 159 countries. In 2020, the country scored 61 (out of 100) and ranked 33rd out of 180 countries.¹⁸⁷²

On the World Justice Project's Rule of Law Index, South Korea scored 0.79 (out of 1.0) in 2015 (the first year of measurements) and was then ranked fifteenth out of 102 countries, ahead of both France and Spain.

¹⁸⁷⁰ Hübinette, T., (2005), *Comforting an orphaned nation: representations of international adoption and adopted Koreans in Korean popular culture*, p. 52.

¹⁸⁷¹ Park Geun-hye (President 2013–2017), see Reuters: <https://www.reuters.com/article/world/south-korean-court-jails-former-president-park-for-24-years-idUSKCN1HC2ZR/>)

Lee Myung-bak (President 2008–2013), see Korea Herald: [Newsmaker] Supreme Court confirms 17-year prison term for ex-President Lee Myung-bak in corruption case – The Korea Herald: <https://www.koreaherald.com/article/2463240>

Roh Moo-hyun (president 2003–2008) committed suicide in 2009 whilst under investigation for accepting bribes, see Reuters: Factbox – Three previous South Korean presidents also faced legal proceedings | Reuters: <https://www.reuters.com/article/world/factbox-three-previous-south-korean-presidents-also-faced-legal-proceedings-idUSKBN16S0E6/>

Chun Doo-hwan (president 1980–1988), Roh Tae-woo (president 1988–1993), see Reuters: Factbox – Three previous South Korean presidents also faced legal proceedings | Reuters: <https://www.reuters.com/article/world/factbox-three-previous-south-korean-presidents-also-faced-legal-proceedings-idUSKBN16S0E6/>

¹⁸⁷² In the period up to 2011, countries were rated on a scale of 1 to 10, with 10 being the best possible result. From 2012, a corresponding scale ran from 1 to 100. By way of comparison, Norway's rankings in those same years were 10th with 8.61 points (1995), 8th with 8.9 points (2005) and 7th with 84 points (2020). The average among the countries assessed in 2020 was 43.

Abortion was criminalised in South Korea from 1953 to 2019, but in practice the ban was not enforced from the 1960s to the mid-2000s.¹⁸⁷³ As part of the policy to limit population growth from the 1960s to the 1980s, abortion was readily available and something the authorities encouraged – despite it being formally prohibited.

Norway was represented in South Korea through secondary accreditation from the embassy in Tokyo between 1959 and 1980, and subsequently through its own embassy in Seoul.¹⁸⁷⁴ South Korea has had an embassy in Norway.

The Republic of South Korea is today a unitary constitutional democracy with a civil law system.¹⁸⁷⁵ The court system consists of three levels: District Courts, High Courts and the Supreme Court.¹⁸⁷⁶ There are also specialised courts at the same level as the District Court which deal with specific areas of law, including the Family Court, the Administrative Court and the Patent Court. The Family Court, established in 1963, deals with cases concerning, amongst other things, adoption, divorce and parental access rights.¹⁸⁷⁷

19.3 Overview of the Committee's country studies

The Review Committee's investigations into adoption placements from South Korea have followed the template for country studies outlined in section 3.6.3. General country information has been obtained from various sources. Investigations carried out by other receiving countries have been reviewed, and a media search and a limited literature search relating to adoptions from the country have been conducted. Placement licences and applications for placement from the country have been reviewed, along with documentation relating to these. Searches have been carried out in the official archives of the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir), the Ministry of Children and Families, the National Archives and the Ministry of Foreign Affairs. The Committee has also reviewed the physical and digital archives of Children of the World.

In March 2025, two committee members and two staff members from the secretariat undertook a field visit to South Korea.¹⁸⁷⁸ Over the course of five days, we held 13 meetings with various stakeholders and individuals, including birth mothers, the Ministry of Health and Welfare, the National Centre for the Rights of the Child, the adoption agency Holt, the organisation KoRoot, researchers¹⁸⁷⁹, the journalist Tong Hyoung Kim¹⁸⁸⁰, the Korean Unwed Mothers' Families Association, the Norwegian Embassy and Jusarang Community Church.

During the trip, the inquiry committee was also present (in a separate room with an interpreter) at the Truth and Reconciliation Commission (TRC)'s press conference on 26 March 2025, where they presented their findings from the investigation into cases of human rights violations linked to international adoptions from South Korea. The following day, the inquiry committee held a separate meeting with the commission to exchange information and discuss the matter.

The committee has held meetings with the Norwegian-Korean Rights Group (NKRK) at both committee and secretariat level. The NKRK is a group of Norwegian adoptees from South Korea, whose aim is to...

¹⁸⁷³ Kim, S., Young, N., & Lee, Y. (2019). The Role of Reproductive Justice Movements in Challenging South Korea's Abortion Ban. *Health and human rights*, 21(2), pp. 97–107.

¹⁸⁷⁴ Email from the Ministry of Foreign Affairs, 20 February 2025.

¹⁸⁷⁵ <https://judiciariesworldwide.fjc.gov/country-profile/republic-korea>

¹⁸⁷⁶ Website of the Supreme Court of Korea – Judiciary Introduction: <https://eng.scourt.go.kr/eng/judiciary/introduction.jsp>

¹⁸⁷⁷ Website of the Supreme Court of Korea – Courts: <https://eng.scourt.go.kr/eng/judiciary/organization/courts.jsp>

¹⁸⁷⁸ Camilla Bernt and Torunn Kvisberg from the committee. Jostein Løvoll and Siri Elisabeth Bernssen from the secretariat.

¹⁸⁷⁹ Philsik Shin, Helen Noh, Sarah Lyo and Dr Lee Kyung-eun.

¹⁸⁸⁰ From the Associated Press.

to gather information on illegal adoptions from South Korea, and to safeguard adoptees' right to information about their origins and background. The NKRK was established as a sister organisation to the Danish-Korean Rights Group (DKRG), which initiated and drove the TRC's investigation into adoptions.

DKRG has sent us information they have obtained from, amongst other sources, government archives in Denmark and Korea. The committee also held a meeting with DKRG in Seoul during our visit there.

The NKRK has submitted a list of adoptees who may be relevant for us to speak to, and has publicised via its website and Facebook pages that adoptees wishing to contribute to the inquiry by taking part in an interview could contact the inquiry committee.

A total of 64 adoptees from South Korea have contacted the committee. Most did so directly, and some via the Norwegian Korean Rights Group (NKRK). The majority wished to contribute to the inquiry by agreeing to be interviewed or by submitting documents relating to their case. Some have probably also hoped that the committee could find out more about their specific case. As the inquiry is being conducted at a systemic level, we have not had the opportunity or scope to do so. A few have provided general input or comments on the inquiry or on the wider debate surrounding adoptions.

The Inquiry Committee has not had the capacity to conduct interviews with everyone who has come forward, but has carried out a proportionate number of interviews for each country under review. As South Korea is by far the country with the highest number of adoptions to Norway, the Committee has prioritised conducting 11 interviews with adoptees. The Committee has also asked some individuals to provide written elaborations or input, or to submit documentation.

Adoptions from South Korea have been the subject of several interviews with former employees and board members of Verdens Barn, as well as in interviews with former employees of Bufdir, Bufdir's predecessors in the field of adoption, and the Ministry of Children and Families.

The Committee has reviewed 65 individual cases concerning adoptions from South Korea, which we found in the archives of the adoption authorities. Of these cases, 40 were from the period 1987 to 2021 and were found in the archives of Bufdir. Twenty-five cases were from the period prior to 1987 and were found in the archives of the County Governor's Office in Buskerud, Østfold, Oslo and Akershus.¹⁸⁸¹

In some of the cases, we have reviewed both the documents submitted to the adoption authorities to obtain adoption authorisation in Norway and documents that were originally held by Verdens Barn but were later transferred to Bufdir (the Children's Archive).

One of the aims of this review was to gain an understanding of the procedures in Norway and Korea, as well as to identify what information on individual cases was available in Norway, and what documentation the Norwegian authorities required in order to process a case concerning an adoption authorisation (up to 2012) or the recognition of an adoption (after 2012).

19.4 Other countries' investigations into adoptions from South Korea

19.4.1 The South Korean Truth and Reconciliation Commission

The South Korean Truth and Reconciliation Commission¹⁸⁸² (TRC) has been appointed for three terms: 2005–2015, 2020–2025, and 2026–2029. The Commission's mandate has been to investigate human rights violations in South Korea during the period of authoritarian rule from 1910 to 1993. The Commission is independent of the South Korean authorities. It has dealt with many different types of cases, including

¹⁸⁸¹ 5 cases from each of the following periods: 1960–1970, 1970–1974, 1975–1979, 1980–1984, 1985.

¹⁸⁸² In Norwegian: the Truth and Reconciliation Commission. The committee has chosen to use the English name, which the Commission itself uses in its communications with those adopted abroad.

possible human rights violations by both South Korean authorities and foreign powers (such as Japan and North Korea).

The work of the second commission on international adoptions has been central to the committee's work. This commission operated until 26 November 2025 and has now been disbanded. A third commission has been appointed, which began its work on 26 February 2026. This commission will also, amongst other things, deal with cases concerning international adoptions.

Following a request from the Danish organisation DKRG, the TRC decided in December 2022 to investigate international adoptions from Korea. The TRC examined 367 adoption cases, of which 17 concerned adoptions to Norway (227 cases concerned adoptions to Denmark). The investigation covered adoptions carried out between 1950 and 1999.¹⁸⁸³

At a press conference in March 2025, the findings of the TRC's decisions on 56 of the cases were presented, three of which concerned adoptions to Norway. In all 56 cases, the Commission concluded that the South Korean authorities had committed human rights violations.¹⁸⁸⁴ The 311 cases on which Commission No. 2 did not take a position are reported to have been transferred to Commission No. 3 for consideration.¹⁸⁸⁵ It is also possible to lodge new complaints regarding individual adoption cases.

In material published in connection with the press conference in March 2025, the Commission stated that the key findings were:

- Lack of consent to adoption. Under South Korean law, consent from parents or a guardian was required. In many of the cases, consent had not been obtained in the correct manner.
- Children who were not registered in their father's family register were registered as foundlings using fabricated reports stating that the children had been found abandoned outside the adoption agency's offices.
- Inadequate efforts to trace the parents of missing children. In order to locate potential parents of foundlings before they were potentially registered as orphans, a public notice was first required to seek out the child's guardians. However, the process was often inadequate, as the notice might be published in places other than where the child had been found, and long after the child's disappearance.
- Swapping children's identities. If a child died during the adoption process or was taken back by their biological family, the intermediaries could continue the process by having another child assume the identity of the original adoptive child and be adopted in their name.
- Inadequate checks on the adoptive parents' suitability.
- Failure to fulfil the duties of guardians. The South Korean adoption organisations had obligations as appointed guardians for the children in the adoption process until they were adopted in the receiving country. In practice, however, the organisations transferred these duties before the children left South Korea through informal declarations.

¹⁸⁸³ Five cases from the period between 1993 and 1999 were included in the investigation, even though these did not originally fall within the period of authoritarian rule. This was because the cases 'showed no meaningful differences from those of the other petitioners', cf. the TRC's report, note 6.

¹⁸⁸⁴ The specific human rights provisions that have been violated are not detailed to any great extent, but in several places in the TRC's report, general reference is made to violations of the Convention on the Rights of the Child. In the TRC's conclusions (page 147), the following violations of rights are highlighted, amongst others, without any reference to specific provisions: 'Their rights to dignity and personal worth, to pursue happiness, to the safeguarding of their best interests as children, to know and be raised by their parents, to a name, and to immediate registration at birth were all violated.'

¹⁸⁸⁵ Article on the Korea Times website, accessed on 3 March 2026:

<https://www.koreatimes.co.kr/southkorea/globalcommunity/20260226/more-than-300-adoptees-file-complaints-in-koreas-renewed-adoption-probe>

- Mass export of children to meet demand.
- Compulsory donations. Adoptive parents were required to make donations that exceeded the actual adoption costs.

In November 2025, the TRC published a final report on the investigation into adoptions and on the findings from the 56 concluded cases.¹⁸⁸⁶ The Committee has reviewed the report, which provides a description of the emergence of adoptions, the regulatory framework and the adoption process, as well as an account of the Commission's assessments of the system and the individual cases it has examined. The conclusions in the TRC's report are as follows¹⁸⁸⁷ :

The essential purpose of intercountry adoption is to provide children in need – that is, children who have lost the care of their parents or communities – with safe and secure family environments. Korea began intercountry adoption with a sense of great urgency in the aftermath of the Korean War to cope with the rise in the number of war orphans, and from the 1960s onwards introduced legal procedures to regulate it. From the 1970s, however, once post-war recovery was complete and the country entered a phase of rapid economic growth, the state scaled back domestic welfare measures such as public relief and institutional care for children in need, whilst expanding the pool of children sent abroad for adoption. In doing so, it pursued intercountry adoption in ways contrary to the spirit of the UN Convention on the Rights of the Child, which stipulates that adoption abroad should be considered only when no suitable care is available in the child's country of origin.

Through its investigation, the Commission has confirmed that the following human rights violations occurred in the course of intercountry adoption from Korea over nearly half a century, beginning in the 1950s:

- From the 1950s onwards, in the process of sending hundreds of thousands of children abroad as part of its child welfare policy, the Korean government neglected its constitutional and treaty-based duty to protect its citizens' fundamental rights by failing to enact appropriate legislation, by neglecting oversight, and by failing to carry out administrative procedures. In so doing, it violated the rights of adoptees guaranteed under the Constitution and international agreements.
- In formulating child welfare policies, the Korean government scaled back costly domestic measures such as public relief and institutional care, and turned instead to intercountry adoption, shifting responsibility onto the private sector. After efforts to encourage domestic adoption faltered in the mid-1970s, the state effectively fostered an environment in which intercountry adoption was promoted.
- Despite persistent criticism of inadequate legislation, the Korean government failed to amend laws or introduce safeguards, leaving adoption agencies with de facto authority over consent to adoption. Even as agencies repeatedly violated laws, regulations and guidelines, the state neglected its oversight responsibilities and failed to properly enforce emigration reviews or protect adoptees overseas. The legislative, executive and judicial branches collectively pursued policies of large-scale intercountry adoption whilst chronically mismanaging the problems that arose, thereby exercising state authority unjustly over adoptees for decades.

¹⁸⁸⁶ The TRC's report is available in the original language and in English translation on their website (as of 10 January 2025). Link to the English translation: https://www.jinsil.go.kr/en/nac/selectNoticeDetail.do?bbsId=BBSMSTR_000000000723&ntId=326600

¹⁸⁸⁷ From the TRC's English version of the report.

- d. Adoption agencies reinvested adoption fees and compulsory donations from adoptive parents into securing more children for adoption, and by the 1980s, with the government turning a blind eye, expanded adoption into an industry. Korea came to be criticised internationally as a country ‘exporting children’.
- e. The petitioners in this case were sent abroad through unlawful means that erased or falsified their identities and family information, or were recorded negligently. Even after their departure, they were not adequately protected by either the Korean state or the adoption agencies acting as their guardians. Their rights to dignity and personal worth, to pursue happiness, to the safeguarding of their best interests as children, to know and be raised by their parents, to a name, and to immediate registration at birth were all violated.
- f. The Commission recognises 56 of the petitioners, including ‘J.P.’ (Park **), as victims of serious human rights violations in the process of intercountry adoption.

The TRC’s report is a key source for the Committee, and its assessments and conclusions are discussed in more detail in several places below, particularly in paragraph 19.7.

19.4.2 Investigations carried out in other receiving countries

19.4.2.1 *Denmark*

In Denmark, the Danish Appeals Board ¹⁸⁸⁸ has examined adoptions from South Korea in the 1970s and 1980s in a report dated January 2024 ¹⁸⁸⁹.

Denmark adopted 8,782 children from South Korea between 1970 and 2022. ^{1,890} Three Danish agencies were active in South Korea: the organisations DanAdopt and Terre des Hommes collaborated with Holt, whilst AC Børnehjælp collaborated with South Korea Social Service (KSS). In particular, the report’s description of the collaboration with Holt is relevant to adoptions to Norway, as there is no reason to believe that Holt’s procedures varied depending on the receiving country. A total of 2,851 adoptions from South Korea to Denmark were carried out through Holt between 1970 and 1989.

The Appeals Board’s overall assessment of the adoptions from South Korea is formulated as follows in the report:

It is the Appeals Board’s overall assessment that adoption arrangements from South Korea to Denmark in the 1970s and 1980s were characterised by an unregulated placement system and an unfortunate incentive structure, whereby large sums of money were transferred between the Danish and South Korean organisations in connection with the adoption.

The inadequate regulation of the placement system and the South Korean rules on family registration created scope for the South Korean organisations to alter the adoptee’s identity and background in the official South Korean documents and in the information contained in the file sent to Denmark concerning the child. Within the framework of the rules in force in South Korea at the time, it was thus possible to alter information about the child’s background and place a child for adoption without the biological parents’ knowledge.

AC Børnehjælp and DanAdopt were aware of this practice.

¹⁸⁸⁸ The Appeals Board is described on Wikipedia as ‘an administrative body under the Ministry of Social Affairs and Integration which acts as Denmark’s highest appeals body and the authority responsible for coordinating practice in the welfare sector’, see <https://no.wikipedia.org/wiki/Ankestyrelsen>, accessed 27 May 2025.

¹⁸⁸⁹ The report is entitled: ‘Adoption arrangements from South Korea to Denmark in the 1970s and 1980s’.

¹⁸⁹⁰ The Appeals Board’s report, p. 36.

These circumstances have deprived the adoptees of the opportunity to learn about their own identity and history, but do not necessarily mean that the adoption took place against the biological parents' wishes.

Over the years, the Danish intermediary organisations provided substantial sums in support of their South Korean partners. At the same time, the Danish organisations consistently expressed a desire to maintain a high number of adoptions of children with a specific age and health profile from South Korea. This contributed to the creation of a financial incentive structure within the cooperation, which, from a contemporary perspective, poses risks and contravenes international rules in this area. At the time, however, this was regarded as part of the placement work carried out by the Danish organisations and authorities.

Compared with other placement collaborations from this period, which the National Social Appeals Board has previously investigated, the available material reflects a limited understanding within the Danish organisations of the practical processes in South Korea. It is difficult to determine whether the Danish organisations actually had limited knowledge of internal South Korean affairs or whether they possessed knowledge that is not reflected in the written material but was passed on orally or not documented.

19.4.2.2 Sweden

The Swedish Adoption Commission submitted its report, *Sweden's International Adoption Activities – Lessons Learnt and the Way Forward* (SOU 2025:61), in June 2025. South Korea is one of seven countries examined in detail in the Swedish Commission of Inquiry's report from June 2025. Approximately 9,800 children were adopted from South Korea to Sweden between the 1950s and 2024.

Adoptions to Sweden have mainly taken place through the organisation Child Placement Service (originally part of the South Korean Ministry of Social Affairs), which was eventually privatised and changed its name, first to Social Welfare Services (1971) and in later years to Korean Welfare Services (2020).

The Swedish report is an important source, although the significance of its findings and assessments for adoptions to Norway is somewhat limited by the fact that there have been no adoptions to Sweden through Holt.

The Swedish report concluded, amongst other things, as follows:

Our investigation shows that there have been irregularities in adoptions from South Korea to Sweden, primarily during the 1960s, 1970s and 1980s. These include cases where children have been adopted to Sweden without the voluntary and informed consent of the child's parents, and where the adoption documents contain incorrect information regarding the child's family status, name and date of birth. Furthermore, it is clear that Swedish authorities and organisations have accepted procedures and acted in ways that have made it difficult, and in some cases impossible, to assess whether an adoption is in the child's best interests.

The inquiry also concluded, amongst other things, that:

- In principle, the private adoption agencies had been responsible for the entire adoption process, without any external independent oversight, which has created an obvious risk that any errors might go undetected.
- People other than the parents have been able to place a child for adoption with an adoption agency in South Korea.
- The Swedish agencies were aware of and accepted that children with known parents were being registered as orphans.

19.4.2.3 Switzerland

In addition, Switzerland has carried out an archival study of adoptions from, amongst other places, South Korea.¹⁸⁹¹ Switzerland has adopted 1,139 children from South Korea¹⁸⁹², with the majority of these adoptions taking place in the 1970s. The Swiss study of adoptions from South Korea was less comprehensive than the Swedish and Danish investigations.

19.5 General information on adoptions from South Korea to other countries

19.5.1 The emergence and development of international adoptions in South Korea

South Korea was the first country to open up to the adoption of children abroad on a large scale, and many believe that it was here that the modern international adoption system was developed. South Korea is also the country that has, overall, sent the most children for adoption to other countries. According to the country's official statistics, around 170,000 children have been adopted to other countries from the 1950s to the present day.¹⁸⁹³ Some researchers believe that the actual figure is higher.

The first adoptions from South Korea were carried out by foreign military personnel, missionaries and aid workers in the 1950s, who were stationed in South Korea during and after the Korean War and came across children they wished to help.¹⁸⁹⁴ Many of these were Americans, and American organisations became a key driving force behind adoptions from South Korea. The USA is also the country that has adopted by far the most children from South Korea.

In the early years following the Second World War, Americans had adopted many children from the European countries hardest hit by the war into the US. As the European countries began to get back on their feet, the Americans turned their attention to other continents, particularly East Asia.¹⁸⁹⁵ The close ties with South Korea established during the Korean War, and through subsequent military and humanitarian aid, were crucial to what would eventually develop into large-scale adoption cooperation.

In the early years of international adoption, it was particularly children with a South Korean mother and a father from another country who were adopted. The South Korean authorities regarded children of mixed parentage as detrimental to Korea's mono-ethnic identity, and believed that these children should be sent to their father's homeland.¹⁸⁹⁶ Most of the children had American fathers, as there were many American soldiers and aid workers in South Korea during the war and for a considerable period afterwards. Various types of relationships were formed, resulting in the birth of around 12,000 children of mixed heritage between 1950 and 1965.¹⁸⁹⁷

¹⁸⁹¹ SHAW (Zurich University of Applied Sciences) (2023), Evidence of illegal adoptions of children from ten countries of origin in Switzerland, 1970s to 1990s.

¹⁸⁹² TRC report, Figure 1, showing the number of adoptions 1955–1999.

¹⁸⁹³ Youngeun Koo (2025) note 6, *The Paradoxical Development of Liberal Governance: International Adoption Policy and Professional Social Work in Authoritarian South Korea, 1953–1976*, *Journal of Social History**, Volume 59, Issue 2, Winter 2025, Pages 315–344, <https://doi.org/10.1093/jsh/shae072>

¹⁸⁹⁴ Hübinette (2005), p. 59.

¹⁸⁹⁵ Hognestad, M. and Steenberg, K. R. (2000). The Adoption Act with commentary, p. 56.

¹⁸⁹⁶ TRC's report, p. 15.

¹⁸⁹⁷ Hübinette (2005), p. 56 with further references.

Several Americans took a South Korean wife home with them, whilst other relationships were more short-lived.¹⁸⁹⁸

Korean women who had been in a relationship with a foreigner, and the children resulting from such a relationship, were stigmatised in South Korean society, which placed great emphasis on female chastity and racial purity.¹⁸⁹⁹ Many children of mixed heritage ended up in difficult circumstances without any parents to care for them, and the attention their plight received in the USA and other countries was central to the start of organised international adoptions. In the years leading up to 1959, the vast majority of children of mixed parentage were adopted, but after this, children with two South Korean parents gradually became the norm.¹⁹⁰⁰

The government agency Child Placement Services (CPS)¹⁹⁰¹ was established in 1954, and its role was to oversee international adoptions, particularly those involving children of mixed parentage. CPS also acted as an intermediary for adoptions, including to Sweden.¹⁹⁰² In 1971, the organisation was privatised and renamed the South Korea Social Welfare Society. Other organisations were also involved in the development of early adoption work, such as ISS.¹⁹⁰³

Among the pioneers in adoption work were the American couple, the Holts, and their organisation of the same name – which eventually also played a central role in adoptions to Norway. In 1955, the couple themselves adopted eight children of mixed heritage from South Korea. This attracted a great deal of attention in the USA, and within a short time the couple received over 500 enquiries from others wishing to adopt homeless children from Korea. The Holts launched an adoption programme in South Korea in 1956 in association with the Methodist Church, with a particular focus on finding homes for children of mixed heritage.¹⁹⁰⁴ The number of adoptions through Holt's programme increased rapidly.¹⁹⁰⁵

In the 1960s, the number of adoptions rose, and several new adoption organisations were established. Foreign support for child welfare in South Korea was reduced in the early 1960s, and the authorities viewed international adoption as a way of helping children without using public funds.¹⁹⁰⁶

From 1962 to 1970, domestic adoption was also vigorously promoted by the South Korean authorities, and an adoption agency was established to handle domestic adoptions: the Christian Adoption Programme of South Korea (CAPOK).¹⁹⁰⁷ The agency was originally established with the assistance of the American Christian Reformed Church and was later incorporated into Holt (1975). Efforts regarding domestic adoptions in the 1960s had some effect, as there were 8,247 domestic adoptions during that decade, significantly more than the 6,166 international adoptions.¹⁹⁰⁸

¹⁸⁹⁸ According to Hübinette (2005), p. 55, with further references, more than 150,000 Korean women are said to have moved to the USA over the years as spouses of American military personnel.

¹⁸⁹⁹ Hübinette (2005), p. 55.

¹⁹⁰⁰ Hübinette (2005), p. 62 with further references.

¹⁹⁰¹ The organisation was known as the Korea Foster Care Service until 1961, but here the term Child Placement Services is used.

¹⁹⁰² It is also reported that children arrived in Norway via CPS; see information received from Youngeun Koo in an email dated 12 November 2025.

¹⁹⁰³ Youngeun Koo (2025).

¹⁹⁰⁴ Hognestad and Steenberg (2000), pp. 56–57. Report from the TRC (2025).

¹⁹⁰⁵ 191 adoptions in 1955, 287 in 1957 and 598 in 1959 (TRC report, p. 16 with further references).

¹⁹⁰⁶ TRC's report, p. 17.

¹⁹⁰⁷ Hübinette (2005), p. 64.

¹⁹⁰⁸ Hübinette (2005), p. 65 with further references.

In the first half of the 1970s, however, there was a significant increase in adoptions from South Korea. The scale of this eventually led to criticism and was exploited in North Korean propaganda. Reforms in 1976 led to changes in the adoption law, and a requirement was introduced that adoption organisations in South Korea had to be South Korean and run by Koreans. This led to the establishment of Holt Children's Services in South Korea as an organisation independent of Holt International in the USA. The number of organisations authorised by the state to arrange adoptions was limited to four. Quota systems were also introduced for adoptions to each receiving country, along with a phase-out plan designed to reduce the number of international adoptions by 10 per cent per year from 1977, with the aim of phasing out adoptions entirely by 1985.¹⁹⁰⁹ At the same time, domestic adoptions were to be increased.

However, the ambitions to increase domestic adoptions were not backed up by the allocation of resources.¹⁹¹⁰ Following the coup and the change of regime in 1979, the authorities abandoned the phase-out plan in the early 1980s, as it had not led to the desired increase in domestic adoptions. Instead, international adoptions became a priority means of caring for children in need of protection.¹⁹¹¹ The *Dong-A Ilbo* newspaper warned of these changes in several articles in 1982, noting, amongst other things, that when adoption agencies competed for children, there was a risk that many infants and missing children not intended for adoption might be sent out of the country.¹⁹¹²

In 1981, regulations were introduced to govern private 'child counselling centres'.¹⁹¹³ Such centres had existed since the mid-1970s and were intended to supplement and relieve the strain on the limited public care services. Through counselling and guidance for parents, the centres were intended to reduce the number of children placed in public care. As such centres lacked public funding, they were mainly run by adoption agencies. Many new centres of this kind were established by adoption agencies after 1981.

As a result of liberalisation, the number of international adoptions – which peaked in the 1980s – rose to a total of 66,511.¹⁹¹⁴

New restrictions on adoption policy were introduced in the late 1980s, following the democratic election of a new president in 1987. Initially, there was a great deal of negative attention in the international press regarding the large number of adoptions in connection with the 1988 Seoul Olympics.¹⁹¹⁵ The South Korean press also criticised international adoptions and the conduct of adoption agencies.¹⁹¹⁶

In 1988, an agreement was concluded between the Ministry of Health and Social Affairs¹⁹¹⁷ and the heads of the four adoption agencies¹⁹¹⁸. Under this agreement, the agencies undertook, amongst other things, to restrict their activities aimed at recruiting children for adoption from hospitals, clinics, maternity centres, maternity homes and children's institutions.

¹⁹⁰⁹ TRC report, p. 20.

¹⁹¹⁰ TRC report, p. 20.

¹⁹¹¹ TRC report, p. 21 with further references.

¹⁹¹² TRC report, pp. 21 and 62, with further references

¹⁹¹³ The provisions were set out in the Child Welfare Act; see the TRC report, p. 49.

¹⁹¹⁴ Hübinette (2005), Table 1.

¹⁹¹⁵ *New York Times*, 21 April 1988.

¹⁹¹⁶ Newspaper articles cited in the TRC's report, including on pp. 63 and 64.

¹⁹¹⁷ In 1993, the Ministry of Health and Social Affairs changed its name to the Ministry of Health and Welfare, see Wikipedia. When describing specific events, the committee uses the name that applied at the time in question. When describing general circumstances that existed both before and after the name change, the name Ministry of Health and Welfare is used.

¹⁹¹⁸ Information provided to the committee during a meeting with Philsik Shin et al. in Seoul on 25 March 2025.

In March 1989, the Ministry of Health and Social Affairs carried out an audit of South Korean adoption agencies. Among the issues highlighted in the audit were unhealthy competition for children amongst adoption agencies, involving the reimbursement of expenses to institutions that referred parents to the agencies; large administrative and marketing budgets spent on sourcing children for adoption; a lack of qualifications amongst those counselling mothers; and group transport involving 10–16 children per flight.¹⁹¹⁹ The adoption agencies were also criticised for charging excessive fees for both domestic and international adoptions and for covering the mothers' hospital costs. It is unclear whether the audit report was published or made publicly available in South Korea.¹⁹²⁰

In 1989, the authorities introduced a plan to reduce the number of adoptions to 1,700 per year by 1995, and outbound adoptions were restricted to mainly cases where the child had been relinquished by a young and/or unmarried mother.¹⁹²¹ Although the targets set out in the phase-out plan were not met, the new restrictions quickly led to a decline in the number of adoptions and staff cuts at the four adoption agencies. Nevertheless, adoption figures remained at more than 2,000 per year throughout the 1990s and up until 2005.

In the 1990s, an increasing number of adoptees travelled back to South Korea to visit, some in order to find their birth parents. This attracted attention in the South Korean media. In 1998, the newly elected President Kim Dae-jung organised a meeting with 29 adoptees of South Korean origin, at which he, on behalf of the country and the authorities, issued an official apology for having sent more than 150,000 South Korean children abroad for adoption.¹⁹²²

In the 2000s, reforms were implemented to the adoption regulations with the aim of increasing the proportion of domestic adoptions. From 2006, all children made available for adoption were to be placed in domestic adoptions for six months before they could be adopted abroad. Furthermore, from 2006, a dedicated Adoption Day (11 May) was introduced, on which the authorities were to work actively to promote domestic adoptions.¹⁹²³ Various forms of support were also provided to adoptive families within the country.

The 2012 legislative reform, which included the introduction of a requirement for court proceedings in South Korea, led to a sharp decline in adoptions, both domestic and international. One explanation given for this is that a requirement was introduced stipulating that the child's mother had to register the child in the family register and that unregistered children could not be adopted.¹⁹²⁴

19.5.2 The main reasons for international adoptions from South Korea

The reasons why children have been made available for adoption to other countries have varied somewhat from period to period. Nevertheless, certain factors have been significant from the 1950s right up to the present day.

It is clear that the number of adoptions must have been influenced by the structural weaknesses and irregularities in the South Korean adoption system, as highlighted in the TRC's report and explained in more detail below. In this section, however, the committee will only describe the significance of factors outside the adoption system itself, such as cultural, family and social conditions.

¹⁹¹⁹ TRC's report, pp. 21 and 22.

¹⁹²⁰ See the Committee's interview with Philsik Shin et al. in Seoul on 25 March 2025, during which it was stated that another audit of the adoption organisations, carried out by the National Assembly in 1988, was not public or accessible to foreign partners.

¹⁹²¹ TRC's report, pp. 21 and 22; Sarri, Baik and Bombyk (1998), 'Goal displacement and dependency in South Korean-United States intercountry adoption', *Children and Youth Services Review* 20:1/2, p. 96.

¹⁹²² Hübinette (2005), p. 98.

¹⁹²³ https://www.kadoption.or.kr/en/info/info_history.jsp (accessed 16 December 2025).

¹⁹²⁴ SOU 2025:61, vol. 2, p. 592.

Cultural and ideological factors have influenced the development and scale of international adoptions. South Korean society has traditionally been characterised by a nationalist and collectivist ideology, with strict hierarchical structures and an emphasis on honour and respect for, amongst others, elders, leaders and the like. The family and blood ties have been important, and outward appearance – both material and social – has been of great significance. Children born out of wedlock, children of mixed parentage and children with disabilities have been viewed as detrimental to the family's social status, and they (and, where applicable, their mothers) have thus risked being ostracised by both their families and wider society.¹⁹²⁵

The position of unmarried mothers in South Korea has been a key factor throughout the entire period of adoptions. Both the social stigma to which single mothers have been subjected and the lack of support they have received from their families have contributed to many choosing – or being forced to choose – adoption. Nor did the state help to provide single mothers with the practical and financial means to raise a child. There was no financial support or provision for nurseries. Although the situation of single mothers has gradually improved in recent years, it remains challenging and financially difficult to raise children alone.

Another key reason for international adoption is that South Korean couples have been sceptical about adopting, given that Korean society has generally placed great emphasis on blood ties within the family. Although birth rates in South Korea have been low since the 1990s, and the authorities have introduced measures to increase domestic adoptions, it has been difficult to find new homes for abandoned children in South Korea. Inadequate public funding and support for children's homes, vulnerable families and alternative care have also been a driving factor at various times. When aid from other countries declined in the 1960s, adoption was seen as a practical solution for caring for children without increasing the state's social expenditure.¹⁹²⁶ The need to keep costs down was also a key consideration when the state lifted restrictions on adoptions in the early 1980s.¹⁹²⁷

The various periods of adoption also have certain distinctive features. The background to the children who were adopted in the 1950s and into the early 1960s was primarily that they had been orphaned during the war and/or were of mixed parentage.¹⁹²⁸

Throughout the 1960s, it was largely the aftermath of the war and economic difficulties that meant parents could not afford to keep their children. Birth rates in the 1960s were high. Children might have been expressly given up for adoption by their parents or others, or found abandoned and presumed to be orphaned or abandoned. Furthermore, in the early 1960s there was a reduction in foreign aid for child welfare, which meant that alternative solutions had to be found to care for children.¹⁹²⁹

In the 1970s, too, the financial reasons for adoption remained significant, but so did centralisation and changes in society which meant that the extended family no longer took responsibility for children to the same extent when the parents themselves were unable to do so.¹⁹³⁰

As the 1980s progressed, prosperity increased and the proportion of children given up by families who lacked the financial means to raise them fell. Conversely, the proportion of children given up by unmarried mothers, who were often young, rose. These mothers might also come from a middle-class background, but were unable to bring up a child on their own because it was not socially acceptable to be a single mother and there was a lack of state support schemes. From 1989 onwards, children who were adopted internationally came mainly from

¹⁹²⁵ SOU 2026:61, vol. 2, p. 579ff.

¹⁹²⁶ TRC report, p. 52, with further references.

¹⁹²⁷ TRC report, p. 21. ¹⁹²⁸

Hübinette (2005), pp. 52ff. ¹⁹²⁹

TRC report, p. 17.

¹⁹³⁰ Sarri, Baik and Bombyk (1998), pp. 94–95.

single mothers who had given their children up for adoption, often after giving birth at one of the maternity homes run by one of the organisations' agencies and receiving counselling there.

Many of the children who were adopted abroad had various minor disabilities. Between 1954 and 2001, 33,880 children adopted abroad are said to have had a disability, compared with just 195 of those adopted domestically.¹⁹³¹

19.5.3 Legislation on adoption in South Korea

Several laws have played a role in regulating adoptions to Norway from South Korea.

The most important law has been the Adoption Act, which from 1961 regulated the conditions for adoption to other countries, and from 1976 also domestic adoption. The Act has been amended and replaced several times. The provisions of the Act have been supplemented by rules laid down in decrees issued by the President and ministries, and by other guidelines from the authorities.

There have also been rules of central importance to the adoption process in other legislation, including the South Korean Civil Code, the Family Register Act, the Child Welfare Act and the Act on the Guardianship of Orphans in Protective Facilities.

Some of the statutory provisions were not followed in practice. This applies, for example, to the requirement in the Adoption Act of 1961 regarding court proceedings in South Korea; see section 19.7.3 for further details. In cases where established practice was at odds with requirements set out in the statutory text, and where that practice was known and accepted by the South Korean authorities, it may be difficult to assess what constituted the applicable law in South Korea. In any event, it is unclear whether the statutory text can be relied upon in its entirety.

19.5.3.1 *The Adoption Act*

The first Adoption Act came into force on 30 September 1961 and was entitled 'the Act on Special Cases concerning Orphan Adoption'¹⁹³². The Act regulated the international adoption of South Korean children and was intended to facilitate such adoptions.

The Act applied to the adoption of 'orphans', defined as either children without a known guardian or provider, or children whose guardian or provider had consented to the adoption.¹⁹³³ The Act set out requirements for adoptive parents, including in relation to health, conduct and the financial capacity to care for the child.¹⁹³⁴ Furthermore, it stipulated that the child must not be sold, used for shameful activities, subjected to hard labour or any other activity contrary to human rights.

Under the Adoption Act of 1961, it was the district court in South Korea that could grant adoption following an application from the prospective adoptive parents.¹⁹³⁵ There was no requirement for the parents to travel to South Korea to finalise the adoption. If the child's guardian or legal representative was unknown, the court was to search for the child's parents or guardian by placing a notice in a newspaper and at the court. This was to be done twice, 20 days apart.¹⁹³⁶ However, the requirement for court proceedings was not followed in adoptions to Norway (see section 19.7.3).

¹⁹³¹ Hübinette (2005), p. 101.

¹⁹³² The English translation used by the TRC.

¹⁹³³ Article 2, paragraph 1.

¹⁹³⁴ Article 3.

¹⁹³⁵ Article 4.

¹⁹³⁶ Article 4, paragraph 2. In 1965, the prescribed interval between notices was reduced to 15 days.

In 1966, the Act was amended, notably by introducing a requirement that only adoption agencies approved by the Ministry of Health and Social Affairs could arrange adoptions. The agencies had to meet specific requirements set out in the Act and in a presidential decree.¹⁹³⁷

From January 1977, the first Adoption Act was replaced when ‘The Act on Orphan Adoption’ of 1976 came into force.¹⁹³⁸ The purpose of the Act was to promote the adoption of children placed in protective institutions, and it applied to both domestic and international adoptions of these children. For international adoptions, the Act set out two different procedures, depending on whether the adoption was to take place in South Korea or in the applicants’ home country. It was only if the adoption took place in South Korea that court proceedings were required¹⁹³⁹. Article 10 of the Act allowed for adoptions to be carried out instead in the adoptive applicants’ home country, without any prior court proceedings in South Korea and without the applicants travelling to Korea. Instead, the child’s departure for adoption was to be approved by the Ministry of Health and Social Affairs, following an application from the adoption agency. In practice, this was the procedure used for international adoptions, and it is this process that is described below.¹⁹⁴⁰

The provision specifying which children could be adopted was amended in the 1976 Act. Under Article 2, this applied to children in institutional care who met one of a number of specified criteria¹⁹⁴¹:

Article 2 (Eligibility of an adoptive child)

1. A person who is eligible for adoption in accordance with the provisions of this Act must be under the age of eighteen and be residing in a child protection facility (hereinafter referred to as a ‘protection facility’) under the Child Welfare Act or the Livelihood Protection Act; and must meet one of the following requirements;
 - 1) A person who has been separated from their parents and placed in care at the request of the Mayor of Seoul, the Mayor of Busan, or the Governor (hereinafter referred to as the Governor), as it is not possible to identify the person responsible for the child’s maintenance.
 - 2) A person who has been placed in care following consent to adoption given by their parents (or by their lineal ascendants, in the event of the parents’ death or for other reasons) or by their guardian.
 - 3) A person who, at the request of a Governor, is entrusted with the care of a child whose parents have had their parental rights terminated by the court.
 - 4) A person known to have no one responsible for their maintenance.
2. A person eligible for adoption in accordance with the provisions of Paragraph 1 shall include the head of a family or the eldest son of the head of a family.

The 1976 Act contained provisions on consent in Article 4. In principle, the consent of the parents was required. If it was not possible to obtain such consent, for example because the parents were deceased, consent was to be obtained from someone of whom the child was a direct descendant. Where there were neither known parents nor other direct (lineal) ancestors, consent had to be obtained from the child’s guardian.

¹⁹³⁷ Section 5 of the Act and Presidential Decree No. 3130.

¹⁹³⁸ Act No. 2977, 31 December 1976.

¹⁹³⁹ Article 8.

¹⁹⁴⁰ In practice, most earlier adoptions were not dealt with by the court either; see section 19.7.3.

¹⁹⁴¹ Translated version of the Act available at VB.

In 1983, guidelines were introduced stipulating that children in the adoption process could not leave the country until six months had elapsed since the child had been placed with the adoption agency.¹⁹⁴² The purpose of these provisions was to prevent missing children from being adopted before they were found by their parents.

In 1996, the 1976 Act was replaced by a new Adoption Act – the ‘Special Act Relating to the Promotion and Procedure of Adoption’.¹⁹⁴³ The main criteria for which children could be adopted remained unchanged.¹⁹⁴⁴ The Act, however, imposed new competence requirements on adoption agencies and introduced new rules on supervision and on the requirements for prospective adoptive parents. It was still possible to take a child out of the country without any adoption decision from the South Korean authorities, provided an exit permit was obtained from the Ministry of Health and Social Affairs. The group of children eligible for international adoption was, however, restricted, as it followed from Article 17(1) of the Act that children found to be lost without parents (lost children) could not be adopted abroad.¹⁹⁴⁵

In 2007, in line with the principle of subsidiarity, a priority system for domestic adoptions was introduced. This meant that adoption agencies had to search for adoptive parents in South Korea for five months before the children could be released for adoption to other countries.¹⁹⁴⁶

In 2008, the family registration system was amended so that a mother could register a child herself. Under the law, it was then no longer the male head of the family who decided whether a child could be registered.¹⁹⁴⁷

In 2012, the Adoption Act of 1996 was replaced by the ‘Act on Special Cases Concerning Adoption’¹⁹⁴⁸, which entailed a major reform of the process for international adoptions. Under the new Act, international adoptions had to be decided by the Family Court in Seoul, with a requirement for the adoptive applicants to appear in person before the child could leave the country. Adoptions were thus carried out in South Korea in accordance with South Korean law.

A provision was also introduced stipulating that the mother’s consent to adoption could not be given until at least one week after the birth. During this period, she was to keep the child with her and receive counselling. The child was to be registered in the mother’s family register – regardless of whether she intended to keep the child. The 2012 reform led to a decline in the number of adoptions, which was most pronounced for international adoptions but also affected domestic adoptions. One explanation put forward for this has been that the new law introduced a requirement to register the child under the mother’s name in the family register before it could be adopted.¹⁹⁴⁹

In 2012, changes were also made to the personal data regulations, meaning that information about the adoptee’s birth family could no longer be disclosed to the adoptee without the family’s consent. Without such consent, information may only be disclosed regarding: 1) the birth parents’ age and place of residence at the time of adoption; 2) the date and circumstances of the adoption; 3) the adoptee’s name prior to adoption; 4) date and place of birth; 5) the name of the adoption agency and the institution where the adoptee was placed prior to the adoption.¹⁹⁵⁰

¹⁹⁴² TRC report, p. 102.

¹⁹⁴³ Act No. 4913 of 5 January 1995, which came into force on 6 January 1996.

¹⁹⁴⁴ TRC report, p. 28.

¹⁹⁴⁵ This had also been the practice since 1989; see Sarri, Baik and Bombyk (1998), p. 96.

¹⁹⁴⁶ SOU 2025:61, vol. 2, p. 591.

¹⁹⁴⁷ The amendments were made to the Civil Code after the Constitutional Court had ruled in 2005 that the previous system was discriminatory; see SOU 2025:61, vol. 2, p. 603.

¹⁹⁴⁸ Act No. 11007, 4 August 2011.

¹⁹⁴⁹ SOU 2025:61, vol. 2, p. 592 with further references.

¹⁹⁵⁰ SOU 2025:61, vol. 2, p. 592.

In 2014, South Korea's Constitutional Court ruled that there was a conflict of interest between the advice given by adoption organisations to unmarried mothers and their role in arranging adoptions. The Court prohibited the organisations from running maternity homes.¹⁹⁵¹

In 2015, amendments were made to the Family Register Act, meaning that sensitive information concerning adoption, children born out of wedlock and divorce would not be accessible to employers and others seeking background information on individuals.¹⁹⁵² A requirement was also introduced for hospitals to cooperate with birth registrations, the aim of which was to prevent domestic adoptions from taking place by adoptive parents registering the child as their own.

In July 2025, the Adoption Act of 2012 was replaced by two Acts: one on domestic adoption (The Special Act on Domestic Adoption) and one on intercountry adoption (The Act on Intercountry Adoption). These Acts mean that responsibility for the entire adoption process, including matching, is taken over by the authorities.¹⁹⁵³ The changes to the regulations and the system were linked to South Korea's accession to the Hague Convention; see section 19.5.4.

19.5.4 South Korea's accession to the Convention on the Rights of the Child and the Hague Convention on Adoption

19.5.4.1 *The Convention on the Rights of the Child and its Optional Protocols*

South Korea ratified the Convention on the Rights of the Child in 1991, but entered reservations on three points, one of which concerned parts of the provision on adoption in Article 21 of the Convention. The reservation regarding this article related to subparagraph (a), which requires the State to

[...] ensure that authorisation for adoption is granted only by competent authorities which, in accordance with applicable laws and procedural rules and on the basis of all relevant and reliable information, decide that adoption may be permitted in the light of the child's situation in relation to parents, relatives and guardians, and that the persons concerned, where necessary, have given their consent to the adoption after having received full information and such advice as may be necessary.

The Committee on the Rights of the Child repeatedly recommended that South Korea withdraw its reservation.¹⁹⁵⁴

In their statement to the Committee on the Rights of the Child on 3 January 2003 explaining why they would not lift their reservation to Article 21(a), the South Korean authorities stated that this was linked to traditional culture, which, whilst admittedly changing, still placed great emphasis on maintaining a pure bloodline within the family. Adoptive parents therefore wish, in most cases, to keep the adoption confidential and to register the child as their own biological child. The South Korean authorities therefore considered that a requirement for the adoption to be processed by the competent authorities could deter potential adoptive parents and lead to a decline in domestic adoption.

The reservation under Article 21(a) was first withdrawn in 2017.

In 2004, South Korea ratified the 2000 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Here too, the country has entered a reservation against a provision concerning adoption – Article 3(1)(a)(ii). The provision requires States to make it a criminal offence 'to act improperly, as an intermediary, to obtain consent for the adoption of a child in contravention of applicable international legal instruments on adoption'. In the reservation to

¹⁹⁵¹ SOU 2025:61, vol. 2, p. 592 with further references.

¹⁹⁵² SOU 2025:61, vol. 2, p. 593.

¹⁹⁵³ The Committee's meeting with the NCRC and the Ministry of Health and Welfare on 28 March 2025.

¹⁹⁵⁴ The Committee on the Rights of the Child's 'concluding observations' from the first three reporting cycles, in 1996, 2003 and 2012.

South Korea states that it interprets the provision as applying only to countries that are parties to the Hague Convention on Adoption.

19.5.4.2 *The Hague Convention*

In 1996, the Committee on the Rights of the Child recommended that South Korea consider ratifying the Hague Convention on Intercountry Adoption.¹⁹⁵⁵ The Committee reiterated this recommendation in 2003¹⁹⁵⁶, 2012¹⁹⁵⁷ and 2019.¹⁹⁵⁸

South Korea signed the Hague Convention on Adoption in 2013, but the Convention was not ratified until June 2025, after adoption cooperation with Norway had ended. The Convention entered into force in South Korea on 1 October 2025. The reasons for the long delay between signing and entry into force were that it was considered necessary for the state to assume full responsibility for the adoption process prior to ratification, a requirement which was not met until the entry into force of the new Adoption Act in 2025¹⁹⁵⁹.

19.5.5 The adoption process for international adoptions in South Korea

In practice, the process for international adoptions to Norway was subject to only minor changes in the period from the 1960s until the new Adoption Act came into force in 2012.

The adoption process itself began when the child was placed for adoption with one of the adoption agencies, but the children's routes to the agencies varied.¹⁹⁶⁰

Many children who were adopted were transferred to Holt from other children's homes. It was the responsibility of local and regional authorities to refer children in need of care to children's homes.¹⁹⁶¹ The Committee understands that this could apply to children who were found abandoned, children who did not receive adequate care, or children who were handed over to the children's home by parents or other carers.

However, many children's homes had limited capacity and were overcrowded at times. They were obliged to admit new children as and when they were referred, and were therefore dependent on sending children elsewhere.¹⁹⁶² Children who were not returned to their parents or other relatives capable of looking after them were therefore often transferred to other institutions or to an adoption agency. The director of the children's home¹⁹⁶³ could decide on the transfer of children, but such transfers had to be approved by the regional authorities.¹⁹⁶⁴

Various maternity wards and maternity homes also transferred children to adoption agencies. Until 1989, children who had been released for adoption by their parents or abandoned at hospital could be transferred directly from the hospital to an adoption agency. After this, the authorities first had to decide that the children should be taken into care and transferred to an institution.

¹⁹⁵⁵ CRC/C/15/Add.51 13 February 1996.

¹⁹⁵⁶ CRC/C/15/Add.197 18 March 2003.

¹⁹⁵⁷ CRC/C/KOR/CO/3-4 2 February 2012.

¹⁹⁵⁸ CRC/C/KOR/CO/5-6.

¹⁹⁵⁹ The Committee's meeting with the NCRC and the Ministry of Health and Welfare on 28 March 2025.

¹⁹⁶⁰ TRC report, p. 39.

¹⁹⁶¹ TRC's report, pp. 32, 33 and 40f.

¹⁹⁶² TRC report, p. 42.

¹⁹⁶³ The director of a public institution was automatically the children's guardian, whilst the director of a private institution had to be appointed before being able to act as guardian; see the TRC's report, p. 41, note 76.

¹⁹⁶⁴ TRC report, p. 42.

Several children were also handed over directly to adoption agencies by a parent or others. This often applied to children born at one of the agencies' own maternity homes, or who were referred through an agency's counselling service for pregnant women.

The adoption process itself began once a child had been transferred to Holt. The chronology of the process is described as set out by the TRC and appears to have been followed in most of the individual cases reviewed by the committee, although it is possible that the order of the various stages may have varied. This description covers the period up to the Adoption Act of 2012.

The matching of children with adoptive parents was carried out by the South Korean adoption agencies after they had received the documentation concerning the applicants.

In order to be eligible for adoption, a child had to be registered in the South Korean family register. Children who had not already been registered by their parents, or whose parents were unknown, therefore had to be registered by the adoption agency before the adoption could go ahead. In some cases, children who were already registered were re-registered. In the vast majority of cases, on the initiative of the adoption agency, the child was registered in the family register as being of unknown parentage, regardless of whether the parents were known.

When registering children of unknown parentage, local authorities were required to draw up a report on the child, and the family court had to approve the creation of a new family in the register.¹⁹⁶⁵ The practice of registering children of unknown parentage, and the process followed in these cases, has been the subject of considerable debate. This is described in more detail below in section 19.7.5.

The next step was the appointment of the agency's president as the child's guardian. The local authorities were responsible for this appointment.¹⁹⁶⁶ As Holt had its head office in the Mapo district of Seoul, it was the Mapo District Officer who issued the guardianship appointment.¹⁹⁶⁷ In connection with the appointment, the local authorities (local district office) were required to search for the child's family or carers by means of a 'public notice'.¹⁹⁶⁸

Once the agency's president had been appointed as guardian, he or she could issue a declaration releasing the child for adoption. In practice, we see that in 'Norwegian' cases the declaration was worded such that the child was released 'for adoption to Norway', without the names of the prospective adoptive parents being mentioned in the document.

SUAK's report on its fact-finding and monitoring visit to South Korea in 2002 describes a process in which local authorities appear to play a greater role than described above. According to the report, the Mapo District stated during a meeting that, in cases of international adoption, it had 'the responsibility to review and verify all documents relating to the adoption (matching), to ensure that the process has been carried out correctly, and that the documents of both the child and the prospective adoptive parents are in order'. The Committee is not aware of where this task is regulated, and based on other sources' descriptions of the process, we are uncertain as to whether the description in the mission report is entirely accurate.

Before the child could leave the country, an exit permit had to be granted by the Ministry of Health and Social Affairs.¹⁹⁶⁹ The application for such a permit had to be accompanied by documentation showing that the child met the conditions for adoption, that consent to the adoption had been given by a person authorised to do so, and that the prospective adoptive parents had a satisfactory home environment.

¹⁹⁶⁵ TRC report, p. 37.

¹⁹⁶⁶ The appointment was made pursuant to Article 2 of the Law concerning guardianship of orphans in protection facilities. There was also a provision regarding the appointment of guardians in Article 12 of the Adoption Act 1976.

¹⁹⁶⁷ In cases up to around the mid-1980s, the appointments of guardians reviewed by the committee were signed by the Mayor of the Special City of Seoul.

¹⁹⁶⁸ Enforcement Decree of the Act on Guardianship, Article 3-2.

¹⁹⁶⁹ The requirement for such authorisation was introduced in the Adoption Act of 1976; see Article 9(3) of the Act.

Before departure, the child also had to be issued with travel documents by the South Korean Ministry of Foreign Affairs.¹⁹⁷⁰ At times, visas were also issued by the Norwegian embassy or consulate.

The actual decision on adoption was made in the receiving country during the period from 1976 to 2012. Prior to 1976, under the South Korean Adoption Act of 1961, the adoption was to be carried out in South Korea by decision of a South Korean court; however, in most cases this was not followed in practice.¹⁹⁷¹ Adoptions to Norway were carried out by Norwegian adoption authorities making a decision on adoption pursuant to the Norwegian Adoption Act and issuing an adoption authorisation. Norwegian adoption authorisations were also issued in cases during the 1960s where the adoption had been finalised by a South Korean court.

Once the child had been adopted in the receiving country and had been granted citizenship, notification of this was to be sent to the South Korean authorities via the adoption agency. The South Korean authorities were then to ensure that the child's South Korean citizenship was revoked.

19.6 Developments in adoption cooperation between Norway and South Korea

19.6.1 Number of adoptions

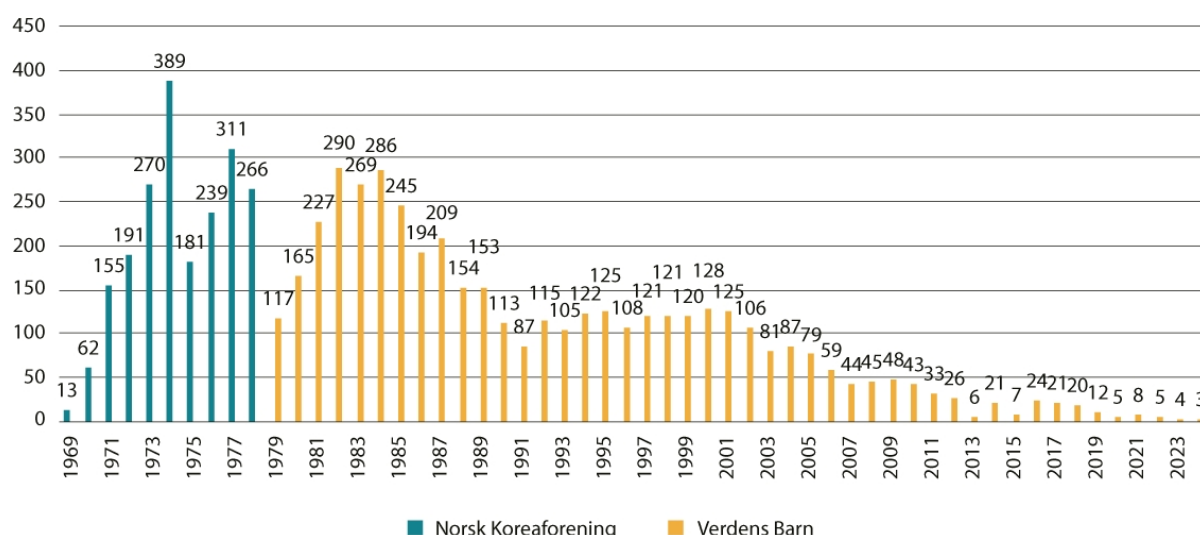


Figure 19.1 Adoptions arranged from South Korea to Norway 1969–2024

* In addition, approximately 170 children arrived before 1969.

Source: Figures taken from Bufdir's and Children of the World's statistics (see section 3.5)

A total of 6,726 children have been adopted from South Korea to Norway. Of these, 6,556 were arranged by the Korea Association/Children of the World after they were granted authorisation to arrange adoptions in 1969. There were 170 children who arrived before 1969, and most of these adoptions also took place with some assistance from the Korea Association.¹⁹⁷² A proportion of the adoptions during the initial period were, however, arranged through various other organisations.

¹⁹⁷⁰ TRC's report, p. 34.

¹⁹⁷¹ See section 19.7.3.

¹⁹⁷² Recommendation from the Korea Association's committee for the evaluation of adoption work, 3 December 1974.

As can be seen from the statistics in Figure 19.1, the number of children arriving has varied. The clear peak year was 1974, when 389 children arrived. Since the 1970s, there have been two other peaks in the number of adoptions: one in the early 1980s (260–290 children per year) and one in the 1990s (120–130 children per year). By comparison, in the final decade covered by the overview (2013–2022), only 129 children arrived in total.

In the final years of the placement period, the need for international adoptions had diminished for various reasons. Few children were placed, and these were primarily children with health issues. Children of the World's general placement licence was not renewed in 2023, but a limited licence was granted to finalise a small number of adoptions that had already been initiated. The last two children adopted from South Korea arrived in Norway in October 2024.

19.6.2 The period 1954–1969: Great hardship, adoptions of children of mixed parentage and multiple stakeholders

The very first children to arrive in Norway from South Korea for adoption are said to have arrived in 1954 alongside personnel who had served at the Norwegian field hospital NORMASH. These were older children and teenagers who had been looked after by Norwegians at the hospital.¹⁹⁷³

In Norway, the Norwegian Korea Association (later Children of the World) played a central role in facilitating the placement of children from South Korea. The association was founded in 1953 by personnel from the Norwegian field hospital NORMASH, and began extensive aid work that continued for many years. In 1954, it was decided to establish a hospital for children with tuberculosis in Seoul, which opened in 1955. The hospital in Seoul was run by the Korea Association until it was handed over to the South Korean authorities in 1965. In the city of Mokpo, the Korea Association ran another hospital for children with tuberculosis from 1962 to 1970 and a tuberculosis control centre from 1965 to 1973.¹⁹⁷⁴ These institutions were also handed over to the Korean authorities. Between 1975 and 1977, the Society ran a day centre for children in Mapo, Seoul. Until the early 1970s, aid work was the Korea Society's main activity, and approximately 10 million Norwegian kroner were raised for the fight against tuberculosis.

From 1955, the Korea Association assisted with a few adoptions each year, primarily through the association's secretary in Norway and the director of the tuberculosis hospital in Seoul. According to Hognestad and Steenberg's annotated edition of the Adoption Act (2000), the Korea Association received permission from the authorities as early as the 1950s to bring a few children to Norway with a view to adoption. The Committee has found no information to suggest that the association was granted a formal authorisation to act as an intermediary at that time, but in February 1960, the Korea Association's Secretary-General stated in a letter to the director of the association's hospital in Seoul that the adoptions had taken place with the tacit consent of the Ministry of Social Affairs, with whom he had discussed the matter privately.¹⁹⁷⁵

In the same letter, it was suggested that the association should cease assisting with adoptions, as the work was labour-intensive, whilst it was unclear what it meant to 'arrange' adoptions. The secretary believed that the association was operating on the borderline of what was permitted without a placement licence.¹⁹⁷⁶ It was also stated that, in principle, the board was not particularly enthusiastic about the adoption work.

However, in a letter between the same parties two months later, it emerges that the association's adoption work and the procedures for this had by then been discussed with the head of the Social Affairs Department

¹⁹⁷³ Report from the Korea Association's committee for the assessment of adoption work, 3 December 1974. One such adoption is described in *VG* on 2 March 1975.

¹⁹⁷⁴ VB (2003) *Verdens Barn 50 Years*, anniversary book 2003.

¹⁹⁷⁵ Letter dated 16 February 1960.

¹⁹⁷⁶ From 1953, it was prohibited to act as an adoption agency without special authorisation, cf. the Child Welfare Act 1953, Section 26(b).

¹⁹⁷⁷ The Head of the Bureau had stated that the Ministry ‘was satisfied with’ the procedure followed by the association, and that it ‘had no objection to the association contributing in this way’ to adoptions. The secretary had the impression that the Ministry considered it would be advantageous for adoptions to continue to be processed through the channels used by the association, rather than applicants acting on their own initiative.

Alongside the activities of the Korea Association, there were also other organisations and individuals in the 1960s who facilitated contact and provided practical assistance to adoptive parents who arranged adoptions through private channels. One such person is mentioned in the aforementioned letter from the Korea Association’s secretary dated February 1960. Several people are said to have adopted children with the help of individuals associated with the Korea Mission.¹⁹⁷⁸ A press report in **Østlendingen** in 1975 mentions a person who had links to the Korea Mission, and later to the Pearl S. Buck Foundation, who is said to have arranged for 30–40 children to be sent to Norway.¹⁹⁷⁹ The Committee has also received information that there were adoptions to Norway in the 1960s through Child Placement Services and through Seventh-day Adventists who ran the Samyook Hospital.¹⁹⁸⁰

A letter from the Norwegian Embassy in Tokyo in 1966 states that the American organisation ‘International Placement Service (I.P.S.)’ was apparently the organisation most frequently used by Norwegian applicants at that time.¹⁹⁸¹ The information appears to have come from the Norwegian Consul-General. The Committee has no other information about such an organisation, and it is possible that this refers to a body referred to by a different name in other sources, for example ISS or CPS.

We know that, during the period 1963–1965, a Norwegian female doctor working in South Korea acted as a contact person for adoptions through the Korea Association.¹⁹⁸² She is said to have facilitated contact between 50 South Korean children and prospective parents in Norway.

From 1966, the Korea Association had a permanent contact in Korea: the Seoul Sanatorium and Hospital Orphanage (Sung Yuk Won). Contact persons at the institution assisted in finding a child, as well as arranging for the child to undergo a medical examination and looking after the child until it could be brought to Norway. The number of adoptions increased throughout the 1960s.

Following an amendment to South Korea’s Adoption Act in 1966, only organisations approved by the Korean authorities were permitted to arrange adoptions from Korea. The Committee has found no evidence that the Seoul Sanatorium and Orphanage held such a licence.¹⁹⁸³ However, they ceased to assist with adoption cases in 1969, and the Korea Association therefore entered into an agreement with the Holt Adoption Programme, Seoul.¹⁹⁸⁴

In the period leading up to the Korea Association being granted a placement licence in 1969, approximately 170 South Korean children were adopted by Norwegian parents.¹⁹⁸⁵

¹⁹⁷⁷ Letter dated 22 April 1960.

¹⁹⁷⁸ An adoption arranged through the Korea Mission is described in **Vårt Land** on 12 October 1965. The child is said to have arrived in Norway together with ten other adopted children.

¹⁹⁷⁹ **Østlendingen**, 20 September 1975.

¹⁹⁸⁰ Email from Youngeun Koo, 12 November 2025.

¹⁹⁸¹ Letter to the Ministry of Foreign Affairs, 5 January 1966.

¹⁹⁸² *Stavanger Aftenblad*, 22 May 1965. VG, 2 March 1975

¹⁹⁸³ They are not listed amongst those reported to have had such approval in the TRC’s report.

¹⁹⁸⁴ Recommendation from the Korea Association’s committee for the assessment of adoption work, 3 December 1974

¹⁹⁸⁵ Pedersen, L. U. (1991), **Norway in Korea**, p. 171, states 113 children between 1954 and 1967 + 57 children in 1968 (= 170). In

Verdens Barn 50 Years, p. 24, the figure is given as 115 children between 1954 and 1967 + 57 children in 1968 (= 172). No source is cited for the figures in these two accounts.

The Korea Association's annual reports for 1967, 1968 and 1969 show that the organisation was involved in the plight of abandoned children through its aid work in Korea. It is stated that around 10,000 children were abandoned each year by their parents or relatives, who hoped that the authorities would take care of them. To help, the Korea Association had set up two rooms as a reception centre for abandoned children at the porter's lodge of the tuberculosis centre in Mokpo, and a social worker attempted to trace the parents with the help of the authorities and the press. If the parents were found, they were given help to keep their child. In 1968, 75 abandoned children who had been found in the city or outside the maternity ward were brought in. It is reported that 11 of these died. Ten were returned to their parents after they had been traced and were able to care for them, whilst 33 were sent to South Korean children's homes. No account is given of what happened to the remaining 21.

19.6.3 1969–1980: agreement with Holt and rapid growth, followed by a phase-out plan and restrictions

In 1969, the Korea Association was granted a general authorisation by the Norwegian Ministry of Social Affairs to arrange adoptions from South Korea.¹⁹⁸⁶ That same year, they established a formal partnership with Holt, which was then a well-established organisation authorised by the South Korean authorities.¹⁹⁸⁷ The first children through Holt arrived in Norway in September 1969, and since then the Korea Association / Children of the World has worked exclusively with Holt.

The committee has found some evidence of adoptions via channels other than the Korea Association/Holt in the early years following 1969. In 1971, the Ministry of Social Affairs held a meeting with the Korea Mission regarding its adoption activities, during which it was stated that they were assisting Norwegian parents with adoptions, and that this involved around 2–3 adoptions per year.¹⁹⁸⁸ These adoptions are said to have been carried out in collaboration with the Child Placement Service. At the meeting, the Korea Commission's representative was informed of the Child Welfare Act's prohibition on conducting adoption mediation without a licence. Furthermore, the representative was asked to send the Ministry a written account of the organisation's activities as part of any application for a mediation licence for the Korea Commission. The Committee has not found any such statement or application in our archive searches, and assumes that the Korea Mission did not apply for an agency licence. It cannot be ruled out that other channels were also used to carry out independent adoptions in the early years following 1969.¹⁹⁸⁹

From 1970, the Korea Association had a permanent secretariat. In 1972, the secretariat consisted of a director who worked there full-time, assisted by a part-time office assistant and some hourly-paid temporary staff. In the same year, the Korea Association arranged the adoption of 184 children from Korea.

In 1973, the Korea Association's tuberculosis control centre in Mokpo was handed over to the South Korean authorities, and from then on, adoptions have been the Korea Association's main activity. The Korea Association continued to support the hospital in Mokpo for a few years, but also supported other projects. Gradually, most of the aid to South Korea was channelled through Holt, including through sponsorship schemes for children at Holt's institutions.¹⁹⁹⁰

In 1974, 389 children were adopted from Korea to Norway. This was the year with the highest number of adoptions from South Korea to Norway. It is also the highest number of adoptions from any other country to Norway in a single year. In

¹⁹⁸⁶ SD's letter to the Korea Association dated 21 April 1969.

¹⁹⁸⁷ *'Verdens Barn 50 Years'*, p. 26, Agreement between Verden Barn and Holt Children's Services, 1 June 1968 (unsigned version of the agreement sent to the Norwegian Directorate for Children, Youth and Family Affairs as an annex to an application for a placement licence from VB on 3 October 2011).

¹⁹⁸⁸ Minutes of the SD meeting of 1 October 1971.

¹⁹⁸⁹ It is unclear to the committee whether this might, for example, apply to any of the adoptions to Norway described in **Østlendingen** on 20 September 1975.

¹⁹⁹⁰ See more on this in section 19.8.2.

In 1974, the secretariat's staff consisted of two full-time employees and one part-time employee, with two temporary assistants paid by the hour.¹⁹⁹¹

In July 1974, the embassy in Tokyo sent a press clipping from **The Japan Times** to the Ministry of Foreign Affairs, with the headline 'South Korean "Orphans" for Export'.¹⁹⁹² The article is based on unnamed sources from aid organisations and describes a situation in which adoption agencies are actively seeking out children. As part of their efforts to secure children, agencies are said to have covered the costs of childbirth, and some are reported to have paid children's homes a sum to secure first priority for adoptions from those homes, as well as an additional fee for each child adopted. A director from Holt, however, told the newspaper that they were doing everything they could to ensure that children could remain with their parents whenever possible. The article was forwarded to the Ministry of Justice and the Ministry of Social Affairs, and its contents were discussed at a meeting with the same director from Holt, who was visiting Norway in the summer of 1974.¹⁹⁹³ According to minutes from the meeting included in Verden Barn's annual report for 1974, the director firmly refuted allegations that Holt had purchased children from parents and unmarried mothers.

Suspension of adoptions to Nordic countries

In December 1974, the South Korean authorities imposed a suspension on adoptions to Swedish, Danish and Norwegian parents.¹⁹⁹⁴ However, adoptions of children who had already been matched with applicants went ahead. Furthermore, it appears that adoptions were still possible where the prospective adoptive parents travelled to South Korea themselves to finalise the adoption; however, according to the Korea Association, this was an unrealistic approach 'given the considerable costs that such a journey and stay there would entail'.¹⁹⁹⁵

The reasons for the suspension were unclear to the Norwegian authorities, but it has been suggested that one reason was allegations that many of the children in Scandinavia were not faring well, that there was a high divorce rate and that several children ended up in care.¹⁹⁹⁶ It was also claimed that the suspension was primarily a reaction to North Korean propaganda alleging that South Korean children were being sold to the Scandinavian countries. Other sources mention several reasons, such as negative press coverage of adoptions in Nordic newspapers. The South Korean embassy in Denmark reported back to Seoul that the adoptions contributed to a negative impression of South Korea as a poor country unable to care for its own children, and is also said to have highlighted a shift to the left in Danish politics.¹⁹⁹⁷ A memorandum from the Ministry of Justice in June 1975 also speculates as to whether the South Korean ambassador to Norway's negative attitude towards adoptions had played a role.¹⁹⁹⁸

In its report, the TRC suggests that the suspension and the reasons behind it may indicate that the South Korean authorities placed greater emphasis on diplomatic gains than on the best interests of the children in their assessments of adoption.¹⁹⁹⁹

¹⁹⁹¹ The Korea Association's annual report for 1974.

¹⁹⁹² See letter of 10 July 1974. The article was published on 4 July 1974.

¹⁹⁹³ See undated memo from the Ministry of Social Affairs regarding preparations for the meeting with the director and the Korea Association's Annual Report for 1974.

¹⁹⁹⁴ A brief suspension of adoptions to Nordic countries took place from 1 December 1970 to 1 March 1971, and is described in the TRC's report.

¹⁹⁹⁵ Letter from the Korea Association to the Ministry of Social Affairs dated 12 February 1975.

¹⁹⁹⁶ Memorandum from the Ministry of Social Affairs containing an undated account of the adoption of children from Korea. See also the Appeals Board's report 2024, p. 42.

¹⁹⁹⁷ TRC's report, p. 19.

¹⁹⁹⁸ Memorandum dated

23 June 1975. ¹⁹⁹⁹

TRC's report, p. 19.

The suspension sparked concern in the Scandinavian countries, perhaps particularly because it affected only these three countries. In March 1974, the Norwegian Ambassador in Tokyo handed over a note of protest to the South Korean authorities against the discrimination to which Norway was believed to have been subjected.²⁰⁰⁰ The Norwegian Embassy Counsellor also approached the South Korean Ministry of Foreign Affairs to request the lifting of the restrictions. The background to these approaches was probably also that the South Korean embassy had indicated that adoptions might once again be permitted under the previous guidelines if the population of the Nordic countries were favourably disposed towards adoptions and ‘the government of the country concerned officially requests the Korean government to allow the children to be adopted under the same as before’.²⁰⁰¹

On Sweden’s initiative, three South Korean journalists were invited to the Nordic countries to assess the situation. The strongest pressure to lift the suspension of adoptions also came from the Swedish authorities, who, amongst other things, used their seat on the UN Security Council as a means of exerting pressure.²⁰⁰²

The suspension was eventually lifted in the autumn of 1975. Instead, the South Korean side introduced certain new rules, such as a limit of 20 children per month that each South Korean organisation could ‘prepare’ for adoption to the Scandinavian countries.²⁰⁰³ As Holt arranged adoptions to both Norway and Denmark, Norway’s quota was set at 10 children per month. Restrictions were also introduced on the number of children that could be sent on the same flight, which may have been linked to the South Korean authorities’ desire to minimise publicity surrounding the adoptions.²⁰⁰⁴

Following a decline in 1975 as a result of the suspension of adoptions, adoption figures for Norway remained relatively high in the years 1976–1978.²⁰⁰⁵

Parents who collected children themselves in South Korea were not counted towards the quota set for Scandinavian countries, and group trips were therefore organised to collect the allocated children. The group travel scheme was temporarily suspended by the South Korean authorities in the spring of 1976, as it contravened the requirement that a maximum of five children could be sent out of South Korea per flight.²⁰⁰⁶ However, the group trips resumed quickly, and in 1976, 117 children were collected by their Norwegian adoptive parents in Korea, whilst 119 arrived in Norway under escort.²⁰⁰⁷

The quotas that had been introduced for adoptions to the Scandinavian countries were lifted in 1977.²⁰⁰⁸

Debate on adoptions and the establishment of Verdens Barn

As the Korea Association anticipated that the demand for adoptions from the South Korean side would decline, whilst capacity and demand for adopted children in Norway would increase, it gradually became necessary for the association to look at other countries of origin.

²⁰⁰⁰ Memorandum from the Ministry of Social Affairs containing an undated report on the adoption of children from Korea.

²⁰⁰¹ Letter from the Korea Association to the Ministry of Social Affairs dated 12 February 1975.

²⁰⁰² See SOU 2025:61, vol. 2, p. 620ff.

²⁰⁰³ SOU 2025:61, vol. 2, p. 624.

²⁰⁰⁴ See the TRC’s report, p. 97.

²⁰⁰⁵ See Figure 19.1.

²⁰⁰⁶ The Korea Association’s Annual Report 1976.

²⁰⁰⁷ The Committee is not aware of whether, and if so when, the limit of five children per flight was abandoned. It is also unclear how long the arrangement – whereby Holt could allocate children outside the quota to the Nordic countries if the parents themselves collected the children in Korea – remained in place. We note that a possible collection trip was planned for Easter 1982, when six children were to travel to Norway on the same flight, cf. the agreement between Holt and VB dated 21 September 1981.

²⁰⁰⁸ Telegram from the Danish Embassy in Tokyo to the Ministry of Foreign Affairs in Copenhagen, 16 February 1977.

At the same time, there were certain tensions between members who were committed to the organisation's original remit of relief work in South Korea and cultural and friendship activities, and newer members who had primarily joined because they had adopted or wished to adopt a child from Korea. Expanding the organisation's work to other countries met with resistance from some of the original members who had experience of the Korean War and/or the aid work the association had carried out in Korea. Disagreements also arose between the factions as to whether the association had been too passive in its handling of the suspension of adoptions from Korea, which contributed to the chairman and several board members being replaced at the general meeting in 1975.²⁰⁰⁹ A former board member of the Korea Association was later also expelled from the association after speaking out negatively about the association's adoption activities in the press.²⁰¹⁰

In the mid-1970s, there was also some debate in the Norwegian media as to whether it was right to continue with adoptions from South Korea, given that conditions in the country had improved. A Norwegian couple who had been involved in arranging adoptions to several countries through the Korea Mission and the Pearl Buck Foundation in the 1960s and 1970s stated in **VG** on 1 August 1974 that adoptions of Korean children should be stopped, as South Korea had progressed to the point where the country could look after its own children. In their view, only children of mixed parentage were in need of adoption. The same article states that a leading representative of Holt in South Korea had, during a visit to Norway, expressed the view that there was a great need for the adoption of the 40,000 children in children's homes in South Korea.

On 19 May 1978, the Korea Association had its placement licence for South Korea renewed; this licence had originally been granted in 1969. The licence stated that the Ministry was aware of the plan to establish a separate association (Children of the World) to run the adoption programme. It also stated that the licence could be transferred to Verdens Barn once this association had been formally established. The licence contained no time limit, and no condition was imposed that the foreign contact in South Korea should be approved by the RIA, as was the case in the Adoption Forum's licence of the same date.

In 1978, the adoption activities of the Korea Association were spun off into a newly established association set up for this purpose, called Verdens Barn²⁰¹¹. Among the reasons for this were the desire to facilitate adoptions from countries other than Korea, and the fact that the Korean authorities wanted there to be a separate friendship association that did not deal with adoption.²⁰¹²

In 1978, Verdens Barn decided to cover the salary of a Western employee at Holt, who had previously worked on adoptions to Norway and other countries whilst at Holt, and who had lost their job due to Holt's financial difficulties. The employee worked on matching at Holt, and the salary costs were shared with Danadopt and Terres des Hommes Denmark.

Towards the end of 1978, the head of the secretariat for the then newly established Council for International Adoptions (RIA) was travelling to several countries in Asia. In South Korea, she met with the Ministry of Social Affairs and several departments within Holt Children's Services. She visited foster homes, reception centres, children's homes and a centre for pregnant single mothers. The travel report does not provide any further details about the institutions visited, other than that the head of the secretariat was impressed by 'the efforts made in this field'. According to the committee's findings, this trip was the first visit to South Korea by Norwegian adoption authorities.

²⁰⁰⁹ Minutes of the general meeting of the Korea Association on 19 March 1975.

²⁰¹⁰ Minutes of the board meeting regarding agenda item 22/1976. The articles appeared in **Aftenposten** on 7 June and 12 July 1976.

²⁰¹¹ VB was established on 29 May 1978 and took over the Korea Association's adoption activities on 1 July 1978; see VB's Annual Report for 1978.

²⁰¹² The Korea Association's Annual Report 1977.

In 1979, the number of adoptions from South Korea to Norway fell to 117, down from 266 in 1978. Children of the World attributed this sharp decline to the South Korean authorities' enforcement of the 'provision to reduce the number of adoptions abroad'.²⁰¹³

19.6.4 1980–1988: liberalisation

In the 1980s, the number of adoptions from Korea increased, and this was the decade with the highest number of international adoptions overall. However, the adoption figures for Norway were virtually the same for the two decades – 2,181 in the 1970s and 2,192 in the 1980s.

In 1980, Verdens Barn and Holt Children's Services entered into an agreement on cooperation regarding adoptions and on the different roles they would play in the process.²⁰¹⁴

As described in section 19.5.1, from the early 1980s onwards there was a liberalisation of the quotas and restrictions to which adoption agencies in South Korea were subject, which created competition for children amongst the four adoption agencies. There was also a change in Holt's leadership, which appears to have influenced the organisation's priorities.²⁰¹⁵

In the 1980s, Holt launched a number of construction projects for which it sought the support of its partners. The projects mainly involved buildings linked to various care institutions, including at Holt Ilsan outside Seoul. Children of the World / the Korea Association supported several of these projects, such as the school building at Holt Ilsan.²⁰¹⁶ A great deal of support for Holt was also provided through sponsorship of children at Holt's institutions who were not eligible for adoption.

The Korea Association's / Children of the World's support for a children's home in South Korea not affiliated with Holt was terminated following threats from Holt that continued support would lead to a reduction in the number of adoptions. A more detailed account of the support Children of the World has provided to Holt, and how this has affected adoption figures to Norway, is given in section 19.8.2.

From the 1980s onwards, Verdens Barn and Holt entered into agreements on several occasions regarding the number of children they would be allocated the following year. At the board meeting on 28 September 1981, it was reported that the chairman, during a visit to South Korea, had entered into a written agreement with Holt which secured Children of the World a minimum quota of 170 children for 1982. The agreement document, signed by Holt's president²⁰¹⁷, summarises the support provided to Holt through sponsorship – 30 USD per child per month for 180 children. It also states that VB '[w]ill try to raise money for the construction of an Ilsan Special School building in the coming months'. Holt, for its part, was to 'release more than 170 children to Norway for 1982'.

RIA's trip to South Korea in 1981

In 1981, RIA undertook its second trip to South Korea, where it held meetings with Holt and the Ministry of Health and Social Affairs.²⁰¹⁸ The purpose of the trip was, amongst other things, to familiarise itself with the changes in the country's adoption policy and with the new management at Holt Children's Services.

²⁰¹³ VB's Annual Report 1979.

²⁰¹⁴ Agreement signed by the Chair of the Board of Verdens Barn on 4 February 1980.

²⁰¹⁵ The Committee's interview with Professor Helen Noh et al. in Seoul on 25 March 2025.

²⁰¹⁶ Report from Holt Children's Services dated 7 September 1982, 'Present Situation on Holt Town's Development Programme'.

²⁰¹⁷ The president was Han Kyu Kim. The agreement document we have found in Children of the World's archives is not signed by Children of the World, but the reference in the minutes of the board meeting suggests that this was done.

²⁰¹⁸ Report to RIA following a trip to Asia from 28 August to 29 September 1981, dated 20 October 1981.

RIA had been informed in advance that Holt had come under the direct control of the authorities, and that Holt's president had been appointed by the advisers to the country's president. At the meeting with Holt, RIA requested an explanation for the increase in costs that had occurred following the change of leadership at Holt. They were told that the total costs of 2,475 USD per adoption were broken down as follows: 1,375 to cover foster care allowances and Holt's expenses, 855 for travel expenses, 200 as a donation to the 'Ilsan Children's Home for the Disabled' and 40 for the construction of a school in Ilsan.

In a meeting with the Ministry of Health and Social Affairs, RIA was informed that the Ministry issued guidelines on what could be charged for adoptions, but that it did not set the amounts. The Ministry had no objection to the amounts being charged by Holt at that time. Furthermore, they emphasised that adoptive parents could not be required to make donations to aid projects; this had to be a voluntary matter. RIA promised to 'pass this on and raise the matter with Children of the World'.

During the visit, RIA was given an explanation of the adoption process, which they describe in their mission report as unclear. The report sets out the main stages of the process for the adoption of children who have already been transferred to Holt, and these are broadly in line with the committee's understanding of how the process worked.²⁰¹⁹ In its meeting with the Ministry, it appears to have been a particular point of emphasis for RIA to clarify that it was not Holt, but the Ministry, that granted permission for the child's emigration.

Children of the World's reactions to the liberalisation

Following Children of the World's chairperson's trip to South Korea in 1982, he briefed the rest of the board on the changes at Holt. He stated that Holt had become a state-controlled adoption agency. He further stated that 'the authorities encourage migration' and that 'adoption is politically accepted as a means of resolving social problems'. It was also reported that Holt was seeking support for projects in Korea.

In 1982, Verdens Barn received three letters from a former Holt employee, whom they had helped to pay in the late 1970s. The letters provided information about major changes in priorities at Holt in Korea²⁰²⁰. Among other things, the letters reportedly highlighted a drastic reduction in the number of foster homes and the fact that children were being placed in children's homes, some of which were in very poor condition. The former employee also pointed out that 'Director Kim's'²⁰²¹ working methods were 'very unusual'. It appears that the author of the letters was no longer working for Holt in Korea. The board of Children of the World discussed the letters at a board meeting, where they concluded that they would take note of the information, as they did not wish to interfere in internal affairs in Korea.²⁰²² The minutes of the same board meeting state that 'Director Kim'²⁰²³ had visited Norway

²⁰¹⁹ The process is described as follows:

Holt reports the child as abandoned to the Family Court under the Ministry of Justice. The child is registered in the district office's family register.

The Mayor of Seoul appoints Holt's president as the child's legal guardian. The Ministry of Social Affairs issues an emigration permit.

The child's passport is issued by the Ministry of Foreign Affairs. The Norwegian Embassy issues a visa for Norway.

²⁰²⁰ The committee has not found the letters, and this account is based on the information in the minutes of the board meeting at which they were discussed.

²⁰²¹ It is assumed that this refers to Holt's then president, Han Kyu Kim.

²⁰²² Board minutes, item 32/1982, 9 November 1982.

²⁰²³ It is assumed that this also refers to Holt's then president, Han Kyu Kim, who, according to VB's minutes of 17 January 1983, had visited Norway in November 1982.

which is described as successful. He had stated that VB would be able to have as many children as they wished in 1983, and that the fee would not increase.

RIA's trip to South Korea in 1983

In 1983, RIA visited South Korea again, where they met with the Korean Ministry of Social Affairs, Holt, and two former Holt employees of foreign origin. According to RIA's travel report, one of the two staff members was highly critical of Holt's management, and in particular of 'their use of donations, but also of President Kim's personal expenditure, including on expensive trips'. The other former employee, who had been a director at Holt whilst it was part of Holt International in the 1970s, believed, however, that the spending was culturally conditioned, and that giving gifts, hosting dinners and the like was 'the Korean way of showing respect and gratitude'. The management of the Ministry of Social Affairs described Holt as a reputable organisation, and considered it reassuring that Norway was cooperating with it.

During the RIA's visit, Holt raised the question of whether donations could be imposed on adoptive parents in the same way as pure adoption costs. The travel report describes the issue as a very sensitive matter, and Holt is said to have 'claimed' that they 'receive tax exemptions, but otherwise no public funding for their activities'. Furthermore, they stated that they were dependent on donations because they had to care for children who were not eligible for adoption, and these expenses could not be included in the adoption costs.

Other documentation obtained by the committee shows that, in both 1983 and 1985, Verdens Barn charged 300 USD in compulsory aid work expenses to everyone who adopted from Korea.²⁰²⁴

Adoption agency licence for Verdens Barn and adoption figures in the mid-1980s

It was not until 1985 that Verdens Barn formally received its own licence from the Ministry of Social Affairs to act as an adoption agency for South Korea.²⁰²⁵ Prior to this, their work had been based on the Korea Association's agency licence from 1978, which was worded in such a way that it was deemed to apply to Verdens Barn as well. The new licence was also open-ended and contained the same conditions as the 1978 licence. The licence appears to have been granted without any detailed investigation or consultation with the RIA. The aim was to ensure that Verdens Barn also formally held a placement licence for South Korea, and no genuine assessments were carried out of the adoption cooperation with Korea.

Adoption figures for Norway fell slightly from 1984 to 1985 and 1986, although it is not clear why. In these two years, the total adoption figures from Korea were the highest.

19.6.5 1988–2012: a gradual decline in adoptions and Norway as Holt's priority partner country in Europe

Following the reintroduction of further restrictions on international adoptions from South Korea during the period 1987–1989, adoption figures to Norway fell further in 1988 and 1989.

A travel report from a trip to South Korea by one of VB's board members in April–May 1989 states that Holt's financial situation was precarious, partly due to reduced state support, fewer adoptions and staff strikes.²⁰²⁶ Furthermore, several American partners are said to have stated that they based their donations solely on the number of children they received, which led to a reduction

²⁰²⁴ VB's applications for approval of partner organisations dated 13 October 1983 and 13 January 1986.

²⁰²⁵ Decision by the Ministry of Social Affairs on 25 March 1985.

²⁰²⁶ Travel report, 18 May 1989.

in the number of children. However, French and Dutch agencies increased their donations, which, according to the report, had 'led to a prioritisation of children'.

The travel report emphasises the importance of supporting Holt. Among other things, it states that '[i]t is important for us to emphasise our friendship and our willingness to support – particularly in these difficult times'. Furthermore, that

'if we are to help more children, we must try to provide further support through sponsorship and projects in Ilsan, Mothers Home, etc.'. It is also stated that Children of the World should not interfere in how Holt uses Children of the World's funds, but 'simply acknowledge that they are going to a good cause'.

The situation described in the travel report was discussed at a mini-seminar at VB, where, amongst other things, the following proposals for action were put forward ²⁰²⁷:

- 'We can finance the adoption system by, for example, increasing the fees.'
- 'We could allocate funds to the "Unwed Mothers" project or to foster homes'
- "Investments should be made, possibly from the funds, to see if a return can be achieved in the form of children from Korea; for example, this could influence Holt to facilitate the adoption of children from children's homes other than Holt's own."

Children of the World's internal seminar appears to have been the starting point for a strategy whereby Children of the World became even more aware than before that they were dependent on providing financial support to Holt in order to maintain as many adoptions to Norway as possible.

The State Adoption Office's information and inspection visit in 1989

In December 1989, SAK travelled to South Korea, where they met with the management of Holt Children's Services and representatives of the Ministry of Health and Social Affairs. The meetings were arranged through the Norwegian Embassy and in consultation with Holt.

During the meeting with Holt, the topics discussed included Holt's difficult financial situation, the negative press coverage of adoptions in South Korea and the authorities' plan to phase out international adoptions. SAK also visited Holt's centre for children with disabilities in Ilsan, which was supported by Children of the World. The report describes the centre as impressive, and SAK states that it would be a national loss if it were to be closed due to a lack of resources.

Following the meeting with two representatives from the Ministry, it is reported that *the Director-General* of the Department of Family Welfare took a positive view of continued international adoptions. However, a *Director* from the Child Welfare Office stated that he was opposed to the international adoptions that had taken place previously. According to the travel report, 'he saw no need for such adoptions, and he will probably do his utmost to bring about a definitive end to the placement of children for adoption abroad'. The report states that the head of the international department at Holt attended the meeting and acted as an interpreter. He also served as a guide throughout the visit.

Children of the World's strategic plans

In the 1990s, Verdens Barn drew up a new strategic plan. According to the anniversary book **Verdens Barn 50 Years**, the main objective of the strategic plans followed throughout much of the 1990s was to increase the number of applicants and the number of adoptions. ²⁰²⁸ This was also reflected in specific targets set for the cooperation with Korea. The strategic plan for the period 1992–1995 included, amongst other things, a target to increase the relative

²⁰²⁷ Minutes from the seminar on 10 June 1989 marked 'confidential'.

²⁰²⁸ **Verdens Barn 50 Years**, p. 105.

proportion of Holt's total number of adoptions and to provide financial support to Holt.²⁰²⁹ A general decline in adoptions from Korea was anticipated, and Children of the World wished to maintain as many adoptions to Norway as possible at the expense of other recipient countries.

The strategic plan for the years 1992–1995 was discussed during the Children of the World Secretary-General's meeting with Holt in South Korea in November 1991, and is said to have been discussed 'in detail on all points'. According to the travel report, it was clarified that Norway 'is the main partner country for the future' and that 'adoption trends for 1992 will be similar to those of 1991, with a possible slight reduction'.²⁰³⁰ At the same time, the adoption fee was to be increased by 7,500 kroner with effect from 1 January 1992 and the sponsorship programme was to be maintained, whilst 'two new programmes were launched', and Holt's management was to be invited to Norway.

The increase in the adoption fee agreed with Holt in November 1991 meant that for a period, Children of the World paid higher donations per child than other partners. In 1992, Children of the World's share of adoptions from Holt also rose from 9 to 12 per cent.

Verdens Barn also provided financial support to Holt through the funding of several one-off projects, some outright gifts and sponsorship schemes. These funds were in addition to the costs and donations paid by adoptive parents in connection with the individual adoptions. Such general support had been provided since the mid-1970s, but increased in scope during the 1990s. A more detailed description and assessment of the support is provided in section 19.8.2.

Around the turn of the year 1993/94, VB prepared for a board meeting to consider whether to accept an increase in donations to Holt of 1,000 USD from 1 January 1994, as notified in a fax from Holt on 23 December 1993.²⁰³¹ The material submitted to the board stated, amongst other things, that Holt had previously indicated that 40 additional allocations might be possible in 1994. One employee interpreted this as a signal that they could receive 40 additional placements if they accepted the increase, and the employee raised the question of whether this was morally right. The managing director's briefing to the board shows that he was also concerned about this, as well as about what an increase in adoption costs would mean for the number of applicants, and how an increase in Children of the World's fees would be received, shortly after the intermediaries had succeeded in securing the introduction of a one-off grant of 30,000 for adoptions. The committee has not seen the minutes of the board meeting, but it is clear from subsequent documentation that the increase in donations was accepted and that the number of children allocated to Verdens Barn rose by 17 in 1994.

Adoption figures for the 1990s and 2000s show that Norway's share of adoptions through Holt rose, and that the number of adoptions per year to Norway remained relatively higher than for Holt's other partner countries. It is evident in a number of places that VB believed they were Holt's preferred partner in Europe, a view Holt is also said to have expressed.²⁰³²

Whilst the early 1990s were characterised by a period of expansion at Verdens Barn, a change took place towards the end of the decade.²⁰³³ In 1998, both a new chief executive and a new board of directors were appointed, and a new strategic plan was drawn up which stated that Verdens Barn should place a stronger focus on ensuring the quality of its work and on strengthening relations with the new partner countries that had been established during the 1990s. As regards cooperation with South Korea, however, the objective remained to

²⁰²⁹ We have not found the plan itself, but the objectives of the strategy are set out in a document from 1993 in which the secretariat assesses the achievement of these objectives.

²⁰³⁰ VB's undated travel report from a trip to Korea and Hong Kong, 19–26 November 1991.

²⁰³¹ Report of 17 December 1993 from VB's finance manager regarding Holt's announced increase in donations from 1 January 1994 and the managing director's undated briefing to the board on the same subject.

²⁰³² See VB's board item 18/97, which states that Holt's president had expressed the view that VB was the key partner in Europe, and VB's report from a working trip to Thailand and Korea, 19–26 February 1995.

²⁰³³ See undated document found at VB summarising the secretariat's work on strategy during the period 1998–2000.

to maintain the largest possible proportion of the number of children adopted from South Korea through Holt.²⁰³⁴

Re-approvals of Holt as Children of the World's foreign contact in South Korea

Children of the World's authorisation to arrange adoptions from South Korea, granted in 1985, had no expiry date and was first renewed in 2000. In the 1990s, however, following applications, Holt was re-accredited on several occasions by the Norwegian Adoption Authority (SAK) as Children of the World's partner organisation in South Korea.²⁰³⁵ In 1991 and 1992, the partnership was approved without any further questions from the SAK, and in its approval, the SAK noted that the partnership with Holt was long-standing and well-established. However, in connection with the re-approvals in 1995 and 1997, several questions were raised, relating, amongst other things, to increases in cost levels and to how Holt came into contact with the children placed for adoption. The re-accreditations are discussed in more detail in the Committee's assessment of the Norwegian authorities' supervision of international cooperation in section 19.8.4.

Several adoptive parents go on collection trips

Until the mid-1990s, Holt had requested that no more than 10 couples per year travel to South Korea to collect their adopted child themselves.²⁰³⁶ Verdens Barn had tried to persuade Holt to relax this restriction, and informed the Norwegian adoption authorities in 1996 that they had gradually 'convinced Holt of the importance of the parents travelling themselves to collect the child'.

In 1998, 84 adopted children were collected by their adoptive parents and brought to Norway, whilst 36 children were brought to Norway under escort.²⁰³⁷

The authorities' fact-finding and supervisory visit to South Korea in 1996

In 1996, the State Adoption Office and the Ministry of Children and Family Affairs undertook an information and monitoring visit to South Korea, where they held meetings with, amongst others, the Korean Ministry of Social Affairs, Holt Children's Services and local authorities in Mapo District, Seoul.²⁰³⁸ An employee from Verdens Barn acted as an interpreter during the visit.

Ahead of the meeting with the Ministry, the Norwegian delegation had requested – and received – a briefing on the adoption process and the authorities' roles within it, on the cooperation between the Ministry and Holt, on the Ministry's views on international adoptions, and on how requests from adoptees for information about their birth parents were handled. The mission report states that the Ministry described its role in the adoption process as follows during the meeting:

HCS proposes matching the child with specific prospective adoptive parents. The case is then referred to the Ministry of Health and Welfare, which approves the applicants and the match and decides whether the child can be granted an exit permit. During this process, the Ministry re-examines whether the child is orphaned or abandoned, as described above. If this is found to be in order, the case is sent to the Ministry of Foreign Affairs, which handles the formalities relating to the child's exit permit and passport. The adoption organisation makes proposals and implements the practical arrangements, whilst it is the Ministry

²⁰³⁴ VB's strategic plan from 2000.

²⁰³⁵ Holt was also re-accredited by RIA in 1981, 1983 and 1986. Presumably also in 1988, but the committee has not seen this decision.

²⁰³⁶ VB's letter to SAK dated 23 December 1996.

²⁰³⁷ VB's information letter of 26 February 1999, case number 21/99 at SUAK.

²⁰³⁸ Travel report from SAK dated 7 March 1996.

which has the final say on the approval of applicants and matching. The process from the time the case is received by the Ministry until the child can finally be released for adoption takes 3–5 months.

The mission report describes the delegation's impressions of single mothers' opportunities to raise children, and the advice these mothers received:

Children of unmarried mothers have virtually no rights in relation to their parents or society. The child cannot be registered with the mother, but must be registered as an orphan or abandoned. Should the mother choose to keep the child, the child would effectively be regarded as 'non-existent', including having no right to schooling, further education or employment. There are no public financial support schemes for mothers and children. The mother's only option will therefore, in most cases, be to place the child for adoption either domestically or abroad. As a result of this situation, the nature of counselling in South Korea differs from that in Thailand. The primary aim of the counselling is to explain to the mother the necessity of adoption and to motivate her to proceed with it in the child's best interests, to explain the procedure and, where appropriate, to offer comfort and encouragement.

The main conclusion of the travel report was as follows:

As far as we were able to assess, Children of the World operates effectively and responsibly in both Thailand and Korea. The association's partner organisations in the two countries are subject to direct supervision and control by the authorities, both in terms of their general operations and individual adoption cases. Representatives from both the authorities and the partner organisations expressed their satisfaction with Children of the World's work and their cooperation with the organisation.

Regular renewal of the placement licence from 2000

In May 2000, Children of the World's open-ended placement licence for adoptions from South Korea, originally granted in 1985, was renewed.²⁰³⁹ From then on, temporary licences were issued, and Children of the World had to apply for renewal on a regular basis. Such renewals were granted in 2002, 2003, 2006, 2008, 2011, 2015, 2018 and 2021. In connection with the processing of the renewals in 2000 and 2002, the Norwegian State Youth and Adoption Office (SUAK) / the Directorate for Children, Youth and Family Affairs (BUFA) was concerned as to whether Children of the World met the requirement for approval by the Korean authorities, as stipulated in the Regulations on Adoption Mediation (1999).²⁰⁴⁰ In subsequent renewals, the costs of adoptions were among the issues discussed. The adoption agency licences are discussed in more detail in the Committee's assessment of the Norwegian authorities' oversight of international cooperation in section 19.8.4.

The Norwegian adoption authorities' information and supervisory visit to South Korea in 2002

In autumn 2002, the authorities²⁰⁴¹ undertook another visit to Korea. The aim of the visit was to supervise the activities of Children of the World in the country and to familiarise themselves with and monitor the country's approach to organising adoption services.²⁰⁴² BUFA was particularly interested in gaining an insight into the role of South Korean adoption authorities in international adoptions, and the extent to which the Ministry of Health and Welfare supervised the intermediary organisations. Furthermore, the Norwegian authorities wished to address the reasons why the child's background was stated as 'unknown' on the release document in Korea, despite the fact that the biological

²⁰³⁹ Following the entry into force on 1 December 1999 of the provision in Section 16d of the Adoption Act 1986, it has followed from the Adoption Act that intermediary licences for countries were to be time-limited. At the same time, the authority to renew licences was transferred from the Ministry to SUAK (later BUFA and Bufdir), cf. Section 2 of the Regulations on Adoption Mediation (FOR-1999-11-30-1195, now repealed).

²⁰⁴⁰ Section 4, fifth paragraph.

²⁰⁴¹ BUFA, represented by its director, head of section and adviser, and BFD, represented by a deputy director.

²⁰⁴² BUFA's undated travel report from a trip to South Korea and China, 1–13 September 2002.

biological origins were almost always known. According to BUFA, this was ‘contrary to our legislation and our stance on a child’s need for and right to know their biological origins where this is possible’.

During the visit, the delegation held meetings with Holt Korea, which had been arranged through Verdens Barn. At this meeting, it was stated, amongst other things, that Holt naturally knew who the birth mothers were, but that they had been promised anonymity. Despite several attempts, the Norwegian embassy was unable to arrange a meeting with the Ministry of Health and Welfare.

Trends in adoption figures in the 2000s

From 2001 to 2012, the number of adoptions to Norway fell gradually from 125 to 26 per year, in line with the general reduction in adoptions from Korea. We see a particularly sharp drop in 2003, when the number of adoptions to VB fell from 106 to 81. This corresponds to Children of the World’s refusal to accept the increase in donations of 1,000 USD in 2003. After they accepted the donation increase from 2004, the number of adoptions rose to 87 in 2004.

In the 2000s, around the turn of each year, Verdens Barn received a letter from Holt containing an estimate of how many children they expected to allocate to them in the coming year. In these letters, Holt stated that donations were one of the factors they used to calculate this figure. For example, they wrote the following in November 2006:

However, the new allocation of children to your agency for the year 2007 is 68, which is considerably lower due to the overall quota being further reduced by the Ministry. In determining this number, we have again taken into account the number of children with special needs placed by your agency and the amount of donations you have transferred this year.

A letter regarding allocations for 2004 also mentions ‘sponsorship money’ as a factor in calculating the number of expected allocations.²⁰⁴³

19.6.6 2012–2024: South Korean courts are responsible for adoption decisions, and adoption figures fall further

Following the entry into force of the new Adoption Act in 2012, the adoption process was fundamentally changed, in that adoptions were carried out in South Korea and decided by a South Korean court.²⁰⁴⁴ Furthermore, all prospective adopters were required to travel to South Korea and appear in court. The first children to be adopted to Norway under the new process arrived in Norway in the summer of 2013.²⁰⁴⁵

As part of the reform, the South Korean authorities established the Korean Adoption Services (KAS). KAS was tasked with promoting domestic adoptions and providing post-adoption support, including assisting adoptees in their search for their birth parents. Following the establishment of the National Centre for the Rights of the Child (NCRC) in 2019, these tasks have been taken over by the NCRC.

Between 2013 and 2022, the number of annual adoptions to Norway varied between 24 and 5, but the trend was downward. This was in line with the overall figures for international adoptions from South Korea and the authorities’ downward adjustment of the quota for international adoptions. Verdens Barn, however, remained Holt’s most important partner in Europe.²⁰⁴⁶

²⁰⁴³ Letter from Holt to VB dated 24 December 2003.

²⁰⁴⁴ See section 19.5.3.

²⁰⁴⁵ Email from VB to Bufdir dated 22 April 2013

²⁰⁴⁶ VB’s Annual Report 2020.

The children who were adopted were, for the most part, in such good health that their cases were not considered by professionally advised committees.²⁰⁴⁷ In terms of gender, during this period it was mostly boys who were adopted abroad, a fact which has been explained by the fact that South Korean adoption applicants generally prefer a girl, because the family line is traced through the male line and it has traditionally been considered problematic to allow an adopted boy with no blood ties to carry on the family line.²⁰⁴⁸

After 2012, it appears that Children of the World provided less direct financial support to Holt, as they lacked the funds to do so.²⁰⁴⁹ The sponsorship programme continued, however, although this too was in decline. In 2014, 280 Norwegian sponsors supported 126 South Korean sponsored children through Holt. The corresponding figures for 2019 were 73 sponsors and 93 children.

Bufdir on an information and monitoring visit in 2016

In 2016, Bufdir undertook a week-long fact-finding and monitoring visit to Korea.²⁰⁵⁰ The purpose of the visit was described as maintaining contact with the authorities and exchanging information on regulations and procedures. Furthermore, Bufdir wished, amongst other things, to gain an understanding of South Korea's needs regarding international adoption cooperation, the country's efforts to enable children to remain with their own families, and how they uphold the principle of subsidiarity.

During the visit, Bufdir had a comprehensive programme, which included meetings with the Ministry of Health and Welfare, the Family Court in Seoul, Holt, KAS, the Child Rights Forum (an organisation aiming to improve child welfare), homes for unmarried mothers and foster homes. They also met with an academic who had previously held a senior position at the Ministry of Health and Welfare and who was then working on a PhD on adoptions. The report indicates that she was sceptical about several aspects of the practice of international adoptions.²⁰⁵¹

The travel report describes it as challenging to form a comprehensive understanding of how adoption regulations and procedures work in practice, and of how children and families in need of assistance are cared for. Although Holt's various services for single mothers and their foster homes were regarded as well-run, it was seen as problematic that adoption organisations played a very central role in the adoption process, and that the country's authorities exercised limited supervision in practice. Furthermore, it was pointed out that a large part of the welfare system for children and families in need of support was run by private providers. It was regarded as problematic that it was largely private providers who ensured the country had a child protection system, and that supervision appeared to be limited. Bufdir noted that historical and cultural reasons meant that 'the country continues to state that it has a need for international adoption cooperation', despite being one of the world's richest countries. It was concluded that further developments should be monitored closely.

Renewal of the placement licence in 2017

In Bufdir's assessment of whether the placement licence should be renewed in 2017, the critical points from the mission report concerning Holt's extensive role in the adoption process were a key issue.²⁰⁵² This was also something ISS had highlighted in its 2017 report on the situation in the country, and which Bufdir took into account in its assessments

²⁰⁴⁷ 8 out of 88 adoptions were considered by the expert committee during the period 2015–2020, cf. Bufdir's internal working document of 1 March 2021. FUA (prior to 2018) and FRU (from 2018) consider/considered placements from abroad where the child has/had special needs.

²⁰⁴⁸ Bufdir's report on the information and inspection visit to South Korea, 7–11 March 2016.

²⁰⁴⁹ VB's Action Programme and Budget for 2015, 20 February 2015, p. 7.

²⁰⁵⁰ The visit took place from 7 to 11 March 2016; see Bufdir's undated mission report.

²⁰⁵¹ Dr Kyungeun Lee, whom the inquiry committee also met during our visit to Korea.

²⁰⁵² See Bufdir's internal memo, 'Working Paper', 3 January 2018.

However, Bufdir concluded that there was still a need for adoptions due to low interest in domestic adoptions and difficult circumstances for single parents. The weaknesses in South Korea's regulations and practices that were highlighted were not considered significant enough to warrant terminating the cooperation. The authorisation was renewed until 2020.

Recent years and the termination of the cooperation

In October 2019, the National Centre for the Rights of the Child (NCRC) visited Norway and discussed post-adoption support measures with Bufdir.

In April 2022, Holt terminated its cooperation with all partners in Europe except for Verdens Barn, and following this, only Norway and the USA continued their adoption cooperation with Holt.²⁰⁵³ In both 2022 and 2023, five adoptions to Norway were completed. In December 2023, Verdens Barn had its application to renew its authorisation to arrange adoptions from South Korea rejected, but was granted permission to complete adoption processes that were already underway.²⁰⁵⁴ The reason given for the rejection was that it had not been demonstrated that there was still a need for adoptions to Norway beyond the processes already in progress. This need had been assessed, amongst other things, through enquiries made by the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) directly to the South Korean authorities, an evaluation of the ISS report on the situation in South Korea from December 2023, and information obtained indicating that Holt had introduced several intake freezes for new applicants, including those from the USA. The intake freezes were linked to work on new legislation intended to transfer responsibility for adoptions to the authorities. The last two children to be adopted from South Korea arrived in Norway in October 2024.²⁰⁵⁵

19.7 Assessment of the adoptions from South Korea

19.7.1 Introduction

In section 19.7, the Committee will outline general shortcomings and risks in the adoption process in South Korea, and the errors and risks that have been identified in the adoptions to Norway.

These assessments are based on all the sources the Committee has examined, but particular weight is given to the TRC's report, as it is based on a comprehensive investigation carried out by an independent South Korean public body.

The Norwegian authorities' and Children of the World's handling of the adoption cooperation is assessed in section 19.8.

General weaknesses in the South Korean adoption system, uncovered by the TRC and other actors, are relevant to the Committee's assessment of the risk of errors in adoptions to Norway. The same applies to individual cases of which the Committee has become aware through the media and enquiries from adoptees where specific errors have been identified. Errors uncovered in adoptions to Norway are, naturally, of particular significance. At the same time, errors in adoptions arranged by Holt to other receiving countries are also relevant, as Holt's working practices and control systems did not vary according to the receiving country. Such findings therefore indicate a risk of similar shortcomings in adoptions to Norway.

19.7.2 Inadequate regulatory oversight of international adoptions

The South Korean government has been criticised from several quarters for delegating responsibility for the handling of international adoptions to adoption agencies, without exercising any real control itself.

²⁰⁵³ VB's Annual Report 2022.

²⁰⁵⁴ Bufdir's decision of 21 December 2023.

²⁰⁵⁵ VB's website: <https://www.verdensbarn.no/sor-korea>.

In practice, the four state-approved agencies have handled most aspects of the process, including assessing which children can be placed for adoption, assessing prospective adoptive parents, matching children with prospective adoptive parents, and drafting the placement document itself (up until 2012). They have also employed social workers to advise pregnant women and mothers in difficult situations, and until 2014 they also ran their own maternity homes. Furthermore, the agencies have run several children's homes and organised the placement of children in foster care whilst awaiting adoption. They have also worked actively to identify children suitable for adoption, including by maintaining contacts with hospitals and other institutions for mothers in order to promote the adoption programme.

Admittedly, various authorities were responsible for making decisions at several stages of the adoption process, and thus had the opportunity to monitor individual cases. The authorities' formal roles in the adoption process are mainly described as follows in the TRC's report ²⁰⁵⁶:

- *Regional and local authorities* were responsible for measures to protect children, including counselling and support for parents. Where necessary, they were to ensure the protection of children at a care institution (children's home).
- Admission to and discharge from a children's home required authorisation from the regional director, and regional authorities were to appoint guardians for the minors placed there. Local authorities were also responsible for registering the identities of children with potential protection needs. From 1977, at the request of institution managers appointed as guardians, they were to issue a public notice seeking the child's carers. ²⁰⁵⁷ Confirmation of the appointment of a guardian and the publication of the notice was to be issued to the adoption agency and sent to the Ministry of Health and Social Affairs.
- *The Family Court* had overall responsibility for the family register, but several tasks relating to this were delegated to local authorities. When a child was found without known parents or relatives, local authorities were required to draw up a report. Before local authorities could register the child with a new surname and place of origin, permission to do so had to be obtained from the court. ²⁰⁵⁸ In cases where the head of a care institution had been appointed as guardian, it was this person who applied to the court for such permission.
- From 1977, *the Ministry of Health and Social Affairs* ²⁰⁵⁹ was responsible for processing applications from the guardian for permission for the child to leave the country. ²⁰⁶⁰ The application was required to include documentation showing 1) that the child's circumstances met the conditions for adoption, 2) that consent to the adoption had been given by a competent person, and 3) that the prospective adoptive parents had a suitable home environment. ²⁰⁶¹ This was the same documentation that was to be submitted to the courts in cases where intercountry adoptions were carried out in South Korea by foreign nationals resident there. ²⁰⁶² In addition to its regulatory duties in individual cases, the Ministry of Health and Social

²⁰⁵⁶ TRC's report, p. 27ff.

²⁰⁵⁷ See Enforcement Decree of the Act on Guardianship, Article 1977, Article 3-2. Prior to 1977, responsibility for such a notice lay with the courts.

²⁰⁵⁸ Civil Act, Article 781(3).

²⁰⁵⁹ In 1994, the Ministry of Health and Social Affairs changed its name to the Ministry of Health and Welfare.

²⁰⁶⁰ Article 9(3) of the Adoption Act of 1976.

²⁰⁶¹ TRC report, p. 32.

²⁰⁶² See the Adoption Act 1976, Article 9(2), with further references.

Affairs²⁰⁶³ has had overall responsibility in this area, including the supervision of authorised adoption agencies.

- *The Ministry of Foreign Affairs* was responsible for issuing a passport or other travel document to the child prior to departure.

All the stages described involving the authorities in the adoption process provided opportunities for oversight. The Committee has particularly noted the oversight opportunities inherent in the requirement for an exit permit from the Ministry of Health and Welfare. From 1977 to 2012, this was the final decisive stage for official oversight, and the application to the Ministry had to be accompanied by documentation proving that the conditions for adoption had been met.

However, in interviews conducted by the Committee in Seoul, it was stated by several parties that exit permits from the Ministry of Health and Welfare were granted without any real scrutiny, and that the large number of cases and short processing times bore this out. The fact that the processing was summary in nature is supported by information in the TRC's report stating that 82.9 per cent of the 7,974 exit permits granted in 1984 were decided by the Ministry on the same day they were received, whilst 16.1 per cent were decided the following day.²⁰⁶⁴ Furthermore, very few cases resulted in a refusal. Between 1984 and 1986, only six of Holt's 12,090 applications for exit permits were refused.

The TRC finds that the authorities exercised little real control over individual cases during the periods assessed by the Commission.²⁰⁶⁵ The Commission concludes, amongst other things, that '[e]ven as agencies repeatedly violated laws, regulations and guidelines, the state neglected its oversight responsibilities and failed to properly enforce emigration reviews or protect adoptees overseas.'²⁰⁶⁶

Even in the period after 2012, when adoption cases were decided in South Korea by South Korean courts, the extensive role of adoption agencies in the adoption process has been criticised. Among other things, the agencies continued to be responsible for assessing prospective adoptive parents and for matching children with adoptive parents. Their role was considered to be an obstacle to the ratification of the 1993 Hague Convention, which was signed in 2013 but not ratified until June 2025, when the state took over responsibility for adoption mediation.²⁰⁶⁷

19.7.3 Statutory provisions on court proceedings were not followed in practice (1960s and 1970s)

From 1961 to 1976, the South Korean Adoption Act contained a provision stipulating that international adoptions were to be decided by a South Korean court. In practice, however, this was rarely followed, at least in the case of adoptions to Norway and the USA.²⁰⁶⁸

In an article based, amongst other things, on archival research in the ISS's archives in the USA, Yongeun Koo has provided an explanation as to why the requirement for court proceedings was not followed.²⁰⁶⁹ In the 1960s, the

²⁰⁶³ Ministry of Health and Welfare, 1993. ²⁰⁶⁴ TRC report, pp. 81 and 82, with further references. ²⁰⁶⁵ The period up to the end of the 1990s.

²⁰⁶⁶ The TRC's report, p. 146.

²⁰⁶⁷ The Committee's meeting with the Korean Ministry of Health and Welfare on 28 March 2025.

²⁰⁶⁸ Article 4 of the Adoption Act of 1961.

²⁰⁶⁹ Yongeun Koo, 'The Paradoxical Development of Liberal Governance: International Adoption Policy and Professional Social Work in Authoritarian South Korea, 1953–1976', *Journal of Social History*, Volume 59, Issue 2, Winter 2025, Pages 315–344, <https://doi.org/10.1093/jsh/shae072>.

Foreign actors, particularly American ones, dominated adoption and social work in Korea. The Americans were keen for adoptions to be decided in the US following an assessment of both the child and the applicants, and they regarded the American adoption system of the time as significantly better than the South Korean process. Following pressure from, amongst others, the US branch of ISS, the South Korean authorities accepted that, in practice, adoptions would take place in the receiving country, at least for adoptions to the US. Consequently, no adoption order was issued by a South Korean court, despite the requirement under the Korean Adoption Act. However, this practice appears to vary from country to country.

In the case of adoptions to Sweden, adoption judgements were handed down in South Korea up until 1972.²⁰⁷⁰ Adoptions to Norway, however, appear for the most part to have followed the practice for adoptions to the USA, at least for those arranged through Holt from 1969 onwards. In the 12 individual cases where adoption authorisation was granted before 1976, which the committee has reviewed in the archives of the county governors of Oslo, Akershus and Østfold, we have found only one instance of a South Korean court decision on adoption, which was handed down in 1960. However, in documents relating to the Ministry of Justice's case-by-case processing in the 1960s, we have found several cases where it is stated that the adoption was carried out in Korea, without the case documents specifying which body had made the decision there. In any event, we find no evidence that the Norwegian authorities required a Korean court decision to be presented, and the adoptions were in any case (also) finalised in Norway through the issuance of an adoption authorisation by the Norwegian authorities.

The TRC assumes that there was a requirement for judicial review, but they do not mention the failure to comply with this requirement.²⁰⁷¹ However, they state that judicial review was in any case limited in cases where an adoption case was referred by the head of an adoption agency, as the documentation requirements in such cases were limited.²⁰⁷²

19.7.4 Risks associated with children's various routes to adoption

19.7.4.1 *Transfers from other children's homes to South Korean adoption agencies* Many children who were adopted through South Korean agencies had initially been placed in children's homes or institutions intended to provide care for them. The children might have been entrusted to such an institution by their parents (or possibly others), or they might be placed there by the authorities after being found abandoned. According to the TRC's report, admission to such institutions was to be decided by local or regional authorities.²⁰⁷³ As the Committee understands it, such children's homes could be either public or private, and some might also have been run by the adoption agencies. The institutions could be intended for temporary or more long-term stays or care. The operation of such children's homes was regulated by the Child Welfare Act, but some regions might also have had local regulations or guidelines.²⁰⁷⁴

If the family was found or made contact, the children were sent home. If not, the children either remained in the children's home until they were 18 or were transferred to an adoption agency.

The committee, represented by the head of the secretariat, also held a meeting with Koo on 27 October 2025, concerning, amongst other things, this practice

²⁰⁷⁰ SOU 2025:61, vol. 2, p. 587.

²⁰⁷¹ TRC report, p. 34.

²⁰⁷² TRC's report, p. 81.

²⁰⁷³ TRC's report, p. 33, which also describes the requirements for reporting by local to regional authorities regarding children who were granted protection. The reports were to include, amongst other things, the child's name, gender, date of birth, registered place of residence, address, as well as information on health, background and family.

²⁰⁷⁴ TRC report, p. 44.

It was the head of the institution who made the decision to transfer a child to an adoption agency, in their capacity as guardian.²⁰⁷⁵ However, the transfer required the approval of the regional authorities.

The TRC's report describes major capacity problems at the children's homes. They were obliged to admit children referred by the authorities, and many institutions were overcrowded. Transferring children to adoption agencies was one way of managing these capacity problems.²⁰⁷⁶

According to testimony given to the TRC by former children's home staff, children were specifically selected for adoption because their parents had clearly relinquished custody or because there was no background information on them and they had been in care for a long time without any relatives making contact. However, among the cases investigated by the TRC, there are several instances where these criteria were not followed. One such case mentioned involves a child handed over by a relative who was transferred to an adoption agency after just one week, despite the fact that the child had been registered at birth by their parents and no attempt had been made to contact them.

In another case, two children who were registered with their parents in the family register were temporarily placed in a children's home in 1982 following a divorce. However, the children's home produced false documentation stating that, in June 1983, the children had been abandoned by their parents and admitted to the children's home with the permission of the regional authorities. The children were transferred to Holt in December 1983 and left the country in May 1984, without their parents' consent.

The TRC also highlights several cases where children were transferred from temporary care institutions to adoption agencies after just a few days or weeks. The report concludes that children were often transferred from temporary care institutions to adoption agencies after a short period of time, and without being given adequate opportunities to be reunited with their families.

When children were transferred from other children's homes to adoption agencies, the relevant documentation was not sent to the agency. This emerged, amongst other things, from the Committee's interview with Holt during its visit to Korea. Holt stated that their records began when the child first arrived at their care. Upon transfer, confirmation that the child was an orphan was supposed to be provided, but Holt was unable to investigate this further – they were not an 'investigative body'.

In meetings with the NCRC and the Ministry of Health and Welfare, the Committee received confirmation that adoption agencies were not entitled to demand full information about the child from the children's homes from which they received children.²⁰⁷⁷ The fact that the child's original children's home may hold important information not contained in Holt's archives is also something that adoptees we have interviewed have experienced during their searches for their origins.

Given the central role of adoption agencies in the adoption process – as the body responsible for matching, the child's guardian and the issuer of the release declaration – it is concerning that not all information about the child was passed on to the adoption agency. It was Holt that submitted documents to the authorities involved in the adoption process, and if Holt lacked information and/or documentation, this must have affected the processing of the case regarding the appointment of a guardian, registration in the family register, Holt's decision to grant release for adoption in Norway, and the issuing of an exit permit by the Ministry of Health and Welfare.

19.7.4.2 *Children handed over for adoption in hospitals, maternity clinics or maternity homes*

Many adoptees were handed over for adoption in hospitals or maternity wards, with which the adoption agencies collaborated closely. These children were either handed over by means of release declarations, or by the mother leaving without taking the child with her. Testimonies from midwives reproduced in the TRC's report describe how they

²⁰⁷⁵ TRC report, p. 41.

²⁰⁷⁶ TRC report, p. 42.

²⁰⁷⁷ The Committee's meeting with the NCRC and the Ministry of Health and Welfare on 28 March 2025.

could ring the adoption agency when necessary, whereupon the agency would come and collect the child. Healthcare institutions that sent many children could receive support from the agencies.

This practice took place from the 1950s onwards and culminated in the 1980s, when adoption agencies competed for children from the same hospitals and substantial support was provided to both mothers and the hospitals.²⁰⁷⁸ An audit of Holt in 1983 shows that they contributed to this competition. According to the TRC, Holt had:

[...] [have been] working aggressively to acquire unregistered children by ‘violating the guideline that capped maternity assistance for destitute mothers at KRW 40,000 for a normal birth’ and by ‘distributing these subsidies on a sliding scale, with no consistent criteria’.

In a newspaper article from 1989, an employee of an adoption agency was interviewed who stated that they visited maternity wards and left small gifts for staff, whilst asking to be contacted when newborns arrived.²⁰⁷⁹ In 1987, the authorities reportedly uncovered that all agencies paid between 30,000 and 50,000 South Korean won to cover the mother’s hospital costs when the child was handed over for adoption.²⁰⁸⁰

Many of these adoptions took place very quickly. In the 96 cases examined by the TRC where the child came directly from a maternity ward, the child was sent out of South Korea for adoption on average 2–3 months after birth.

Towards the end of the 1980s, the rules were tightened. The authorities took certain measures in 1988, but these had no effect. In 1988, 59 per cent of the children released for adoption are said to have been transferred from various hospitals and maternity clinics. It was not until 1989 that effective measures were introduced, when the authorities banned the direct transfer of children to adoption agencies.²⁰⁸¹ Instead, the children first had to be referred to local authorities for an assessment of protective measures. Even where a declaration of relinquishment from the parents was available, the children had to be placed in temporary care in an institution for at least one month, whilst national adoption or foster care placement was prioritised.

19.7.4.3 *Children of parents in care*

The TRC has also investigated cases where children of institutionalised adults have been adopted out of the country.²⁰⁸² A few of these have ended up in Norway.

19.7.5 Established practice of registering children as orphans in the family register

In order to obtain an exit permit for adoption from the Ministry of Health and Social Affairs, a copy of the child’s entry in the South Korean family register (Hojeok) had to be submitted. Unregistered children could not be adopted.

The extract from the family register was also forwarded to the adoptive parents and the receiving country, and is held in the adoption files in Norwegian archives. The family register extract is one of the two or three documents that the Norwegian authorities required to be submitted in order to complete the adoption of a South Korean child in Norway up until 2012.

The South Korean family register, Hojeok, was originally established under Japanese rule and, until 2008, was organised in such a way that it did not confer identity and legal status on individuals, but on the family as

²⁰⁷⁸ TRC report, p. 62.

²⁰⁷⁹ Chosun Ilbo, 12 February 1989; excerpts are reproduced in the TRC’s report, pp. 63–64.

²⁰⁸⁰ TRC report, p. 62. ²⁰⁸¹ TRC

report, p. 63. ²⁰⁸² TRC report, p.

53ff.

a single unit.²⁰⁸³ The system was patriarchal and meant that everyone had to be registered under the name of the family's male head and with the family's place of origin. It was also the male head of the family who decided who could be registered as part of the family.²⁰⁸⁴ Registration was fundamental to establishing one's identity and to entitlement to, amongst other things, South Korean citizenship and education.²⁰⁸⁵

In the case of international adoptions, a special form of child registration known as *the 'orp-han registry'*, or *'orphan hojeok'*, was usually used. This meant that a child was not registered under their father's family, but as the head of their own family without any registered family relationships. In extracts from such registrations, the entries for mother and father are marked 'no record' (in the English translation). Until 1976, the children's actual place of origin was recorded if known. Following a government directive in 1976, this was changed so that all children to be adopted abroad were to be registered with the family origin Han Yang/Hanyang.²⁰⁸⁶

²⁰⁸³ Youngeun Koo (2025).

²⁰⁸⁴ It was not until 2008 that the Civil Code was amended to allow the mother herself to register her child in her own family register.

²⁰⁸⁵ SOU 2025:61, vol. 2, p. 603, with further references.

²⁰⁸⁶ SOU 2025:61, vol. 2, p. 604.

FAMILY REGISTER

Date: [REDACTED] 1988

Permanent Address: @ 382-14 Hapjung-dong, Mapo-gu, Seoul, Korea Previous

Family Head: no record

The following family is established as of this date [REDACTED] 1988
in accordance with the investigation carried out by the Chief Officer of the Mapo District Police
and therefore the duty has been compiled.

Family Chief [REDACTED]

Relation to Previous Family Chief : no record

Father : no record

Mother : no record

Sex : Female

Date of Birth : [REDACTED] 1988

Family Origin : Hanyang

This family name [REDACTED] and family origin Hanyang are given in Affairs of
accordance with permission of the Court of Home Affairs as of this
date [REDACTED] 1988.

This is to certify that the above
copy of the original Family Register.

statement is complete, true and a correct

Signed by [REDACTED]

Chief Officer
Mapo District Office
Seoul, Korea

This is a full, true and correct translation of the attached certified copy



Holt Children's Services, Inc.
Seoul, Korea

Figure 19.2 Example of an English translation of a child's registration in a newly established family in the family register (orphan hojoek)

The issuance of an 'orphan hojoek' was regulated by the Family Register Act ⁽²⁰⁸⁷⁾ and the purpose of the rules was to enable the registration of foundlings, in order to secure them an identity and protection from the state.²⁰⁸⁸ The rules also provided a means of safeguarding the rights of children who were denied registration by the head of the family, for example where the father of an unmarried mother refuses to register the child in his family.

As the Committee understands it, the system also contributed to the protection of unmarried mothers in a vulnerable position. It provided a means of registering a child that both secured the child's identity and rights in Korea, whilst at the same time allowing the mothers to prevent it from becoming known that they had had a child out of wedlock who had been given up for adoption.

Family registration was important in many contexts. The registration details were reportedly publicly available to others and were often requested in connection with, for example, job applications. Adoption figures fell significantly when the 2012 adoption reform introduced a requirement that children be registered under their birth mother in the family register, regardless of whether they were to be given up for adoption or not. One explanation offered by critics for this was that the registration requirement made unmarried mothers vulnerable to discrimination, both socially and in the labour market.²⁰⁸⁹ It was not until 2015 that the Family Register Act was amended so that sensitive information concerning adoption, children born out of wedlock and divorces would no longer be publicly available.

In adoption cases, applications were systematically made to register the child as an orphan, regardless of whether the child actually had known parents. This practice is described in the TRC's report and is also documented through the committee's findings from its review of documents from individual cases in Norwegian archives. In many 'orphan hojoek' cases, information from Holt indicates that one or both parents had consented to the adoption and that their identities were known to Holt. From 1992 onwards, this applies to all 'orphan hojoek' cases examined by the committee.²⁰⁹⁰

In many cases, children who were already registered with their birth families were also re-registered as orphans during the adoption process. The Committee has interviewed an adoptee who was called up for military service in South Korea on the basis of his original family registration, despite the fact that as a child he had been re-registered as an orphan and adopted to Norway.²⁰⁹¹ The original registration had not been deleted.

The process of registering a child as an orphan with a newly established family of their own

In its report, the TRC describes the process for registering a child as an orphan in the family register, in accordance with the provisions of the Family Register Act (Hojeok Act).²⁰⁹² Under Article 57 of the Act, anyone who found a foundling was obliged to report the discovery to the local authorities within 24 hours. Upon receiving such a report, the authorities were required to draw up a report on the foundling. Before the child could be registered, the report had to be submitted to the family court with a request for permission to establish a family name and a place of origin for the child. Once the court had granted such permission, the authorities registered the child as the head of a newly established family in an 'orphan hojeok'. From 1976, anyone who was to

²⁰⁸⁷ Section 57 of the Family Register Act.

²⁰⁸⁸ TRC report, p. 70.

²⁰⁸⁹ SOU 2025:61, vol. 2, p. 593.

²⁰⁹⁰ 18 cases between 1992 and 2007. In one of the cases from this period, the child was registered under the parents' name.

²⁰⁹¹ The case is also mentioned by the TRC.

²⁰⁹² TRC's report, p. 70ff.

Adoptees were registered with the same place of origin, ‘Hanyang’, which was regarded as a place from which no other families originated.

According to the TRC, in adoption cases the registration process routinely began with adoption agencies submitting false reports of foundlings to local authorities. This was also done in cases where the parents themselves had handed the child over to the agencies for adoption. Due to limited archiving obligations, the TRC has only had access to registration cases from the Family Court dating from 1996 onwards, and only five of the cases under consideration by the TRC were from this period. Three of these cases concerned adoptions arranged through Holt. In all five cases, however, the parents’ identities were known to the adoption agencies, and consent forms for the children’s adoption were in place. Nevertheless, the children were reported to the local authorities as foundlings²⁰⁹³, and it was stated that they had been found at the adoption agency.

The local authorities then drew up a report on the discovery of foundlings using a standard form. In the five cases where the TRC gained access to such reports, these were based on forms that had been pre-filled by the authorities with information regarding the location of discovery, any items the child was carrying, and the name of the person who had found the child. The only details added in each individual case were the child’s name, gender, date of birth and the date on which the child was supposed to have been found. The TRC states the following on this matter:

It appears that because the adoption agencies had submitted the same falsified information for decades, the district offices streamlined the process by printing the recurring, fabricated details directly onto the forms.

The reports from local authorities were forwarded to the family court as the basis for the decision to grant permission to register the child with a new family. Although access to documents was limited for the period prior to 1996, the TRC assumes that the practice of submitting false reports regarding the discovery of foundlings had been in place long before this. The TRC’s report also describes two cases in which the adoption agency Korea Social Service, in 1974 and 1978, submitted reports on children who were genuine foundlings, but where the notifications to local authorities contained information – including the time and place of the children’s discovery – that was clearly incorrect based on the rest of the case documentation. In one case, a child found by the police in Busan was reported as having been found at the agency’s address in Seoul.

The TRC finds that the local authorities could easily have uncovered that the reports on the discovery of foundlings were fraudulent, and that the fact that the authorities did nothing about these problems over several decades constituted a gross dereliction of the state’s responsibility.²⁰⁹⁴ Furthermore, the TRC concludes that the false reports led to incorrect information being used in official reports on the discovery of children, family court decisions and entries in the family register. The TRC considers that this therefore constitutes a criminal offence under South Korean law.²⁰⁹⁵

Holt²⁰⁹⁶ and others have argued that adoption agencies in South Korea had a specific legal basis for registering children intended for adoption under the provision in Article 13 of the Adoption Act 1976, which read as follows:²⁰⁹⁷

²⁰⁹³ For adoptions to Norway, the reports were sent to the Mapo District Office, which is the local authority in the district where Holt has its head office in Seoul.

²⁰⁹⁴ TRC’s report, p. 76.

²⁰⁹⁵ TRC’s report, p. 80.

²⁰⁹⁶ Yoon Shil Soon (Holt Children’s Services), ‘Controversies on Adoption, the Actual Truth focused on Adoption Work’, document received by VB.

²⁰⁹⁷ Adoption Act 1976, Article 13:

(Adoption of Children without a Family Register)

(registration of a child without a family register)

Where the head of an adoption agency has been entrusted with arranging an adoption under Article 9(1), and the child to be adopted has no family register, the head of the agency may undertake the procedures for the child's registration or the establishment of a new family register. [TRC's translation]

The TRC also refers to this provision in the general description of the adoption process in its report. There, it states that Article 13 meant that the head of an agency could apply to the local authorities to establish a new family name or new family background for unregistered children, regardless of whether the child was a 'foundling' or an 'orphan'.²⁰⁹⁸ We are unsure what the TRC means here by 'orphan', and whether the term also includes children who had been released for adoption by their parents or guardian.²⁰⁹⁹

The TRC's report is unclear as to the significance of Article 13 for its assessments. The provision is not mentioned in the discussions and conclusions regarding the systematic compilation of orphan hojeoks based on incorrect information. However, as the Committee understands the report, the TRC assumes that the provision in Article 13 of the Adoption Act provided South Korean adoption agencies with a basis for initiating registrations, but that the registrations themselves were primarily intended to follow the rules of the Hojeok Act and the process described therein. This view is supported by the fact that the TRC's review of the cases shows that reports were drawn up concerning foundlings 'found' at the adoption agencies, even though the parents were known to the agency. Rather than the process for establishing an 'orphan hojeok' under the Hojeok Act being adapted to the registrations initiated under Section 13 of the Adoption Act, it appears that the facts of the cases were systematically falsified to bring the cases into line with the Hojeok Act. All those involved must presumably have been aware that their decisions were often based on incorrect information. In any event, they must have been aware of this from the 1990s onwards, when children of unknown parentage could not be adopted abroad.²¹⁰⁰

The Committee is unable to make any independent assessment of the significance of the provision in Article 13 of the 1976 Adoption Act under South Korean law, and bases its findings on the TRC's assessments of both the regulatory framework and the systematic irregularities identified in the creation of orphan hojeoks.

The Committee's assessment of how the Norwegian authorities dealt with the South Korean family registration documents is set out in section 19.8.3.

19.7.6 Risk of adoption of lost or missing children

19.7.6.1 Introduction

In South Korea, a number of children with no known parents or relatives have ended up being adopted. This applies primarily to the period prior to 1989, as after that date it was in practice not permitted to adopt children of unknown origin for overseas adoption.²¹⁰¹

It is clear that many of these children were abandoned by their parents in the hope that others would take care of them, for example outside a children's home or in a public place. In such situations, adoption may have been something the parents desired. Presumably, the numbers of such abandoned children were highest in the 1960s and 1970s

Where the person to be adopted is a child without a Family Register, the head of the adoption agency that received the request for adoption placement under Article 9, Paragraph (1) may follow the procedures to register the child or establish a Family Register for such a person. [Holts' translation]

²⁰⁹⁸ TRC report, pp. 31 and 37.

²⁰⁹⁹ As the term 'orphan' was used in the Adoption Act of 1961, it also included children who had been released for adoption by their *legal guardian*. (Note that the English translations available of South Korean laws may vary, and that the official Korean original texts are not accessible to the committee).

²¹⁰⁰ Sarri, Baik & Bombyk (1998), p. 96

²¹⁰¹ Sarri, Baik & Bombyk (1998), p. 96.

the 1970s and declining into the 1980s. At least in the 1950s and 1960s, there were also orphaned children living on the streets with no one to look after them.²¹⁰² However, it can be difficult to assess from the case files in Norway which adoptees were in fact orphans, as the background information is limited, and the vast majority of adoptees were registered as orphans in the family register, even though the adoption agencies or the children's home where they had been staying knew the identity of their family.²¹⁰³

There was, however, a risk that children who had become separated from their parents by accident, or who had been abducted and abandoned, might also end up in the adoption process. The existence of such missing children is described, amongst other things, in a report to the Norwegian authorities by the Norwegian child welfare consultant Radka Wendt following a study visit to South Korea in 1975.²¹⁰⁴ She describes the conditions at a number of children's homes. One of the children's homes, the World Vision Orphanage Sun-run on the outskirts of Seoul, housed around 50 children, who were reportedly brought in by the police or others who had found the children on the streets. According to Wendt, 10–15 children arrived each week, and they were kept in isolation in an annexe for 4–6 weeks whilst a search was carried out for their parents. Wendt herself witnessed both parents who had come by to search in vain for missing children, and a mother who found her child, who had been missing for two weeks after getting lost.

There are several specific examples of missing children not being found by their parents and instead ending up being adopted abroad. The TRC refers to five media reports in Korean newspapers from 1974 to 1986 dealing with various cases of missing or abducted children who were adopted abroad.²¹⁰⁵ One of the children was adopted through Holt and sent to France.

The Committee has interviewed a South Korean woman who has taken legal action against the South Korean state because her kidnapped five-year-old daughter was adopted to the USA in 1976.²¹⁰⁶ The mother explained that the child disappeared whilst playing outside the house with friends, whilst she was at the market with two younger siblings. The mother reported the disappearance to the police and searched for her child for more than 40 years, including by sharing her story on television. It was not until 2019 that she found her daughter through a DNA test, and only then did she learn that she had been adopted to the USA through Holt, after spending nine months in a children's home in South Korea. The daughter is said to have told both the children's home in South Korea and, later, her adoptive parents that she had a mother and father, but she was adopted away nonetheless. Based on conversations with her daughter, the mother believes that, at the time of her disappearance, her daughter was approached by a woman who claimed to know her mother and said that her mother had abandoned her. The woman asked the daughter to go with her, and they are said to have taken a train on which the daughter was eventually left behind. She was found by the police at the terminus and taken to a children's home.

Several reports in the international media refer to a similar case, in which a South Korean woman has sued the South Korean state, Holt and a children's home because her missing child was adopted to Norway in 1975.²¹⁰⁷ The child is said to have gone missing from their home in Seoul whilst playing outdoors with friends.

She and her husband told the media that they reported the disappearance to the police and made missing person posters, which they are also said to have taken to Holt every month for several years. She first discovered that the child had been adopted to Norway through Holt following a DNA match in 2023.

²¹⁰² In 1954, the International Union for Child Welfare estimated that 10,000 orphaned children were living on the streets; see Hübinette (2005), p. 52.

²¹⁰³ See section 19.7.5.

²¹⁰⁴ The report was sent to the Ministry of Social Affairs and the Ministry of Justice in correspondence dated 22 September 1975.

²¹⁰⁵ TRC's report, pp. 101 and 102.

²¹⁰⁶ Interview on 26 March 2025 during the Committee's visit to South Korea.

²¹⁰⁷ The Independent, 26 May 2025, <https://www.independent.co.uk/news/south-korean-united-states-children-seoul-norway-b2757880.html>

19.7.6.2 *General systems for searching for missing children and the parents of missing children*

In some of the cases described where missing children have been adopted, there is information about what the parents have done to find their children. For example, the parents have searched for them themselves, reported the children missing to the police, put up missing posters and appeared on television. Some have also approached children's homes and/or adoption agencies. However, it is unclear to the committee what the South Korean police and authorities did to reunite children with their parents before the children entered the adoption process.

According to the TRC's report, children found by the authorities were to be registered and placed in children's homes for temporary protection. It also appears that such children's homes were obliged to search for the children's parents, and that parents could visit such homes to search for missing children.²¹⁰⁸ It is difficult for the committee to comment on how these measures worked in practice, or what opportunities parents had to reunite with missing children. However, the stories of missing children who ended up being adopted show that these systems must have had significant weaknesses.

19.7.6.3 *Searches for parents and carers during the adoption process – shortcomings in notices regarding found children*

The regulations governing adoption stipulated that, if a child's carers were unknown, a search should be conducted through newspaper notices and by contacting the relevant authorities.

Between 1961 and 1976, the courts were responsible for such notices²¹⁰⁹, but since adoptions to Norway do not appear, in practice, to have been dealt with by the courts (see section 19.7.3), it is unclear whether the requirement for notices was followed up in any alternative way. Whether this was done is not apparent from the individual cases we have examined from Norwegian archives.

Following legislative amendments in 1976, local authorities in South Korea were responsible for searching for parents through public notices. This was to be carried out as part of the process for appointing a guardian for the children.

The TRC describes the public notices as unsuitable for locating children's carers, as the notices were posted with the authorities where the adoption agencies were based, and not where the child was found. Furthermore, the notices were issued when the adoption process was already well advanced, and not when a missing child had been found.²¹¹⁰ According to the TRC, this meant that, in practice, the notices served merely as a formality, having no real significance for the chances of finding the parents or other carers.

The TRC's report cites an example from one of the complaints cases, in which a child was found abandoned on a train to the city of Busan on 20 July 1977, whilst the notice seeking relatives was issued on 3 April 1978 at the offices of a different district in Busan from the station, because that was where the children's home in which he was living was located.²¹¹¹

According to the TRC, the South Korean adoption agencies regarded the notices as unnecessary.²¹¹²

19.7.6.4 *The pace of the adoption process*

The risk that missing children might end up in the adoption process before being found by their parents was also influenced by the fact that, in many cases, the process of transferring foundlings for adoption proceeded very quickly. The TRC provides an overview of the timeline for 29 adoptions of confirmed foundlings, which shows

²¹⁰⁸ Child Welfare Consultant Radka Wendt's report forwarded to the Ministry of Social Affairs and the Ministry of Justice in correspondence dated 22 September 1975.

²¹⁰⁹ The Adoption Act 1961, section 4, second paragraph.

²¹¹⁰ TRC's report, p. 100. ²¹¹¹

TRC's report, p. 78. ²¹¹² TRC's report, p. 100.

that in many cases, only a short time elapsed between their admission to a children's home and their transfer to an adoption agency.²¹¹³ In 19 of the cases, the transfer took place within a month, and in seven of the cases within two days.

In 1983, the South Korean authorities sought to reduce the risk of missing children being adopted by issuing guidelines on waiting periods from the time of admission to an adoption agency until the children could leave the country.²¹¹⁴ There are said to have been local variations in the length of these waiting periods, but in Seoul it was six months. According to the TRC, however, the guidelines were not followed in practice, as they were only adhered to in 3 of the 47 cases the TRC examined from the relevant period (1983–1987).

In Children of the World's 1986 application for the renewal of Holt's accreditation as a partner organisation, it is stated that it takes longer for 'foundlings' to obtain an exit permit, as the South Korean authorities had decided that these children should wait for six months 'from the time they are released for adoption abroad until they are allowed to leave the country'. The cases the committee has examined from Norwegian archives do not provide sufficient information to assess whether any such time limit was observed in the cases involving Norway, as it is not clear from the documents reviewed in Bufdir's archive whether a foundling was involved and when the child arrived at Holt.

19.7.6.5 *The risk that missing children may have been adopted into Norway*

Given that there are several documented cases where missing children were adopted out of the country, and given that the processes for searching for parents had several weaknesses, whilst the adoptions often took place quickly, the Committee believes that there is a clear risk that there are further such cases – including amongst adoptions to Norway. It is not possible to estimate how many cases this might involve.

19.7.7 Breaches of the requirement for consent from the biological parents or guardian

Unless the child was a foundling with no known parents, the parents were required to consent to international adoption.²¹¹⁵ Where the parents were deceased or unavailable, other relatives in the direct ascending line or a guardian could give consent. By law, consent was to be documented using a consent form and evidence that the signatory had the authority to give consent.²¹¹⁶

However, in the vast majority of case files in South Korea reviewed by the TRC, no such documentation has been found.²¹¹⁷ In some cases, consent forms drawn up by the adoption agencies have been found, but these contain incomplete information regarding the identity of the mother and child, and lack documentation of the parent–child relationship.

Furthermore, the TRC has found several examples where the adoption agency accepted consents from persons who did not have the authority to place the child for adoption, for example consent given by relatives without the legal capacity to consent or by persons who had found a foundling and looked after it for a few days.

In the review of individual cases from Norwegian archives, only a small number of cases have been found where the consent of one or both parents was included in the documentation sent to Norway. In the period prior to

²¹¹³ TRC report, p. 99.

²¹¹⁴ TRC report, p. 102.

²¹¹⁵ See the Adoption Act 1976, section 4, and the Adoption Act 1995, section 5. In the Adoption Act 1961, such a requirement was set out in Article 2, but, according to the wording, it applied to the 'legal supporter'. The consent requirement is discussed in the TRC's report, including on pp. 66ff.

²¹¹⁶ The TRC's report, p. 66.

²¹¹⁷ TRC's report, p. 66.

As of 2012, we have found only three declarations of consent from birth parents. However, there are many cases where it is stated more or less clearly in other documents sent to Norway that the unnamed birth mother (and sometimes the father) is said to have consented to the adoption. From the 1990s onwards, such information is available in all cases (including a few with a declaration of consent). The vast majority of these cases concern unmarried mothers, and usually it is merely stated that the mother has consented, often with the additional information that she is no longer in contact with the child's father. Holt has explained the reason why the declaration of consent itself is not included in these cases: explained by Holt as being that the mother has been promised anonymity, and that it could be distressing for her if it became known that she had had a child out of wedlock.²¹¹⁸

In the 15 cases from Bufdir's archives reviewed by the committee following the legislative amendment in 2012, a declaration of consent is attached in 13 cases; however, in some instances, the identity of the biological parents is not apparent from the declaration. In some of the cases, there is consent from the mother only. In the nine cases reviewed from the period 2015 to 2019, the full name of the biological mother is given, and in seven of these, that of the father is also provided. In the cases the Committee has examined from before 2015 and after 2019, there is no information identifying the birth parents in the documents, but in several of the cases, fingerprints have been provided on a declaration of consent.

In interviews the Committee has conducted with adoptees from Korea, we have found several examples from the 1970s and 1980s of people other than the parents handing children over to a children's home, and of the child subsequently being adopted. In one case from 1976, a grandmother persuaded a neighbour to hand her grandchild over to a children's home. According to the information provided to the Committee by the adoptee, this took place without the mother or father's knowledge or consent.

There are also examples from the committee's interviews where one parent has handed the child over to a children's home or an adoption agency without the other parent appearing to have been involved or to have given their consent.

The interviews also include one example where, following a reunion with the adoptee, the birth parents stated that they had placed the adoptee in a children's home as a temporary arrangement, and that they had not consented to or envisaged that the child might be adopted.

The international media have reported other examples of children being handed over to children's homes or to adoption agencies by relatives without the authority to consent to adoption, by people who claimed to be relatives without actually being so, or by unrelated third parties.²¹¹⁹ The book

Stolen Children: My Journey from Korea and Back, an adoption of three siblings to Sweden in 1968 is described, which took place without the consent of their biological parents. The biological father's brother was supposed to look after the children whilst the father served a short prison sentence, but instead he handed the children over to a police station and stated that they had been abandoned by their parents.²¹²⁰

On this basis, the committee considers it clear that checks to ensure that consent to adoption had been given by the parents or others with the authority to give consent were severely inadequate in the 1970s and 1980s.

²¹¹⁸ BUFA's report from a trip to Korea and China, 1–13 September 2002.

²¹¹⁹ Minnpost.com, accessed 9 March 2026, 'In South Korea, quest to recast views of single motherhood': <https://www.minn-post.com/christian-science-monitor/2014/03/south-korea-quest-recast-views-single-motherhood/>

Duluth News Tribune, accessed 9 March 2026, 'A journey of family, forgiveness: Duluth woman recounts search for birth parents in Korea': <https://www.duluthnewstribune.com/news/a-journey-of-family-forgiveness-duluth-woman-recounts-search-for-birth-parents-in-korea>.

²¹²⁰ C. Villaume Fägerstrand (2022), *Stolen Child. My Journey from Korea and Back*.

19.7.8 Falsified, incorrect or incomplete information in adoption cases

19.7.8.1 *Falsified or incorrect information*

Numerous cases of incorrect information in adoption cases in Korea have come to light. Several examples of deliberately incorrect information are mentioned above, such as 1) the systematic registration of children as orphans in the family register regardless of their actual family status and 2) incorrect reports stating that children are orphans, drawn up in connection with the registration process in the family register. However, the Committee's investigations show that there have also been several cases involving other types of deliberate misinformation.

In its report, the TRC states that, amongst its cases of complaint, it found seven instances where a child's identity had been swapped with that of a child who was at an advanced stage in the adoption process, but where the adoption could not go ahead because the child due to be adopted had been collected by a parent, adopted by others or had died.²¹²¹ These cases date from the 1960s and 1970s, and none relate to adoptions arranged through Holt. All five cases from the 1970s relate to adoptions arranged through the organisation KSS.

In several instances, it is reported that adoption agencies provided incorrect information about the children's origins in reports sent to applicants alongside offers of children following a match. The TRC identified 12 such cases, which concerned adoptions arranged through KSS.

The TRC also refers to cases where information was omitted or significantly simplified in a way that makes it considerably more difficult for adoptees to find their birth families. Two of these cases concern adoptions arranged by Holt in the 1970s.²¹²²

The Committee's review of cases in Norwegian public archives has not been sufficient to uncover any incorrect or altered information, apart from the fact that the information in the family register was systematically incorrect. This is because there is limited information in individual case files, and the individual cases we have examined from before 1987 did not contain social reports or other information about the child that was sent to the adoptive parents. Furthermore, the Committee is reliant on information from other sources to determine whether the information in a case file in Norway contains inaccuracies.

However, several cases reported in the Norwegian media describe instances of incorrect information. In one case, there is information stating that the adoptee's parents had a short-lived romantic relationship, and that the mother was unable to care for the child whilst the father was away.²¹²³ However, as an adult, the adoptee discovered through a DNA test that she has a full sister 15 years her junior who was adopted to Denmark. Her sister's documents state that she was given up for adoption because her parents already had four children and could not afford another. One of these accounts must most likely be incorrect.

Through interviews, the Committee has also become aware of cases where incorrect information has been provided in the adoption documents. Among other things, one adoptee reported that a report from Holt states that she was found abandoned on the street, whereas in reality she had been handed over to a children's home by her grandmother's neighbour. This children's home then transferred her to Holt. It is unclear to the Committee whether the incorrect information in Holt's report is due to Holt itself fabricating false information, Holt having received incorrect information from the children's home, or some other reason.

In some of the interviews, adoptees have stated that they believe themselves to be older than their stated date of birth would suggest.

²¹²¹ TRC report, pp. 124 ff.

²¹²² TRC report, pp. 139 and 140.

²¹²³ VG, 13 May 2023, <https://www.vg.no/spesial/2023/adopsjon/sor-korea/>

19.7.8.2 *Inadequate information on children's origins*

In the individual case files held in Norwegian archives, and in the documents provided to adoptive parents, information regarding the child's origins is generally scarce. From the 1990s onwards, it appears that the vast majority of adoptive families received a brief, anonymised account of the background to the adoption, often referred to as 'initial social history' or 'confidential background information'. At some point, these documents were also stored by Verdens Barn and have subsequently been transferred to the Norwegian adoption authorities.²¹²⁴

For cases dating from before the 1990s, the committee has a more limited overview of which documents concerning the child's origins were sent to Norway, as these documents are not included in the case files held in the authorities' archives. The impression, however, is that the older the cases are, the less information they contain.

The reason for this lack of information is likely, to a large extent, that single mothers who gave their children up for adoption were entitled to, or were promised, anonymity. Regardless of this, however, it should have been possible to provide a more detailed account of the children's background whilst anonymising the parents. This was particularly important in light of the established practice of registering children intended for adoption as orphans in the South Korean family register. In cases where the documents sent to Norway lacked any form of corrective information regarding the child's actual background, neither the adoptive parents nor the children have had any reason to question the information from the family register, and many have grown up in uncertainty about their background.

In South Korean archives, too, the information available on adoptees' origins is often very limited, as the TRC explains in its report. There are several reasons for this. Some of these reasons are mentioned above, such as the practice of registering children with known parents as orphans in the family register, inadequate searches for the parents of foundlings, and the acceptance of consents from persons without parental rights. In addition, the report mentions a general lack of proper archiving and the absence of requirements for the transfer of documentation when children are transferred from children's homes to an adoption agency.

The TRC concludes as follows regarding the impact of incorrect and inadequate documentation:

By fabricating identity papers, neglecting record-keeping and failing to preserve accurate information, adoption agencies left many adoptees unable to know their true identities or identify their families. These practices violated their rights under the Convention on the Rights of the Child to a name, to immediate registration at birth, and to know their parents whenever possible – rights integral to their dignity as former citizens of the Republic of Korea.

19.8 A closer examination of the Norwegian authorities' and Children of the World's oversight of the adoptions

19.8.1 Individual adoptions to Norway carried out with the assistance of the Korea Association and Holt after the adoptive parents had been refused approval by the Norwegian authorities

In 1978, a Norwegian married couple received assistance from the Korea Association and Holt to bring a 13-year-old child from Korea, despite the fact that the Ministry of Justice had, in April 1977, rejected the couple's application for prior consent to an international adoption, and a final rejection following an appeal had been issued by the King in Council in January 1978. As part of this assistance, on 2 March 1978 the secretary of the Korea Association issued a confirmation to the South Korean authorities stating that the child would be adopted in Norway, and that 'all the documents relating to the taking into custody of the above-named minor by the family have been passed and approved by

²¹²⁴ In Bufdir's archives, these documents are held in the so-called Children's Archive.

the Norwegian Government'. Although the local child welfare board had taken a positive stance on prior consent, once the Ministry of Justice had concluded that the application should be rejected, the confirmation sent to the Korean authorities was clearly incorrect.

The case was also examined by the TRC, which states in its report that Holt was also aware that the parents were not eligible to adopt, but that they nevertheless helped to transfer the child to them. The TRC points out that, in a letter to the Korea Association, Holt asked the association to ensure that the couple completed 'all the papers as if it were an adoption', and stated that they would 'process this as a normal adoption'. This communication with Holt shows that the Korea Association must also have been aware that no prior consent had been given.

After the child arrived in Norway, they lived for many years as a foster child before the adoption was finalised in 1984, in order to safeguard the child's rights. The adoptee has stated that during this period they were subjected to severe neglect and sexual abuse.

It was particularly reprehensible of the Korea Association to actively assist a married couple in bringing a child from South Korea, despite the fact that their application for prior consent to adopt from abroad had been rejected. This meant that the state's system for ensuring that adoptees were placed with suitable parents was rendered ineffective. In this case, this had serious consequences, as the child was subjected to severe neglect by the foster parents after arriving in Norway. The fact that the assistance involved, amongst other things, providing deliberately false information to the South Korean authorities is an aggravating factor.

19.8.2 Children of the World's financial support for Holt

Since the 1970s, Children of the World and adoptive parents who have adopted children from South Korea have provided significant financial support to Holt in Korea. This support has exceeded standard fees and the coverage of costs associated with individual adoptions. The contributions have included, amongst other things, mandatory donations in connection with individual adoptions, support for children at Holt's institutions through sponsorship schemes organised by Children of the World, and funding for various projects run by Holt. In some cases, Children of the World has also made outright cash donations with no restrictions on their use.

This aid work must be assessed in light of the fact that Verdens Barn has its roots in the Korea Association, which was originally established with the aim of carrying out aid work in Korea. As described in section 19.6, they carried out extensive aid work in South Korea from the late 1950s to the early 1970s, and ran, amongst other things, two hospitals and a tuberculosis sanatorium.²¹²⁵ The relief work was mainly financed through extensive fundraising campaigns and remained the association's primary activity right up until the early 1970s, when the adoption programme expanded significantly and the healthcare institutions were taken over by the national authorities.

Until 1973, all funds raised and the surplus from the adoption programme were used to support the healthcare institutions that had been established in Korea.²¹²⁶ In 1974, however, the then head of the secretariat stated in a letter to an adoptive father that she believed the support should in future be transferred to Holt:

Personally, I have always believed that once we had fulfilled our obligations in Mokpo, we should support our partner organisation in adoption matters, Holt Children's Services, here in Korea. They are operating under financial strain, and our entire adoption programme depends on their support.

At the same time, during several visits to South Korea, I have seen for myself the vast scale of the work they carry out...

²¹²⁵ According to a document entitled 'History in figures and words: The Korea Association VB and Holt Children's Services', found in VB's archives, the Korea Association raised 10 million kroner for the tuberculosis projects it ran in South Korea. It is reported that 8,000 children were treated and 115,000 people were examined.

²¹²⁶ Letter from the head of the Korea Association's secretariat, 14 May 1974.

The Head of the Secretariat's view in 1974 appears to have gained acceptance, as aid work for South Korea from the mid-1970s onwards was largely channelled through Holt. The committee has found the earliest records of such support in the Korea Association's annual report for 1974. In 1974, a parents' group in Stavanger had raised funds to purchase equipment worth more than 100,000 kroner to support the rehabilitation of children with disabilities at Holt.²¹²⁷

Some institutions that were not part of Holt also received some support initially, such as the sponsorship scheme linked to children at the San Rok children's home. In 1982, however, support for San Rok was discontinued, following Holt's notification to Children of the World that this support 'must cease immediately and be transferred to Holt's own disability centre and children's home, Ilsan, otherwise it will jeopardise adoptions to Norway'.²¹²⁸

Sponsorship schemes

The Korea Association and Children of the World raised funds through sponsorship schemes (also known as long-distance adoptions) for children at Holt's institutions from around 1974 right up until the 2020s. The support came from private individuals in Norway who signed up as sponsors, many of whom were adoptive parents who had adopted through Children of the World.

The sponsorship schemes were on a significant scale. As early as 1975, the Korea Association had 120 sponsors for children in Holt's institutions in Korea.²¹²⁹ A 1992 progress report on Children of the World's aid projects states that Children of the World had 966 sponsors, who in 1991 contributed nearly 1.2 million kroner to children at various Holt institutions. By the end of 2023, Children of the World still had 75 sponsors for children at Holt's institutions in Korea, each of whom paid a sponsorship fee of NOK 3,600.²¹³⁰

Financial support for projects, operations, etc.

The Committee's review of board documents from the Korea Association and Children of the World shows that they have provided financial support to Holt on numerous occasions since the mid-1970s. The support consisted of one-off contributions to projects and, in some cases, operational support for specific institutions. Several construction projects have received support, and Holt has on several occasions presented 'prospectuses' for projects for which it sought funding. In addition, monetary gifts have been made to Holt on the occasion of anniversaries. The Korea Association/Children of the World has, amongst other things, provided the following financial support:

- 1974: NOK 100,000 for the rehabilitation of disabled children at Holt.²¹³¹
- 1979: approx. 40,000 NOK raised for 'Holt 79'.²¹³²
- 1980: The Korea Association contributes a maximum of 50,000 NOK to support projects.²¹³³
- 1980: NOK 75,000 is allocated for the modernisation/expansion of Holt at Ilsan.²¹³⁴

²¹²⁷ The Korea Association's Annual Report 1974.

²¹²⁸ Template for a letter from the boards of VB and the Korea Association to supporting members of the San Rok children's home. The template is undated, but the letters are believed to have been sent in 1982.

²¹²⁹ The Korea Association's Annual Report 1975.

²¹³⁰ VB's Annual Report 2023.

²¹³¹ The Korea Association's annual report for 1974.

²¹³² Minutes of the VB board meeting on 6 September

1979.²¹³³ Korea Association board agenda item

12/1980.

²¹³⁴ Minutes of the VB board meeting on 26 November 1980.

- 1990: A donation of 10,000 USD to Holt ‘to strengthen the cooperation between Holt and VB’.²¹³⁵
- 1991: Additional contribution to Holt of approximately 8,000 USD towards the completion of the Mapo Day Care Centre.²¹³⁶
- 1993: Anniversary gift of 150,000 NOK for the refurbishment of a building to mark the 30th anniversary of relations between Norway and Korea.²¹³⁷
- 1995: Children of the World grants 100,000 NOK to a centre for adoptees living in other countries in Ilsan, in connection with Holt’s 40th anniversary.²¹³⁸
- 1996: Additional grant for Korea: ²¹³⁹
 - NOK 100,000 for a doctor’s post at the children’s clinic
 - NOK 100,000 for the post-adoption centre
- 2000: Funds earmarked for a new reception centre (NOK 375,000) are reallocated to support the renovation of the old one. ²¹⁴⁰
- 2003: USD 50,000 in funding for the construction of the Holt Busan Community Centre. ²¹⁴¹
- 2005: Board matter 45/05. Donation of 40,000 USD to Holt in connection with their 50th anniversary. ²¹⁴²
- 2007: Recommendation to the Board regarding a donation of NOK 45,000 for new beds in the guest house in Korea. ²¹⁴³ It is unclear whether this was approved.
- 2014: The board decides to transfer NOK 50,000 towards the renovation of the Holt Reception Centre in Seoul.²¹⁴⁴

As the number of adoptions from South Korea declined, support for Holt was also reduced. Children of the World’s action plan for 2013–2014 states that ‘Children of the World has limited funds to assist Holt financially, but our contribution to Holt focuses on the transfer of knowledge and on supporting their networking needs ...’.

Children of the World has emphasised to the review committee that parts of the support for construction projects should be assessed in light of the fact that the buildings were also intended to benefit adoptees in Norway. This applies to the support for a centre for adoptees living in other countries and support for the establishment and refurbishment of the guest house, which was frequently used by adoptees visiting Korea and which reduced their costs during their visit.²¹⁴⁵

²¹³⁵ Board matter

50/1991. ²¹³⁶ Board

matter 55/1991. ²¹³⁷

Board matter 47/1993.

²¹³⁸ Board matter

47/1995. ²¹³⁹ Board

matter 29/1997. ²¹⁴⁰

Board matter 35/2000.

²¹⁴¹ Board matters 20/2003 and 39/2003.

²¹⁴² Board matter

45/2005. ²¹⁴³ Board

matter 14/2007. ²¹⁴⁴

Board matter 7/2014.

²¹⁴⁵ Response dated 27 March 2026 from the VB Board to the Committee’s submission of factual information regarding adoptions from South Korea and an interview with the former managing director of VB.

Verdens Barn has also made the following comments to the committee regarding contributions in connection with anniversaries:²¹⁴⁶

Contributions in connection with anniversaries, such as the support for Holt's 50th anniversary in 2005, were linked to events where partner organisations from many countries came together to enhance professional expertise in adoption and exchange experiences. Such events require funding for speakers, venues and organisation, and it is reasonable for the partner organisations to contribute financially to this. Children of the World has always been a contributor to capacity building, both through its own efforts and through financial support.

Donations

Until 2013, a donation was made to Holt in connection with each adoption. In principle, the donations were intended to go towards Holt's general work to help children in Korea, but from at least the 1990s onwards, a proportion of the donation was probably also used to cover the costs of the adoption itself. Although the term 'donation' suggests that this was voluntary, in practice the payment of donations was part of the costs involved in adopting a child.

The fact that the donations were not voluntary is evident, amongst other things, from Children of the World's application to the RIA in 1983 for the re-approval of Holt as a foreign contact in Korea. The application states that Holt's adoption costs totalled 2,675 USD, comprising administrative expenses of 1,450 USD, travel and escort expenses of 925 USD and 'general aid work' of 300 USD. As the Committee understands it, the payment for 'general aid work' had no connection with Holt's costs relating to the adoption and must be regarded as a 'donation'.²¹⁴⁷ The application was approved by the RIA without the Committee having found any assessment of whether it was appropriate for adoptive parents to be obliged to cover the costs of general aid work.

The issue was, however, raised during RIA's inspection visits to South Korea in 1981 and 1983. At a meeting with the Ministry of Health and Social Affairs in 1981, RIA was informed that the Ministry issued guidelines on what could be charged for adoptions, but that it did not set the amounts.²¹⁴⁸ It was, however, emphasised that adoptive parents could not be required to make donations to aid projects, as this had to be a voluntary matter.

The issue of making donations was also raised during RIA's visit in 1983.²¹⁴⁹ On that occasion, it was Holt who raised the question of whether donations could be required of adoptive parents in the same way as pure adoption costs. The mission report does not describe the RIA's view on this matter, but quotes Holt's statement that they 'receive tax exemptions, but otherwise no public funding for their activities'. Holt further emphasised that they were dependent on donations because they had to care for children who were not eligible for adoption, and that these expenses could not be included in the adoption costs. It is not clear whether RIA raised this issue during their meeting with the Ministry of Health and Social Affairs.

RIA and subsequent adoption authorities were therefore aware that compulsory donations were being demanded, and appear to have accepted this as part of the costs of an adoption. This was despite the fact that, at the meeting with the Ministry of Health and Social Affairs in 1981 referred to above, RIA was informed that donations must be voluntary. When the issue was subsequently raised with the adoption authorities, they

²¹⁴⁶ Response of 27 March 2026 from VB's board to the committee's submission of factual information on adoptions from South Korea.

²¹⁴⁷ This instalment payment has also been referred to as a donation in other documents; see VB's minutes of the board meeting of 8 December 1981 (item 49/1981).

²¹⁴⁸ RIA's travel report of 20 October 1981.

²¹⁴⁹ RIA's travel report of 16 September 1983.

The primary consideration was whether, overall, too much had been paid for each individual adoption. It was not until 2003 that SUAK investigated whether the South Korean authorities had approved the amounts paid.

Table 19.1 Overview of donations and costs transferred to Holt

Year	Adoption expenses/fees (USD, EUR from 2010)	Donation (USD, EUR from 2010)	Total expenditure (USD, EUR from 2010)
1981	1,375 + 855	240	2,475
1983	1,450 + 925	300	2,675
1985	1450 + 925	300	2,675
1990	1450 + 20 + 1038	1975	4483
1991	1450 + 20 + 1150	2500	5120
1992	1450 + 20 + 1150	3000	5620
1993	1450 + 20 + 1150	3000	6790
1995	1450 + 140 + 1200	4000	6,990
1999	1625 + 100 + 140	3975	5,840 (excluding escort expenses)
2002	5600	1000	6,600
2003	5,600	1000	6,600
2004	6,600	1000	7,600
2008	8,200 + 500 + 160	2,500	11,360
2010	x	x	9,710 euros
2013 (from July)	11,210 euros	— ¹	11,210 euros
2018	12,667 euros	—	12,667 euros

¹ A letter from Holt dated 23 January 2013 states that the adoption fee and donation would be combined into a single sum from January 2013, following guidelines from the Ministry of Health and Welfare. Following this, donations were no longer a separate component of the payment per adoption.

The overview in Table 19.1 shows that donations rose sharply from the late 1980s, from 300 USD in 1985 to 2,500 USD in 1991. This increase largely coincided with the South Korean authorities tightening restrictions in 1989 and imposing a cap on international adoptions, which had a negative impact on the finances of adoption agencies.

Donations continued to rise throughout the 1990s. Between 1999 and 2002, however, donations fell sharply, whilst the adoption fee rose correspondingly. The Committee has found no information as to why this occurred, but assumes that it may have been linked to changes in policy by the South Korean authorities. The Committee has noted that the increase in the adoption fee during the period from 1983 to 1999 was very modest (from USD 1,450 to 1,625), whilst the period was characterised by economic growth and significant cost increases for adoption agencies in Korea. The Committee therefore considers it likely that Holt's cost increases during this period must have been covered by the substantial increases in donations.

It cannot therefore be assumed that the substantial 'donations' made throughout the 1990s went entirely towards Holt's 'general aid work', as was the case with the donations in the 1980s. On the contrary, the South Korean authorities' assessment of the adoption agencies' costs in 2001, mentioned in the next section, suggests that the bulk of the donation amount must have been used to cover the costs of the adoptions.

When SUAK considered Children of the World's application for renewal of its placement licence for South Korea in 2003, Children of the World was asked to provide further details regarding the calculation of the fees and donations to Holt. SUAK was sent the South Korean regulatory body HSRC's²¹⁵⁰ 2001 overview of adoption agencies' expenses.²¹⁵¹ SUAK took the view that the document provided guidance on what could be considered legitimate expenses in international adoptions.²¹⁵² As the total amount Holt charged for an adoption (fees and donations) fell within these guidelines, SUAK concluded that the expenditure on fees and donations in 2003 and 2004 was acceptable, despite being high compared with many other countries of origin. Another factor influencing the conclusion was that the cost level in South Korea was high and that the other adoption agencies in South Korea charged even higher fees per adoption than Holt.

During two periods, the donations for adoptions arranged through Children of the World differed from those paid by Holt's other partners. In 1992 and 1993, Children of the World paid USD 500 more in donations than partners in other countries. During the same period, Children of the World's share of adoptions through Holt rose from 9 per cent in 1991 to 12 per cent in 1992 and 14 per cent in 1993.²¹⁵³

In 2003, Children of the World paid a lower adoption fee than other partners. An internal budget document shows that, around the turn of the year 2002/2003, they informed Holt that they were concerned about what the Norwegian authorities would say regarding a proposed increase in the fee of 1,000 USD, and that they had the increase postponed from 2003 to 2004.²¹⁵⁴ Following the postponement, Verdens Barn was informed by Holt that they could expect 50–60 placements in 2003, which was a sharp reduction from 2002.²¹⁵⁵ Verdens Barn then embarked on 'intensive efforts to increase the number of adoptions to Norway' and, according to the budget document, ended up with 85 adoptions. The statistics on completed adoptions show 81 adoptions in 2003, a clear decline from 106 in 2002.²¹⁵⁶ In 2004, the number rose slightly again to 87 adoptions.

²¹⁵⁰ Health and Social Research Committee.

²¹⁵¹ Letter from VB dated 14 February 2003. The document is entitled 'Specification of Adoption Expenses suggested by the HSRC'.

²¹⁵² Email from SUAK to BFD dated 20 November 2003.

²¹⁵³ Internal report from VB dated 17 December 1993.

²¹⁵⁴ VB's budget document 'Budget 2004-A', 30 November 2003.

²¹⁵⁵ There were 106 adoptions from South Korea to Norway in 2002.

²¹⁵⁶ The difference between the figure quoted in VB's budget document and the statistics from Bufdir may be due to the fact that VB counted the children's arrival in Norway, whilst Bufdir counted completed adoptions.

The relationship between total financial support and the number of adoptions

Several of the factors described above suggest that the level of Verdens Barn's total financial support to Holt influenced the number of adoptions to Norway.

The correlation between periods of higher and lower total payments per adoption, and Holt's allocation of adoptions during these periods, is a clear indication of this. The same applies to the effect of Verdens Barn's expansive strategic plan from 1992, in which a stated aim was to increase the number of adoptions by increasing financial support to Holt. One year after the plan was implemented, the managing director considered the objective to have been largely achieved. Children of the World increased the proportion of adoptions facilitated through Holt during the strategy period, and has since described itself as Holt's preferred partner in Europe.²¹⁵⁷

Holt itself has summarised the criteria for calculating the number of placements allocated to various partners in several letters sent to Children of the World around the turn of the year, containing information on expected placements for the coming year. Several of these letters indicate that financial support is a significant factor. The two criteria mentioned most frequently are Children of the World's 'donations' and 'placements of children with special needs'.

In Holt's letter of December 2005 regarding expected allocations for 2006, Children of the World's financial support is highlighted:

We regret to inform you that the new referral allocation for 2006 for your agency is 76, a figure that is becoming significantly smaller year on year, contrary to our intention and wishes. As was the case last year, we have allocated this number according to our own method, based on your financial support and placements of children with medical concerns.

Some of the 'allocation letters' contain wording suggesting that the level of support from Children of the World meant that they experienced a smaller reduction in adoptions than Holt's other partners; for example, in the following letter from December 2011:

As you are well aware, our government remains committed to its policy of reducing overseas adoption and has lowered the quota this year. Therefore, your allocation for 2012 is 40, down from 45 this year, though the reduction is smaller than it might otherwise have been thanks to the amount of your remarkable donations. We will endeavour to allocate more to you depending on our intake figures and the policy change.

The Committee considers that factors other than financial support have influenced Holt's allocation between different recipient countries, including long-standing historical cooperation and the placement of children with special needs.²¹⁵⁸ Verdens Barn was furthermore regarded as a reputable organisation, which was an early organiser of 'motherland tours' for adoptees and devoted resources to fostering interpersonal contact with Holt.²¹⁵⁹ Holt presumably also had confidence that the children were thriving in Norway.

Furthermore, the quotas for international adoptions set by the South Korean authorities may, during many periods, have imposed a certain limitation on the extent to which financial support for Holt could influence the total number of international adoptions.

During the investigation, the board of Children of the World informed the committee that the association had never intended to gain an advantage over other adoption organisations, either with Holt or with the Korean

²¹⁵⁷ VB, Revised Strategic Plan for 1992–1995 with Target Achievement, presented to the board in March 1993.

²¹⁵⁸ In a letter to the committee dated 27 March 2026, VB's board writes that any advantages in VB's relationship with Korea and Holt are due to VB's professional expertise in adoption mediation, a holistic approach to children's needs, and a comprehensive understanding of culture and knowledge of the partner countries' ways of thinking and traditions.

²¹⁵⁹ At the Committee's meeting with Holt in March 2025, the cooperation with VB was described as good, and somewhat different from other partnerships, because VB had been organising 'motherland tours' as early as the 1980s.

Norwegian authorities.²¹⁶⁰ The board states that, to the best of its knowledge, there has been no deliberate link between donations and the number of placements in the internal dialogue between Verdens Barn and Holt.

Overall, however, the committee has no doubt that, ever since the 1970s, there has been a correlation between the total financial support Verdens Barn has provided to Holt and the number of children allocated to them. In the committee's view, this is something of which Verdens Barn has been aware and, at least at times, has deliberately taken into account.

Assessment of Children of the World's financial support to Holt

Children of the World's support for Holt must be assessed in light of the prohibition on parties involved in the adoption process deriving undue financial gain. This prohibition is set out, amongst other places, in Article 21(c) of the Convention on the Rights of the Child, which requires States to 'take all appropriate measures to ensure that intercountry adoption does not give rise to improper financial gain for those involved in the adoption'.²¹⁶¹ Article 32 of the 1993 Hague Convention also contains a prohibition against undue or other financial gain.²¹⁶²

In assessing whether the support provided to Holt constituted 'undue financial gain', it is relevant that Holt Children's Services was a South Korean 'social welfare company' operated in accordance with the provisions of the Social Welfare Act. As the Committee understands it, Holt did not have private owners who could draw dividends should it make a profit. On the other hand, both staff and management received salaries and had an interest in continuing the business. Some have also claimed that the salary levels for case workers at Holt were very high in the early 1980s,²¹⁶³ but the Committee has no basis for assessing how this has changed over time. Allegations have also been made by groups critical of adoption that Holt's management is said to have enriched themselves irregularly through the organisation in various ways, but these are matters which the committee has not been able to investigate.

Furthermore, it is relevant that the funding was intended to benefit Holt's work with children and disadvantaged families in South Korea. There has been a certain degree of acceptance that adoption agencies in recipient countries have supported aid work in countries of origin. The 2001 statement by the Special Commission of the Hague Conference also encouraged this, but subject to certain conditions:

Receiving countries are encouraged to support efforts in countries of origin to improve national child protection services, including programmes for the prevention of abandonment. However, this support should not be offered or sought in a manner which compromises the integrity of the intercountry adoption process, or creates a dependency on income deriving from intercountry adoption. In addition, decisions concerning the placement of children for intercountry adoption should not be influenced by levels of payment or contribution.²¹⁶⁴

Both the donations and the sponsorship schemes must be regarded as aid work. The same presumably applies to most of the one-off transfers, but the committee is not in a position to assess the nature of each individual contribution to Holt. Verdens Barn itself probably regarded the support for Holt as aid to

²¹⁶⁰ Response of 27 March 2026 from the VB board to the Committee's submission of factual evidence from the investigation into adoptions from South Korea.

²¹⁶¹ The prohibition on unlawful gain is described in more detail in section 5.4.6.

²¹⁶² South Korea did not ratify the Convention until 2025, but the Norwegian authorities stated in St.prp. No. 77 (1995–1996) that adoption agencies operating in countries that have not ratified the Convention are expected to adhere to the principles on which the Convention is based.

²¹⁶³ The Committee's interview with Helen Noh et al. on 25 March 2025 in South Korea.

²¹⁶⁴ Report and conclusions of the Special Commission on the practical operation of the Hague Convention of 29 May 1993 on the Protection of Children and Co-operation in Respect of Intercountry Adoption, 28 November–1 December 2000.

disadvantaged children and mothers in Korea, and to remain in line with the Korea Association's original objective of aid work in Korea.

The question is whether the aid nevertheless influenced the adoption system and the individual adoption processes. As mentioned, it is clear that the aid influenced Holt's decisions regarding the number of placements allocated to Children of the World, something Holt itself was open about. Furthermore, it seems clear that Holt was entirely dependent on income from international adoptions. As Holt received more state support, this dependence presumably diminished; however, the increases in adoption fees throughout the 2000s – which were repeatedly justified on the grounds of financial difficulties – suggest that income from adoption activities remained important to Holt.²¹⁶⁵

The Committee finds it likely that the total financial support, including that provided by other partners competing with Children of the World for allocations, has influenced Holt's work on adoptions, and that there is a risk that financial considerations have, at times, taken precedence over the best interests of the individual child. As justification for this, reference is made to the TRC's description of the highly regrettable competition for adoptable children between adoption agencies in Korea, which was particularly prominent in the 1980s and was clearly driven by income from adoptive parents and foreign partners.

The Committee's assessment of the support provided to Holt must be differentiated across different periods, as the support has varied and the rules governing the financial aspects of adoptions have evolved. However, the Committee believes that Children of the World should, as early as the 1980s, have questioned whether channelling all aid to South Korea through Holt created a risk that considerations other than the best interests of the individual child might become decisive in adoption cases. In the Committee's view, the fact that Children of the World pursued an expansionist strategy in the 1990s, with the aim of increasing the number of adoptions by increasing support for Holt, was open to criticism. This applies in particular after Norway ratified the Convention on the Rights of the Child in 1991, and the state was required to take 'all appropriate measures to ensure' that intercountry adoption did not lead to undue financial gain, cf. Article 21(d) of the Convention.

The Norwegian authorities' oversight of transfers to Holt

It is unclear to the Committee whether the Norwegian authorities were informed of or were aware of the total extent of the financial assistance provided to Holt. Verdens Barn regularly informed the Norwegian authorities of the amounts paid to Holt in connection with each adoption. They also, to some extent, informed the authorities about sponsorship schemes, but we cannot see that they provided information on the individual transfers of financial support, or that information on this was provided to or requested by the authorities.

Norwegian adoption agencies have provided assistance to partners in many countries, for example to private children's homes. However, in none of the other countries of origin investigated by the committee has all aid work been channelled through the same organisation that arranges adoptions to Norway.²¹⁶⁶ Given that Holt played a central role in the adoption process, with responsibility for everything from counselling single mothers to issuing declarations authorising the release of children for adoption in the receiving country, the Norwegian authorities had a particular reason to monitor the financial cooperation with Holt. Some monitoring was carried out, but it focused on payments for individual adoptions. The Committee cannot see that the Norwegian authorities at any point undertook a comprehensive assessment

²¹⁶⁵ In Holt's letter to VB dated December 2005, we find an example of such a justification: 'In short of revenues for the upcoming 2006, we are experiencing hardship once more without any convincing solution other than depending on the increase in the adoption donation under your agreement. We'd like to ask you to increase the adoption donation to \$500, bringing the total to \$1,500 for the children to be released from July 2006 onwards.'

²¹⁶⁶ With a few exceptions before aid to San Rok was terminated in 1983.

an assessment of the support provided to Holt, and of how it has affected the adoption processes. It is reprehensible that this was not done.

19.8.3 The Norwegian authorities' and Children of the World's handling of the practice of registering all adoptees as orphans in the South Korean family register

The Norwegian authorities' knowledge of incorrect information in the South Korean family register

As described in section 19.7.5, until the legislative amendment in 2012, the vast majority of adoptees were registered with an '*orphan hojeok*' in the South Korean family register, which stated that their parents were unknown even though this was not the case. In this section, the Committee assesses how the Norwegian authorities and the Korea Association / Children of the World dealt with this practice.

In the Committee's view, both the Korea Association / Children of the World and the Norwegian authorities eventually had grounds to know that the family register extract did not provide accurate information about the child's actual family status and affiliation.

Firstly, in several individual cases, an '*orphan hojeok*' was submitted to the Norwegian authorities, even though other documents showed that the children actually had living parents. From the 1990s onwards, all those who were adopted had known parents, as evidenced by documents that the adoptive parents and Children of the World received from Holt during the adoption process. However, these documents were not included when the case was submitted to the Norwegian authorities for the granting of an adoption licence.

Among the individual cases reviewed by the committee, there was a case as early as 1968 where the Norwegian authorities were presented with 1) an '*orphan hojeok*', 2) a '*Certificate of Orphanhood*' confirming the child as a '*legal orphan abandoned by its parents*', and 3) a release declaration signed by the mother. The South Korean documents in this case clearly showed that the child had been released for adoption by a named mother, but that the child was nevertheless registered in the family register as having no known family or parents. As these documents were under consideration by both the Norwegian Ministry of Justice and the County Governor of Oslo and Akershus in connection with the issuance of a Norwegian adoption authorisation, it could already have been possible for the Norwegian authorities in 1968 to discover that an '*orphan hojeok*' provided no information about a child's actual family circumstances.

It remains unclear, however, at what point the Korea Association and the authorities realised that the children's family register documents provided incorrect information about their origins.

During a meeting between the Korea Association, the Ministry of Justice and the Ministry of Social Affairs in 1973, the Ministry asked whether the Association knew anything about the mothers of the children who had been sent to Norway. The reply they received was that the children were, for the most part, '*foundlings*'.²¹⁶⁷ This may suggest that both the Korea Association and the Norwegian authorities at that time regarded the vast majority of the children as having been found abandoned without known parents.

However, during a gathering of adoptive parents organised by the Korea Association in the summer of 1974, a director from Holt in South Korea stated that the vast majority of the adopted children came from unmarried mothers, and described how difficult it was to raise children as a single mother.²¹⁶⁸ During his visit to Norway, the director also held a meeting with the Ministry of Social Affairs, the Ministry of Justice and the Korea Association. There it was

²¹⁶⁷ Minutes of the meeting at the Ministry of Social Affairs on 13 August 1973.

²¹⁶⁸ The Korea Association's annual report for 1974.

it was stated, amongst other things, that Holt had four social workers whose role was to advise unmarried mothers who wished to give their child up for adoption.²¹⁶⁹

It is difficult to assess with certainty what the Norwegian authorities knew about the children's backgrounds in the 1970s. However, the information that emerged during the meetings with the director of Holt should have provided grounds for questioning whether the details regarding unknown parents in the adoptees' family registers were accurate. The fact that most of the children had unmarried mothers and that Holt had several staff members working to advise unmarried mothers who wished to give a child up for adoption clearly indicated that many of the children adopted to Norway had known parents.

In Children of the World's application for re-approval of Holt as a partner organisation in 1986, it was stated that just under a third of the adoptees were foundlings.²¹⁷⁰ Although not explicitly stated, this indicates that just over two-thirds of the children had known parents.

The review of individual cases shows that, in many of the cases, information was sent to the Norwegian parents and to Verdens Barn indicating that the adoptees had known parents. A report prepared by Holt, usually entitled 'Confidential background information', provided anonymised information about the birth parents and the circumstances of the child's placement. This report was given to the Norwegian adoptive parents and placed in Verdens Barn's archives, but was not requested by the Norwegian authorities during the processing of the adoption case in Norway. The documents were later transferred to Bufdir, where they were placed in the so-called Children's Archive, which Bufdir is now in the process of transferring to the individual's adoption file. Such reports were available in some cases as early as the 1970s, and from around 1990 this applied to virtually all cases.

Despite the documentation available in individual cases, it appears that even in the 1990s there was little awareness amongst the Norwegian authorities that the documentation they received in individual cases provided incorrect information about the child's origins. A person who was employed at the State Adoption Office in the first half of the 1990s was very surprised when the committee informed her that the information regarding unknown parents provided in documents from the South Korean family register was incorrect. Despite the fact that she had, amongst other things, worked on the issuing of adoption authorisations for several years, she was unaware of this.

Similarly, a person who, for several years from the late 1990s, was head of adoption services at the adoption authorities, informed the committee that he did not realise that the adopted children had known parents until several years later. According to the head of the department, the authorities became aware of this as a result of enquiries from birth mothers in South Korea who wished to make contact with their children who had been given up for adoption.

During SAK's and BUFA's monitoring visits to South Korea in 1996 and 2002, the Norwegian delegation received a great deal of information which clearly indicated that, at the very least, many of the adopted children had known birth parents. During the 1996 visit, the Ministry of Health and Welfare stated that children of unmarried mothers could not be registered in their mother's family register, and that they were therefore registered as orphans or abandoned. The delegation also received a briefing from Holt on the advice given to unmarried mothers and married couples considering adoption.²¹⁷¹

The report from BUFA's inspection visit to South Korea in 2002 states that BUFA was aware at the time that the child's parentage was almost always known, despite it being recorded as unknown in the family register.

It is possible that certain officials were aware at an earlier stage that the family register extracts contained incorrect information, but if so, this knowledge was not recorded or passed on

²¹⁶⁹ The Korea Association's Annual Report for 1974.

²¹⁷⁰ VB's letter to RIA dated 13 January 1986.

²¹⁷¹ SAK, travel report of 7 March 1996.

by the relevant authorities. The Committee is not certain that the Norwegian adoption authorities were aware of this until around the year 2000, when they discussed the consequences of this.

On several occasions prior to 2000, the Norwegian authorities had received information suggesting that the family register was not reliable. Furthermore, the children's origins were a matter that should in any case have been investigated by the authorities through their general supervision, visits and re-accreditations of Holt as Children of the World's contact in South Korea.

Should the Norwegian authorities and Children of the World have realised that the issuance of orphan hojeoks was unlawful?

The Committee has concluded that it was difficult for the Norwegian authorities and Children of the World to detect that the issuing of orphan hojeoks was unlawful under South Korean law, as the TRC has held to be the case, cf. section 19.7.5. Admittedly, it was clearly highly suspicious to maintain registers and issue certificates that clearly provided incorrect information, and the circumstances surrounding this should have been investigated more closely. Nevertheless, there is much to suggest that the practice appeared to be accepted under South Korean law.

The basis for the Committee's view is that this was a long-standing and established practice spanning several decades, involving both local authorities and the courts, and of which the Ministry of Health and Welfare was likely aware.²¹⁷² Furthermore, there was a specific provision in Article 13 of the 1976 Adoption Act concerning the intermediary's registration of unregistered children, which could have served as a possible legal basis for the registrations. Neither the Norwegian authorities nor Children of the World were likely to have been aware of the specific rules governing the registration process under the Hojeok Act, nor of the issuance of false reports concerning abandoned children as described in the TRC's report.²¹⁷³

Furthermore, the issuance of an 'orphan hojeok' was absolutely necessary in order to complete an adoption when the mother wished to remain anonymous and/or the male head of the family did not wish to register the child on the family's page in the family register. In such cases, this was also the only way to ensure that children who had been handed over but not adopted could be registered and have their rights safeguarded in Korea.

Should the Norwegian authorities and Children of the World have taken a different approach to the information in the adoption documents regarding unknown parents?

The fact that the practice of registration in the South Korean family register presumably appeared to be lawful under South Korean law to the Norwegian authorities and the adoption agency does not mean that the committee believes it should have been accepted without further ado, or that the Norwegian adoption agencies acted correctly.

From the outset, the Norwegian authorities should have been aware of the problems arising from a system in which official documents from South Korea systematically provided clearly incorrect information about fundamental aspects of the children's identity. The lack of action on the part of the Norwegian authorities has contributed to a very large number of adoptees mistakenly believing that they had been found as foundlings with no known biological parents or other relatives.

It was not until the renewal of the adoption authorisation for South Korea on 11 February 2003 that Children of the World was required to inform its applicants in South Korea that

²¹⁷² In the report on SAK's visit to South Korea in 1996, the Ministry informed SAK that children of unmarried mothers cannot be entered in the mother's family register and are therefore registered as orphaned or abandoned.

²¹⁷³ See section 19.7.5.

the biological mothers' names are usually known, but that this information does not appear on the South Korean 'Statement of Release for Adoption', as the mothers are guaranteed anonymity.

This measure came very late, and the information that was required to be provided was inaccurate, as it was the extract from the family register (orphan *hojeok*) that was the most problematic document, not the release document.

Both the authorities and Children of the World had a duty to help prevent misinformation about children's origins. The requirement for Children of the World to provide such information in adoption cases should have been introduced much earlier, presumably as early as when the Korea Association was granted a placement licence in 1969. The authorities should also have provided such information themselves to adoptive parents in connection with their processing of adoption authorisation cases. Such a duty arose from the administration's duty to provide guidance when processing individual cases.²¹⁷⁴

The duty to prevent misinformation about origin became clearer after adoptees were granted the right to information about their birth parents under the Norwegian Adoption Act of 1986, and particularly after Norway ratified the provisions of the Convention on the Rights of the Child concerning the right to identity in 1991.²¹⁷⁵

The Committee considers it highly reprehensible that the Norwegian authorities did not previously uncover the systematic misinformation in the South Korean family register, and did not take any follow-up measures until 2003.

19.8.4 The Norwegian authorities' control and supervision

19.8.4.1 Introduction

Adoption cooperation with South Korea spanned a period of around 70 years. The Norwegian authorities' oversight of the adoptions and their knowledge of the adoption process in South Korea were, for a long time, rather limited. There was a gradual intensification of supervision, which began with the establishment of RIA in 1978. However, progress was slow, and it is particularly in the last ten or so years that the authorities appear to have devoted more resources to gaining a more thorough understanding of the adoption process in South Korea.

These checks appear to reflect the fact that, for long periods, the Norwegian authorities regarded South Korea as a pioneer in the field of adoption and considered Holt to be a reputable and well-organised organisation. This view is evident, amongst other things, from the Committee's interview with the head of the relevant department at the Ministry of Children and Families in the 1990s and 2000s.²¹⁷⁶ Adoptions from South Korea were also the first cases where it was not deemed necessary to send the case files to the Ministry of Justice for review before the county governor granted adoption authorisation, cf. the Ministry of Justice's letter to the county governors dated 9 December 1982. In an internal note to this letter at the Ministry, the documents in the South Korean cases are described as 'clear and straightforward', and it is noted that 'everything indicates that the agency used in South Korea, "Holt", is doing everything properly'. Adoption applications from other countries still had to be assessed by the Ministry before being considered by the County Governor.

A similar view of the adoption system in South Korea was also prevalent in other receiving countries.²¹⁷⁷

²¹⁷⁴ See the provision on the administration's duty to provide guidance in Section 11 of the 1967 Public Administration Act and Section 2 of the Regulations on the Administration's Duty to Provide Guidance (FOR-1977-12-16-17), repealed on 1 January 2007.

²¹⁷⁵ Convention on the Rights of the Child, Article 8.

²¹⁷⁶ Interview on 8 January 2026, in which the Head of Department stated that there had been no specific discussions regarding adoptions from South Korea and that it appeared these were proceeding satisfactorily.

²¹⁷⁷ SOU 2025:61 vol. 2, pp. 575, 597 and 645.

19.8.4.2 *Work on placement licences and approvals for foreign contacts (Holt)*

When Children of the World was granted a placement licence for South Korea by the Ministry of Social Affairs in April 1969, the authorities had presumably gained some knowledge of adoptions from that country through the Ministry of Justice's and the county governors' handling of individual cases over more than ten years. There had also been a few meetings and some more informal contact between the Korea Association and the Ministry of Social Affairs, during which the assistance provided by the Korea Association in connection with adoptions prior to their receiving a placement licence was clarified.

The question of whether the Korea Association could be granted a placement licence was first discussed at a meeting between the association and the Ministry of Social Affairs in April 1968.²¹⁷⁸ At that meeting, the Ministry expressed the view that it might be advantageous if all enquiries regarding the adoption of South Korean children were channelled through a single organisation, and that guidelines for the organisation's work should be established. The background to this view was presumably that there had been cases where children had been brought to Norway from South Korea without the prior consent of the Norwegian authorities. The only condition set out in the authorisation was that 'the adoptive home' must still be 'approved in the usual manner by the local child welfare board, and that the application has also been assessed by the county governor, and that final approval has been granted by the Ministry of Justice'.

The Korea Association's application for a placement licence from 1968 does not contain any description of the adoption process in Korea, but states that, during a visit, they had inspected the relevant adoption agencies in South Korea and assessed their 'reliability and handling of cases', and that contact had been established in the event that they were approved as an agency. The Committee's review of the archives has not revealed that the Ministry of Social Affairs, in connection with the processing of the first licence, carried out any investigation into the adoption process in South Korea.

Nor was any investigation into the process in South Korea carried out in connection with the renewal of the agency licence in 1978. The licence granted in 1978 had no expiry date, and the next renewal did not take place until 2000.

After 1978, however, RIA and, subsequently, SAK regularly re-accredited Holt as Children of the World's partner organisation in Korea. The Committee has found documents relating to re-approvals in 1981, 1983, 1986, 1991, 1993, 1995 and 1998, but the assessments appear to have been rather cursory.²¹⁷⁹ During the reassessment in 1995, SAK did, however, request some additional information, particularly regarding the costs of the adoptions.

Following amendments to the Adoption Act in 1999, all placement licences had to be renewed at least every three years. The licence for South Korea was subsequently renewed nine times, and significantly stricter requirements were imposed on the application and documentation than had been the case during the previous re-approvals of Holt as a country contact. The issues examined in more detail during the renewals of placement licences included the children's backgrounds and the possibility of obtaining information about their origins, the financial aspects of adoptions and changes to the regulations. During the most recent renewals, an assessment was also made as to whether South Korea had a need for international adoptions.

The work carried out by the Norwegian adoption authorities on these licences suggests that they did not have sufficient knowledge of the adoption process in South Korea. In internal documents from Bufa's processing of the authorisation in 2000, the case officer expressed uncertainty regarding the adoption process in South Korea and the extent of official oversight. During the processing of the placement application in 2008, a case officer expressed the following uncertainty:

²¹⁷⁸ SD's minutes dated 18 April 1968.

²¹⁷⁹ We have not found any documentation relating to the re-approval in 1998.

The question is whether the role of the local and central authorities in the proceedings is merely a formality. Even though the specific case is to be ‘processed’ by both the local administrative office in Mapo District and the Ministry of Health and Welfare. Where does the family court come in?

The uncertainty regarding the courts’ role may, amongst other things, stem from the fact that in four of Children of the World’s applications for adoption authorisation, information was provided about the process in South Korea which gave a clearly inaccurate picture of the authorities’ oversight of international adoptions, without the committee being able to see that this was pointed out or picked up on. This applies to placement applications from 2000, 2002, 2005 and 2008, which, with some minor variations, read as follows (the text reproduced is from 2008):

When the biological mother or father relinquishes the child, the child is transferred to Holt Children’s Services. The local administrative office (Mapo district) grants approval for the child to be transferred to Holt. The child is entered in the family register. A certificate stating that the child may be made available for adoption is issued by the local administrative office on the basis of the documents and provisions referred to in Chapter 2, Article 4 of the Act.

The child is then placed for adoption and matched with a family. *The Family Court grants permission for the adoption to take place.* [committee’s emphasis]

Permission for the child to leave the country must be obtained from the Ministry of Health and Welfare.
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These applications thus stated that the court granted permission for intercountry adoptions, apparently as the final step in the process before applying for an exit permit. This is clearly incorrect, as the Family Court’s remit from 1976 to 2012 was limited to approving the creation of a new family in the family register in connection with the child’s registration therein; see section 19.5.5. The role of local authorities is also described in greater detail than the TRC presents it, but it cannot be ruled out that their responsibilities in the process may have changed somewhat.²¹⁸¹

It is highly regrettable that the incorrect description of the process was used in four applications for placement authorisation, apparently without this being corrected or questioned. It is therefore possible that the applications may have been processed on the basis of a mistaken understanding of the courts’ role in the adoption process. Furthermore, it is worth pointing out that if the family court had in fact granted permission for the adoptions, the Norwegian authorities should have ensured that these court decisions were obtained when processing the individual adoption cases in Norway, rather than basing the adoption decision on the release statement from Holt’s president.

In the case of the most recent placement authorisations, the level of scrutiny was significantly increased, which was presumably linked both to changes in Bufdir’s practice and to the fact that there were genuine doubts regarding the authorisation. During the processing of the placement application in 2021, a comprehensive internal memorandum was drawn up containing, amongst other things, information from reports by the Children’s Committee and ISS, a description of a review of four individual cases, comments on Holt’s extensive role in the adoption process, relevant statistics from South Korea and comments on the control and supervision system. Furthermore, whilst processing the case, Bufdir made direct contact with the Ministry of Health and Welfare and the Ministry of Gender Equality and Family in South Korea to investigate whether the benefits provided to adoptive parents were more favourable than those granted to single parents.

²¹⁸⁰ Verdens Barn’s application received by Bufdir on 2 October 2008.

²¹⁸¹ The information regarding Mapo District’s role in the process is similar to that described in the report from BUFA’s fact-finding and monitoring mission to South Korea from 1 to 13 September 2002.

19.8.4.3 *Monitoring visits and contact between Norwegian authorities and South Korean stakeholders*

Prior to 1978, the Norwegian authorities had only had contact with South Korean stakeholders on a few occasions, when they met representatives from Holt, who were in Norway to meet with Children of the World.²¹⁸² Furthermore, there had also been some official contact via the Norwegian Foreign Service and the South Korean Embassy in Oslo, particularly in connection with the suspension of adoptions in 1974 and 1975.

From the establishment of RIA in 1978, the authorities began to carry out supervisory visits to countries of origin. Visits to South Korea were most frequent in the first few years after 1978, but became more thorough and targeted from the 1996 visit onwards.²¹⁸³ For example, during SAK's inspection visit in 1989, meetings were held only with Holt and the relevant ministry, along with a single visit to Holt's home for children with disabilities in Ilsan. One of Holt's staff members appears to have acted as an interpreter during the meetings.

During the most recent monitoring visit in 2016, Bufdir had a comprehensive programme spanning several days, during which they met, amongst others, with Holt, the authorities and private actors critical of adoption. Bufdir had its own interpreter for the meetings with the authorities and adoption-critical stakeholders.²¹⁸⁴ The programme was significantly more comprehensive than on previous visits and was designed to identify circumstances that could pose a risk of irregularities. Nevertheless, one of the conclusions from the 2016 visit was that it was challenging to form a comprehensive picture of how the adoption regulations and practices functioned in practice, and that further developments should be closely monitored.

In addition to contact with South Korean stakeholders during the supervisory visits, the Norwegian authorities held several meetings over the years with representatives of Holt whilst they were visiting Norway.

19.8.4.4 *Matters that should have been followed up more closely*

There are several aspects of the adoptions from South Korea which, in the Committee's view, should have been investigated more thoroughly by the Norwegian authorities.

It has already been pointed out that the authorities should have investigated the incorrect information in the family register document and taken steps to prevent misunderstandings regarding the adoptees' background; see section 19.8.3.

Furthermore, the Norwegian authorities received information during monitoring visits to South Korea that should have been investigated more closely. This applies, for example, to the information from the Ministry of Health and Social Affairs in 1981 stating that donations to aid organisations had to be voluntary, which the Committee cannot see having been followed up. Furthermore, a statement made by a senior official at the Ministry during the 1989 visit warranted closer follow-up. During the meeting, he clearly expressed his opposition to both past and future international adoptions, without the background to this being discussed in greater detail in the mission report or appearing to have been investigated further in any other way.

It is also open to criticism that a comprehensive assessment of the adoption system in South Korea was not carried out much earlier, covering Holt's highly central role in the adoption process, the lack of official oversight, and the impact that the substantial costs of international adoptions had on the adoption processes. The Committee would like to highlight three periods during which there were particular indications that a thorough assessment of this was needed. Firstly, this concerned the period in the mid-1970s when there was some debate in Norway regarding the need for international adoptions from South Korea, and there was also a well-known disagreement on this within the Korea Association. Secondly, this concerned the period in the 1980s when government restrictions were lifted and there was a sharp increase in

²¹⁸² Such journeys were often undertaken in connection with the escorting of children.

²¹⁸³ Inspection visits to South Korea were carried out in 1978, 1981, 1983, 1989, 1996, 2002 and 2016.

²¹⁸⁴ At other meetings, a representative from Holt acted as an interpreter.

adoptions, which coincided with a period of significant economic growth in South Korea, which would suggest that the need for international adoptions was diminishing. Thirdly, in the 2000s, the authorities should have scrutinised the process in South Korea more closely in light of the country's failure to ratify the Hague Convention on Adoption, its reservation regarding parts of the adoption provisions in Article 21 of the Convention on the Rights of the Child, and repeated references to these issues by the UN Committee on the Rights of the Child.

19.8.4.5 *The Committee's assessment of the Norwegian authorities' monitoring and supervision*

Overall, the Norwegian authorities should have ensured significantly more thorough supervision of the adoption cooperation, particularly given that, for many years, South Korea was by far the country from which the most adoptees came. It is therefore particularly reprehensible that the Norwegian authorities had not acquired more knowledge about the adoption process and, at times, appear to have been in the dark regarding the backgrounds of the children adopted into Norway.

19.8.5 The Norwegian authorities' handling of individual cases

19.8.5.1 *Introduction*

As mentioned, decisions on the adoption of children from South Korea were made by the Norwegian authorities in accordance with the Norwegian Adoption Act right up until 2012. This means that the conditions for adoption set out in the Adoption Act had to be met and that the case had to be processed in accordance with the procedural rules for individual decisions in the Norwegian Public Administration Act. See Chapter 27 for further details on this.

When processing adoption cases, all the conditions for adoption had to be investigated in accordance with the duty to investigate under Section 17 of the Public Administration Act.²¹⁸⁵ Although, in practice, the Norwegian authorities had limited scope to investigate circumstances in other countries, they were required, as far as possible, to request documentation confirming that all the conditions for adoption under the Norwegian Adoption Act had been met. This includes conditions whose fulfilment depended wholly or partly on circumstances in the country of origin, such as the requirement that the adoption must be in the child's best interests, the child's right to be heard (from the age of 7), the requirement for the child's consent (from the age of 12) and the requirement for consent from those with parental responsibility, to be given no earlier than two months after the child's birth.²¹⁸⁶

19.8.5.2 *The review of the provisions of the Norwegian Adoption Act*

In the 1960s, it appears that in some cases Norwegian adoption authorisation was granted even though there was no documentation to show that the child had been released for adoption or adopted in South Korea. The Committee has reviewed internal documents from the Ministry of Justice's case files, in which, in a case from 1964, they approved the county governor's granting of authorisation, even though there was no documentation to support the adoptive parents' statement that the child had been adopted in South Korea.²¹⁸⁷ The case officer noted that 'one must be able to assume that' the information was correct, and the agency head's endorsement states that '[t]he child was probably not handed over by South Korea without the adoption papers from there'.²¹⁸⁸

The documentary basis for the Norwegian authorities' decisions on adoptions from South Korea was, for the most part, the same in all cases from the late 1960s right up to 2012. Apart from the documents relating to prior consent and the process in Norway, the decision on adoption was based exclusively on the following three documents concerning the child from Korea: a printout of the child's registration in the South Korean

²¹⁸⁵ See Chapter 27 for further details on the duty to investigate in decisions concerning intercountry adoption.

²¹⁸⁶ The Adoption Act 1986, Sections 2, 6 and 7.

²¹⁸⁷ Internal memorandum of 10 October 1964.

²¹⁸⁸ The case is also discussed in section 27.3.3.

the Rean family register (see Figure 19.2), the appointment of the President of Holt as guardian and the declaration of release from the President of Holt.²¹⁸⁹

²¹⁸⁹ For a period during the 1990s and 2000s, it appears that the appointment of a guardian was not sought, as it does not feature in the cases the committee has examined from this period.

K88- [REDACTED] Norway

STATEMENT OF RELEASE FOR ADOPTION

Date : [REDACTED] 1988

Address : # 382-14, Hap Jung-Dong, Ma Po-Ku, Seoul, Korea

Name : Kim, Han Kyu

Date of Birth : [REDACTED]

I, the guardian, by the appointment of Chief, Mapo District office
of [REDACTED] born [REDACTED] in Korea do hereby consent to the adoption
of the said child to Norway.

S/ Kim, Han Kyu
Holt Children's Service, Inc.
Seoul, Korea

This is a full, true and correct translation of the attached certified copy of
STATEMENT OF RELEASE FOR ADOPTION.

[REDACTED]
Holt Children's Service, Inc.
Seoul, Korea

Figure 19.3 Example of a release declaration from the President of Holt's Children's Services

The three South Korean documents present in the vast majority of cases mainly contained information on:

1. the child's name and date of birth
2. that Holt's president, as guardian, had, on the specified date, released the child for adoption to Norway
3. that Holt's president had been appointed as guardian by Mapo District because the child was 'abandoned'
4. the child being registered in the family register with unknown parents, in accordance with an investigation by the Mapo District Office and following the Seoul Family Court's authorisation of the establishment of the family name and family origin

The only information regarding the child's background in these documents was the statement in the family register extract that there was no information about the child's parents.²¹⁹⁰ This information was, however, systematically incorrect, as the register also stated this in cases where the adoptee had known parents; see sections 19.7.5 and 19.8.3. The Norwegian authorities therefore processed the adoption cases without being able to ascertain whether the child had known parents.

As mentioned in section 19.8.3, key figures within the adoption authorities were, as late as the 1990s, unaware of the incorrect information in the family register. To a large extent, it appears that the incorrect information in the register was taken as a basis for decisions, but this may have varied between the different decision-making bodies and from one period to another.

From around the year 2000, the adoption authorities were aware of the incorrect information in the family register, but the documentary basis for the adoption decisions remained the same. Despite the fact that they were then aware that Holt possessed information regarding the identity of at least one of the biological parents and the background to the adoption, the adoption authorities did not obtain either the background information that had been provided to the adoptive parents and Children of the World, or any other documentation concerning the children's biological parents and background.

In the Committee's view, the three South Korean documents that formed the basis for the adoption decision in Norway were clearly insufficient. The Norwegian adoption authorities had a duty to obtain, as far as possible, information about the child's background, including the background to the adoption and the consent of the birth parents. This was necessary in order to assess whether the conditions regarding consent had been met and whether the adoption was in the child's best interests. Although the assessment of these conditions had to take into account the fact that the child had been released for adoption in South Korea under South Korean law, the conditions under Norwegian law had to be examined and specific information had to be obtained to document that they had been met.

This does not necessarily mean that the documentation had to disclose the parents' identity, as they were entitled to anonymity under South Korean law. However, as a minimum, information should have been required regarding the background to the adoption, the relationship between the person who had consented to the adoption and the child, and the date on which consent was given. It was necessary to ascertain the date of consent in order to assess the condition that consent could not be given until two months after the birth.²¹⁹¹

Under South Korean law, the President of Holt had the authority to release the child for adoption once he had been appointed as guardian. As the Committee understands it, such a release required that the South Korean conditions for such a release were met, including the requirements for consent and that the adoption was in the child's best interests. However, the existence of a release declaration from Holt's president could not be regarded as sufficient documentation that the corresponding conditions under Norwegian law had been met. This was because the conditions under Norwegian law did not correspond to South Korean law and practice. In any event, the Norwegian adoption authorities had an independent responsibility to investigate and assess the conditions under Norwegian law, and could not simply assume that Holt had carried out such an assessment. Such a duty to conduct an independent assessment

²¹⁹⁰ Father: no record, Mother: no record.

²¹⁹¹ See section 7(2) of the Adoption Act 1986, which is discussed in more detail in paragraph 19.8.4.3.

of the conditions would also have existed if the Korean authorities had been responsible for the release, but was even stronger when the release was carried out by a private adoption agency that was subject to little supervision by the South Korean authorities.

The Committee has also noted that in South Korea, it was a requirement for the Ministry of Health and Welfare to approve the adoptions. It is unclear whether such approval was documented in a separate decision document or in some other way, for example by means of a stamp. In any case, the Committee considers that the Norwegian authorities should have obtained this approval before making decisions on the adoption of South Korean children.

The Committee has concluded that it was particularly reprehensible that, right up until 2012, the Norwegian authorities had a consistent practice of making decisions on adoptions from South Korea without independently assessing whether the conditions for adoption under the Norwegian Adoption Act had been met, and without obtaining documentation that would have made it possible to assess these conditions. Nor was all the documentation available in Norway obtained. These circumstances constitute a clear breach of the duty to investigate under Section 17, first paragraph, of the Public Administration Act.

19.8.5.3 *Requirement that consent cannot be given until two months after birth*

The requirement that consent may not be given until two months have elapsed since the birth, cf. Section 7, second paragraph, of the Adoption Act 1986, was rarely tested by the adoption authorities before they made a decision on international adoption (granting of adoption authorisation). The preparatory work for the provision indicates that the legislature recognised that, in practice, it might be difficult to verify this condition in cases of international adoption, but that this had to be accepted.²¹⁹²

The Committee takes the view that this statement implied a certain limitation on the duty to investigate the condition in cases of international adoption.²¹⁹³ Nevertheless, the wording is clear, and in the Committee's assessment, the condition had to be examined as far as possible. The Committee therefore considers, as also pointed out in the previous paragraph, that it is open to criticism that no steps were taken to investigate whether the condition had been met.

In most of the individual cases the Committee has reviewed from 1986 onwards, it is evident from the documents concerning the child that were sent to the adoptive parents and Children of the World that consent was given more than two months prior to the birth.

The Committee has also found some cases where the documentation held by the adoption authorities clearly indicates that the condition was not met, because Holt's authorisation for adoption was signed by Holt's president before two months had elapsed since the birth. Although the documentation on which the adoption authorities based their assessment of the case clearly indicated that consent had been given before two months had elapsed since the birth, this had no bearing on the investigation or the outcome of the case.

In practice, the adoption authority has neither investigated nor enforced the condition that consent cannot be given until two months after the birth. This is open to criticism.

19.9 Search for information about origins

Most people adopted from South Korea have no information about their birth family. Only in a small number of cases was information sent to Norway at the time of adoption regarding the identity of the birth parents, in the form of a consent document or an extract from the family register where the adoptee was registered with their birth family.

In many cases, the adoptive parents received some information about the child's birth parents and the background to the adoption, without the parents being identifiable. For people adopted in 1987

²¹⁹² Parliamentary Bill No. 40 (1984–1985), section 3.9.3.

²¹⁹³ See also the discussion of the provision in Chapter 27.

or later, the same information is normally also held by Bufdir, in the so-called Children's Archive.²¹⁹⁴ Adopted persons may apply to Bufdir for access to their own adoption records and those of the state administrators (county governors).

In many cases, there is more information about the adoptee's background in South Korea. If anonymised information regarding the adoptee's background is available in Norway, this indicates that Holt or others in South Korea have archived further information regarding the identity of the birth family. However, this is not certain, as record-keeping in South Korea was inadequate, and as mentioned in section 19.7.8., there are several examples of cases containing incorrect information.

Even where there is no information about the adoptee's background in Norwegian archives, further information may be available in Korea.²¹⁹⁵ Generally speaking, the more recent the case, the greater the likelihood that further information will be available there.

In South Korea, the National Centre for the Rights of the Children (NCRC) has, since the summer of 2025, taken over the adoption archives previously held by the South Korean adoption agencies, and processes applications for access to documents and information about the birth family. As far as the committee has been informed, they have also taken over files from children's homes from which Holt received children for placement.²¹⁹⁶

Information and application forms are available on the English-language website of Korea Adoption Services (KAS), which is part of or subordinate to the NCRC.²¹⁹⁷ To apply for access, the adoptee must log in to the website themselves; Bufetat cannot therefore submit a request to the NCRC on the adoptee's behalf, as it does for other countries of origin.

In South Korea, a statutory condition for gaining access to information about the identity of the birth family is that the birth parents consent to the adoptee receiving this information. If the parents are deceased, other relatives cannot give such consent.

In cases where at least one of the birth parents' identities is recorded in the South Korean archives, the NCRC will contact the birth parents to seek their consent to disclose the information. If such consent is not given, either because the NCRC is unable to contact the birth parents or because they do not consent, the application for access will be refused.

The Committee is not aware of how the NCRC contacts birth parents to seek their consent to disclose information. However, where a single mother has started a new family, there is good reason to do so in a way that does not reveal the adoption to them, as she is entitled to confidentiality in South Korea. Previously, it was the adoption agency that obtained such consents, and Holt's practice was to send letters stating that they had an important message and asking to be contacted.²¹⁹⁸ If anyone other than the mother contacted Holt following such a request, they would sometimes state that the matter concerned fundraising.

South Korea also has a DNA service that adoptees can use to search for their birth parents, but this is conditional on there being no information about the parents in the South Korean archives that would make it possible to identify or locate them.²¹⁹⁹ A DNA sample can be provided to the police in

²¹⁹⁴ Child archives consist of documents from individual cases transferred from the adoption agencies' archives, which Bufdir is in the process of adding to each individual's adoption file.

²¹⁹⁵ As mentioned in section 19.7.5, extracts from the South Korean family register, where the child is registered in a separate, newly created family, do not provide any real information about the child's background.

²¹⁹⁶ Meeting with the NCRC and the Ministry of Health and Welfare in South Korea on 28 March 2025.

²¹⁹⁷ <https://www.kadoption.or.kr/en> ²¹⁹⁸ The

Committee's meeting with Holt on 27 March 2025.

²¹⁹⁹ https://www.kadoption.or.kr/en/info/dna_test.jsp

South Korea or at a South Korean embassy, and the result is recorded in a DNA database administered by the South Korean police.

Some adoptees have told the Committee that they have obtained information after contacting directly the children's homes where they stayed before being transferred to Holt. The Committee is not aware of whether this is still possible, or whether all such records have also been transferred to the NCRC.

As the Committee understands the TRC's report, it is also conceivable that information on individual adoptions may be held by 'counselling centres, medical providers and local governments'.²²⁰⁰ One of the TRC's recommendations to the South Korean authorities was that such information should be collected and included in the individual's adoption file.

19.10 Summary

The Committee's mandate is to investigate adoptions at a systemic level, including by assessing how the Norwegian authorities have carried out control and supervision, how the handling of individual cases has been organised, how reports of matters requiring follow-up have been dealt with, and what assessments and measures have been taken.

In the following, the committee summarises key errors, shortcomings and risk factors that have been uncovered in the adoption cooperation with South Korea, involving both South Korean and Norwegian actors:

- During its second phase of investigations, the South Korean Truth and Reconciliation Commission (TRC) has uncovered numerous systematic shortcomings in the part of the adoption process that has taken place in South Korea. The Committee draws heavily on the TRC's work and refers to the systemic weaknesses revealed in its report. In March 2026, the TRC was re-established for a third period of investigations and has opened its doors to receive new complaints regarding adoptions from internationally adopted children and birth parents.
- In South Korea, official oversight of international adoptions and private adoption agencies has been severely lacking. This applies in particular to the period up to 1989. Since then, oversight has gradually improved, but even up to 2012 it remained limited. The situation improved somewhat following reforms in 2012, which, amongst other things, meant that the process of approving adoptions was transferred to the courts. However, government oversight still had weaknesses, and the Hague Convention was not implemented until 2025.
- Until 1989, there was a risk that missing children who had been separated from their parents could be adopted abroad.
- Checks in South Korea to ensure that consent had been given by parents or others with the authority to give consent were extremely inadequate in the 1970s and 1980s.
- Children of the World should, as early as the 1980s, have questioned whether channelling all aid to South Korea through the South Korean adoption agency and welfare organisation Holt created a risk that considerations other than the best interests of the individual child might become decisive in adoption cases.
- The Committee considers it likely that the total financial support provided to Holt, both from Children of the World and from other partners competing for funding, has influenced Holt's work on adoptions. There is a risk that, at times, financial considerations have taken precedence over the best interests of the individual child.

²²⁰⁰ TRC's report, p. 148, point e.

- The Committee cannot see that the Norwegian authorities at any point carried out a comprehensive assessment of the support provided to Holt and of how it affected the adoption processes. It is reprehensible that this was not done.
- The Committee considers it highly reprehensible that, as late as the end of the 1990s, the Norwegian authorities were unaware that children with known parents were also being registered as having unknown parents in the South Korean family register. The lack of action on the part of the Norwegian authorities has contributed to a great many adoptees mistakenly believing that they had been found as foundlings, with no known biological parents or other relatives.
- Overall, the Norwegian authorities should have ensured significantly more thorough supervision of the adoption cooperation, particularly given that South Korea was, for many years, the country from which by far the most adoptees came. It is therefore particularly reprehensible that the Norwegian authorities had not acquired more knowledge about the adoption process in South Korea and, at times, appear to have been in the dark regarding the background of the children who were adopted to Norway.
- The Committee has concluded that it was particularly reprehensible that, right up until 2012, it was standard practice for the Norwegian authorities to make decisions on adoptions from South Korea without independently assessing whether the conditions for adoption under the Norwegian Adoption Act had been met, and without obtaining documentation that would have made it possible to assess these conditions.
- In 1978, the Korea Association assisted a married couple in bringing a child from South Korea, despite the fact that their application for prior consent to adopt from abroad had been rejected. The Korea Association deliberately provided false information to the South Korean authorities, stating that the parents had been approved by the Norwegian authorities. The Committee considers the Association's conduct to have been particularly reprehensible.

20 Vietnam

20.1 Introduction

A total of 228 adoptions from Vietnam to Norway have been arranged. This accounts for approximately 1.1 per cent of all international adoptions arranged through an intermediary. The adoption arrangements took place over three different periods and through three different intermediary organisations.

In addition to children placed through organisations, the Committee is aware that private and independent adoptions of children from Vietnam have taken place, but has not been able to ascertain any exact figures.

²²⁰¹

The first 77 children from Vietnam arrived in Norway in 1968, under the auspices of the Committee for South-East Asia.²²⁰² As will be seen below, the conditions of the placement licence were not complied with, and the committee's le-

²²⁰¹ See section 3.5 on statistics. In this context, 'private adoption' refers to Norwegians who, whilst on long-term stays in Vietnam, have adopted a Vietnamese child without first obtaining prior approval from the Norwegian authorities. The child has since been brought to Norway, where the adoption has been recognised in accordance with the provisions of the Adoption Act. For information on private and independent adoptions, see Chapter 28 and section 6.2.2.

²²⁰² The figure is taken from NOU 1976: 55. It states on p. 27 that '[i]n the autumn of 1968, 77 children arrived in a single transport from Vietnam'. However, different sources give varying numbers of children, and it is clear that not all of these children arrived on the same flight. Some of the children who were due to go to Norway were detained by a children's home in Vietnam, and at least two children were temporarily