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EDITORIAL

Long-term considerations: A crucial decision element, yet habitually forgotten

When determining the best interests of the child, long-term considerations – as essential foundations providing perspective, sustainability and an identity beyond childhood – are too often ignored.

With competing interests, keeping the child's in mind, even paramount, in decision making can be challenging, if not impossible when long-term considerations are given inadequate attention. Looking back in time, we often admire those, who have taken courageous stands and made choices against external pressures – resulting in outcomes frequently against the *status quo*. The challenge today is whether we, as professionals, will be on the right side of history, noting below a few of the many opportunities before us.

Alternative care

Once a child is born, one of their first fundamental rights is that of birth registration and a nationality (Arts. 7 and 8 UNCRC). Yet, these rights are systematically contravened when *prima facie*, the right is linked to a pre-condition such as birth country, parentage, domestic and private international laws. This situation can lead to contraventions, for example, statelessness, which leads to a lack of access to basic services for indefinite periods of time (see p. 7). For instance, as we observe literally thousands of children on the move, should they not have the same rights as others, who are not moving, such as accommodation, education, health, etc. (see p. 8)? Should we not ensure that fundamental rights are respected, irrespective of the cost now for us as society?

In terms of timelines in alternative care, a fine balance must likewise be met in terms of how long one should wait before placing the child in alternative care or making the difficult decision that family reintegration is not in the best

interests of the child? Keeping the child in limbo can lead to ongoing movements from temporary placements to another or even long-term care in residential care institutions – both likely harmful.

Adoption

Moving on to adoption, worryingly, we see some countries of origin continuing intercountry adoptions with insufficient frameworks in place to ensure that they are ethical and truly a child protection measure. Equally, of even more concern, we see receiving countries continuing to allow private and independent adoptions, particularly dangerous in these countries, despite documented risks (see p. 3). Whilst both situations can be defended because children's immediate interests are met – yes, in the great majority of cases, children are well cared for in families – yet the long term consequences of possible illegal adoptions must be considered.

If we consider the long term, in some cases, this may mean that children are not allowed to remain with prospective adoptive parents, especially if they have to a great degree participated in the illegalities. This may be necessary even when the child has remained in their care for some time – noting some may receive terms of imprisonment such as Spanish adoptive parents, who paid 1,500 euros to a poor Romanian family. Very few children – now adults – are thankful for allowing illicit practices to occur in their personal history, marring their identity. As quoted in [Responding to Illegal Adoption: A Professional Handbook](#), Marie-Ange, 24 years old, of Haitian origin, born in the Dominican Republic,

then adopted in Quebec, shares *'this information shattered all that I had built about my origins and my background. I did not know what to do, I felt broken into a thousand pieces. I was ashamed. I was no longer worth anything'*.

Moreover, when moratoria are hastily implemented as opposed to being part of larger reforms, children – particularly those left in the pipeline – can bear the brunt of short-term decision making. A fine balance needs to be found between protecting children and seeking their overall interests (see p. 5). Definite conditions must be in place when calling for moratoria, even if this takes time to have the necessary framework.

Donor conception and international surrogacy arrangements

With medically assisted reproductive technology and surrogacy booming resulting in a rather 'easy access to children', we often forget their long-term needs. An immediate gain for adults wanting children with perhaps a long-term cost for the children born. Recalling that the Committee on the Rights of the Child has said that surrogacy, when practiced in an unregulated

manner, leads to the sale of children raises serious concerns for the future. Likewise, few countries have measures in place to ensure access to one's origins and some even continue to allow anonymous donations. Fortunately, some have ensured access is possible (see p. 10). Many children are not so fortunate. At international level, there is zero regulation and we are leaving a 'missing or even damaged identity' legacy for thousands. Could we not learn from intercountry adoption practices as discussed in the handbook on illegal adoptions cited above?

If we do not act to change flaws in existing systems, we become complicit and are, in some way, becoming responsible for generations to come. Awareness-raising and training is needed on long-term considerations. As child protection professionals, we have the amazing opportunity now to ensure that we are on the right side of history if we consider the long term.

The ISS/IRC team
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