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EDITORIAL

'Baby boxes': A controversial means of abandonment

In June 2011, following a recommendation from the Committee on the Rights of the Child against the use of baby boxes¹, the debate on this means of abandonment has been revived, prompting the ISS/IRC to reflect on this sensitive issue.

Baby boxes allow mothers to abandon their child anonymously. Known as foundling wheels in the Middle Ages, today they are a global phenomenon. Indeed, during the 20th century, they underwent a fairly important development in several European countries, developing countries, but also in Russia, Japan and the United States. Countries that allow baby boxes, which are usually located in hospitals, see them as an effective way to fight against illegal abortions, brutal abandonment and even infanticide. Critics of the baby boxes claim they violate several children's rights, in particular the right to access their origins. While article 7 of the UNCRC indeed enshrines the right of the child to know his parents, article 6 of the same Convention states that it is necessary, whenever possible, to ensure the child's survival, which is one of the aims of baby boxes. The issue of whether these baby boxes, as a means of abandonment, are compliant with the rights of the child is therefore critically important. It is, however, impossible to reduce this debate to a strictly legal dimension as these baby boxes are part of wider social and ethical issues.

Distinct but very real figures

The main argument advocates of baby boxes put forward is that they protect the health of newborns, i.e. they prevent 'dumping' and the death of newborns that

may result from it (different to neonaticides). However, it is difficult to obtain statistics on these phenomena. For example, in Russia, which has recently opened its first baby boxes, the chairman of the Russian Children's Foundation, Albert Likhanov, speaks of about a hundred unwanted newborns 'thrown out' each year. In Switzerland, the organisation *Babyfenster* (Baby Window) provides statistics showing that the number of newborns found dead has decreased since the introduction of such a scheme in Einsiedeln. Finally, according to the South African NGO Door of Hope, on average, at least three newborns are abandoned each day in Johannesburg in particularly brutal conditions. Thus, although the figures are vague and vary, they do reflect a reality that affects single mothers and couples, who find themselves in very complex situations.

The right to withdraw, the baby boxes' safeguard?

Another argument in favour of baby boxes results from the opportunity for newborns to then find a family through adoption. However, to relate the practice of baby boxes to these newborns' adoptability may cause specious confusion. In order to avoid this pitfall, it would be worth finding a means to systematically provide comprehensive information on the implications of abandonment to the mother and to grant her

a right to withdraw. Even though in some countries, the mother may find in the baby box a letter explaining how to proceed to reclaim her child, as well as the support she may benefit from if she decides to care for him, this is far from being standard practice. In this context, the right to withdraw appears to be the real safeguard of the baby boxes, the biological parents being able to reclaim their child within a reasonable period.

However, if such a practice were to be extended, inevitably pragmatic questions would arise. How would one identify one's child? Then, how would the rights in relation to the child be exercised? If the birth was not properly registered, the identification of the child could prove to be very difficult, all the more so since the medical staff that collect the newborn from the baby box immediately assign him a new first and last name. Of course, these difficulties would vary according to the country where the baby boxes are located. For example, it would be possible to use DNA testing in countries with sufficient available financial and material resources. Reflection on this issue is, in any case, necessary.

Working to support mothers after abandonment

With baby boxes being a reality, according to the ISS/IRC, it is now necessary, in particular, to focus on the support provided to mothers after abandonment. For example, as mentioned above, the practice of leaving letters aimed at the mothers in the baby boxes, that inform them not only about their rights but also of existing schemes aimed at supporting them through this ordeal should become standard practice. These schemes could provide a place to talk, where the mother could be put at ease, listened to, and

fully informed. The need for such psychological follow-up is regularly called for by many professionals, who are either for or against the baby boxes².

Faced with the development of baby boxes, both in developing and so-called developed countries, supporting vulnerable families prior to, during and after pregnancy should be, more than ever, a priority in these countries' social policies (see, Mexico's example at p. 5). In this respect, the ISS/IRC would like to reiterate the importance of support structures for families in vulnerable situations, of programmes preventing abandonment and of family planning services aimed at addressing, as much as possible, the cycle of isolation that may affect them.

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¹ See: Committee on the Rights of the Child, Concluding Observations: Czech Republic, CRC/C/CZE/CO/3-4, <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.CZE.CO.3-4.doc>.

² See, for example: http://www.psychoenfants.fr/fichiers/actus999.php?idc=fr_L_abandon_d_enfants_en_question_6045.

Sources: 'Tours d'abandon pour les bébés russes', *Le Figaro*, 26 October 2011, <http://www.lefigaro.fr/flash-actu/2011/10/26/97001-20111026FILWWW00424-tours-d-abandon-pour-les-bebes-russes.php>; Babyfenster, <http://www.babyfenster.ch/fr/statistiques/>; Assemblée nationale (France), http://www.gouvernement.fr/sites/default/files/fichiers_joints/19_01_rapport_accouchement_sous_x.pdf.