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International Reference Centre for the Rights of Children Deprived of their Family (ISS/IRC)

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The Internet websites of the references quoted several times are listed at the end of the review.

Editorial: From the International Reference Centre for the Protection of Children in Adoption To the International Reference Centre for the Rights of Children deprived of their Family

After ten years' existence, the IRC is changing its name. It is in no way a change of mandate but the intensification and a more precise rendering of the terms of its activities.

At the time of the entry into force of the 1989 United Nations Convention on the Rights of the Child (CRC) and the preparation of The Hague Convention of 1993 on Intercountry Adoption, the programme of the IRC was established within the ISS to promote information, documentation, the exchange of experience, training and technical expertise for governmental and nongovernmental professionals in the service of children deprived of their family. This programme has taken its place in the framework of a global policy of child protection, particularly the deinstitutionalization of children in care.

An essential concern, at the time IRC was created, involved *inter-country adoption,* especially in disseminating best practices and in combating the abuses that it was sometimes subjected to. The IRC has, however, always considered inter-country adoption inseparable from *domestic adoption*. The quantitative and qualitative development of the latter is in fact indispensable in assuring respect for the subsidiarity of inter-country adoption. Moreover, in applying the principle of non-discrimination, children adopted nationally must benefit from the same guarantees as those adopted outside their country, particularly in terms of psychosocial counselling (preparation and checking the suitability of prospective adoptive parents, checking the child's adoptability and preparedness, matching, follow-up, …), which is not the case in every country. The IRC, therefore, initially developed – and will continue to develop – special expertise in matters of adoption.

Building on this expertise, the IRC will henceforth be able to strengthen its competence in other aspects of protection of children deprived of their family. In fact, the overall consideration given to the *primary right of the child to remain in his/her family of origin* if this solution is in his/her best interests, *as well as benefiting* in other cases *from an ultimate protective measure preferably of the family kind*, presupposes to always interest us more in preventing abandonment and placement, in support for families (the immediate and the extended) of origin, and in respect for the rights of children placed – temporarily in principle - with foster families and in institutions. Just like the international community as a whole, the IRC is, therefore, necessarily elaborating more and more *a global policy of child protection* in which every solution has its proper place, in accordance with international conventions.

Moreover, if a child deprived of his/her family has the right to protection by dint of a placement, through the « kafala » of Islamic law or through adoption (art. 20 CRC), the whole gamut of rights must be guaranteed to his/her, in a concordant fashion that is compatible with his/her best interest, in accordance with the CRC and its Protocol on the Sale of Children, as well as The Hague Conventions of 1993 and 1996 : namely, to the extent possible, the right to know his/her origins and to be brought up by his/her parents, or to maintain ties with the latter when s/he is separated from them; the right to be consulted on measures that concern him/her; the right not be discriminated against; the right to develop his/her potential; the right to respect for his/her ethnic, religious, cultural and linguistic background; the right to a periodic review of the conditions of his/her placement; the right to a permanent measure

32, Quai du Seujet - 1201 Geneva – Switzerland
Tel.: +41 22 906 77 00 – Fax: +41 22 906 77 01– E-mail: irc.iss@bluewin.ch – Web page: www.iss-ssi.org

(preferably a family one in most cases) to be taken as soon as possible by competent, honest and supervised professionals.

The vulnerability of the child deprived of a family is justification enough to hold states, civil societies and the international community accountable for specific responsibilities relating to the child's future. Defining the aims of the activities in terms of rights of the child makes it possible to specify the content of the protection due to him/her, as well as the implications of the criterion of "the best interests of the child", by freeing oneself from the subjectivity of the protagonists.

It is, thus, the child, a subject of rights, and the actor in his/her own development that it is our intention to serve, in order to respond ever more adequately to his/her need for a family.

The IRC team

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Tel.: +41 22 906 77 00 – Fax: +41 22 906 77 01– E-mail: irc.iss@bluewin.ch – Web page: www.iss-ssi.org