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'Mankind owes to the child the best it has to give.'

Declaration of the Rights of the Child, 1959

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EDITORIAL

Year of double celebrations: Anniversaries of the United Nations Convention on the Rights of the Child and the Guidelines for the Alternative Care of Children

2019 is clearly a special year for children, with the 30th anniversary of the UNCRC and the 10th anniversary of the Guidelines. Children in alternative care have twofold reason for celebrations; yet, obstacles remain so that some guests are unable to participate, whilst others choose to distance themselves.

Guest of honour: Each child

As in any anniversary celebration, there is always a special guest of honour. For 2019, that honour is reserved for each and every child, for whom the UNCRC and the Guidelines were drafted. Whilst both international standards are equally applicable to all children, regrettably not all are able to participate in the festivities. Poverty remains rife so that many children face daily obstacles to accessing basic services, such as education, health and social services. Children continue to be unnecessarily deprived of their families, due to social exclusion, stigma and discrimination, among other reasons. Inclusive practices need to be promoted, for instance with children being taught the value of human rights in their own schools (see p. 12).

Priority guests of the child: Family members

During the 2019 celebrations, family members will of course be invited. These members are those that form part of the international standards framework – young and old – including those that provide general protections to all, including children, as well as those that are specifically written for them. For example, the grandparent of all standards, the Universal Declaration of Human Rights, will give a speech reminding us of the necessity to uphold the human dignity of every child irrespective of circumstances of birth,

parentage, nationality, etc. The youngest child in the family, the Optional Protocol to the UNCRC on a Communications Procedure, will highlight the importance of giving the child an opportunity to resort to the Committee on the Rights of the Child about possible States contraventions (see p. 5).

As in any family gathering, there is likely to be some friction, where viewpoints do not coincide based on longstanding divergence of views and inherent sensibilities. For example, this may occur when children's rights can be seen to encroach on women's rights to autonomy or other 'perceived rights' (see p. 18) or when the child's right to autonomy may result in him or her choosing not to live in a family despite all the benefits that a family can offer (see Monthly Review No. 235, September 2019).

Whilst such tensions are expected, it will be essential that this double celebration year focuses on the many areas where there is agreement. There is a lot to celebrate when we look at the achievements of first and second cousins of international hard law in the field of alternative care and adoption (see p. 15). The Third Committee Resolution in New York in late 2019 and the Committee on the Rights of the Child's Day of General Discussion in 2020 dedicated to alternative care will certainly create real opportunities for advancement. Likewise, the Fifth Special Commission on the operation of the 1993

Hague Convention on Intercountry Adoption in 2021 will bring guidance on how to keep the guest of honour at the centre.

Whilst the family continues to grow, issues related to the impact of surrogacy on the child raise questions about how to best protect children's rights. The work of the Hague Conference on Private International Law on parentage/surrogacy and ISS's on draft principles for the protection of the rights of the child in the context of surrogacy (see p. 18) – whilst still in their embryonic stages – offer hope to the many children being born through such arrangements. The 2019 report of the United Nations Special Rapporteur on the sale and sexual exploitation of children will certainly explore further protections.

Other guests of the child: Close friends

As with any celebrations, there are close and dear friends, who will be included on the guest list. This, of course, includes all the States that have ratified the UNCRC and its Optional Protocols –

with the regrettable exclusion of the one State, which has chosen to disassociate itself. Those States with longstanding friendships will of course be those, who have been implementing the UNCRC and the Guidelines for some time. Nevertheless, the party is open to newer friends, who have shown recent political will and commitment to moving the reforms forward.

Even if some States have not been faithful to their obligations as promised when the UNCRC was signed, fortunately the network of friends is large and includes civil society and individual professionals seeking to defend the rights of children and to contribute daily to the implementation of the UNCRC and the Guidelines. There will be friends, for example, among the Children's Ombudspersons and Embassies, especially when there are cross-border issues at stake (an upcoming issue of the Monthly Review will explore the role of the latter).

Let the new era bring even more dedication, protection and happiness for children through the concrete and effective implementation of their rights embedded in the UNCRC and the Guidelines.

The ISS/IRC team
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