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EDITORIAL

Surrogacy: Prohibition, permission and protection

Debates concerning surrogacy, in particular international arrangements, have been wide ranging – from demands for complete prohibition to widest possible permission, and in between, a call for regulation. ISS centres its position on the need to prioritise the protection of the child, whatever the position.

Surrogacy arrangements involve multiple parties, multiple costs, multiple benefits and multiple risks. The multiplicity of power differentials in each of these possibilities arguably creates a 'market' for the creation of children, using surrogate mothers, for intending parents. Some argue that the market is illegal, others defend its self-regulating efficiency, whilst others call for safeguards as examined below.

Prohibition of surrogacy arrangements

Surrogacy has rightly or wrongly been linked to slavery, exploitation of women and prostitution, especially when viewed from the perspective of the surrogate mother. It is therefore not surprising that there have been clear demands to abolish such practices. For example, in a 2015 report on human rights and democracy, the European Parliament '*condemns the practice of surrogacy, which undermines the human dignity of the woman since her body and its reproductive functions are used as a commodity; considers that the practice of gestational surrogacy which involves reproductive exploitation and use of the human body for financial or other gain, in particular in the case of vulnerable women in developing countries, shall be prohibited and treated as a matter of urgency in human rights instruments*'¹.

Such calls for prohibition have, to date, primarily focused on the rights of surrogate mothers, yet debatably could be extended to the rights of children, particularly when their human dignity is at stake. This is especially true, when the sale of children is possibly involved, as defined by Article 2(a) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, whereby the '(a) *Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration*'.

Following on from the black letter law, would not almost all commercial surrogacy undoubtedly fall within this definition and

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therefore need to be prohibited? Can the law clearly distinguish between commercial surrogacy as the sale of a child, and a sale of 'services', when transfer of the child is an essential part of the bargain? Should purely altruistic arrangements be prohibited as well?

Permission of surrogacy arrangements

For those, who desire to parent, and for various reasons are unable to conceive and gestate a child, surrogacy arrangements can appear to offer a means of family formation. A 2017 article in *The Economist* pushed the idea that '*carrying a child for someone else should be celebrated – and paid*'². For the intending parents, often well-intentioned, they hope to have a child to love, if they are able to pay the often high sums involved. For the surrogate mother, she has an opportunity to carry the child, usually for a sum. Intermediaries, such as medical clinics, lawyers, middlemen, etc. have the opportunity to facilitate the arrangement, always for a sum. This demand and supply for the child arguably creates a market, which – when efficient – ensures that all receive their dues, albeit perhaps not always equal. It has been contended that surrogacy arrangements should be permitted to allow the market forces to arrange what is best for all. Can we, however, avoid the exploitation of women or sale of children through a contract to ensure safe working conditions, etc.?

Likewise, in the flurry of such market transactions, one cannot help asking, what are the opportunities for the child within a surrogacy arrangement? Should the child view his or her 'demand' to be created, as an opportunity to be loved by intending parents, who were willing to show this love by spending thousands of dollars? In some cases, using whatever means necessary, including contravening national laws and sometimes international standards. Should the child be valued more or less by the fact that his or her surrogate mother received thousands of dollars, not to mention the fees received by intermediaries?

Protection of surrogacy arrangements

The ISS Experts' Group working on Principles to better protect children in surrogacy arrangements seeks to address the divergent concerns and perspectives on surrogacy, while remaining focused on international human/children's rights standards. The Principles stress the legal obligation to prohibit the sale of children, and to establish safeguards to ensure the sale of children does not occur and is not legitimised. The Principles take account of the rationale and legitimacy of prohibiting all surrogacy, while also providing an international framework to guide those States that choose to permit some forms of surrogacy. Furthermore, the Principles seek to provide protections for children, who are, nevertheless, born through surrogacy arrangements without having had an adequate regulatory framework in place to protect their rights. For example, one principle is dedicated to the importance of preserving and accessing information about the child's origins. This is an important aspect to consider when evaluating and preparing intending parents (see p. 13). Thus, the Principles emphasise that children cannot be punished or stripped of their rights as a means of enforcing prohibitions or regulations of surrogacy.

The ISS Experts' Group met in Verona from 18 to 20 May 2017 (see p. 6), hosted by the University of Verona, and reviewed draft Principles and key agreed messages initially drafted by the core group. The key agreed messages have now been refined as a result of the fruitful discussions in Verona (see p. 7), and will be further strengthened in forthcoming months and meetings.

Finding a just balance between the competing views while ensuring that the child's rights, as well as the rights of the surrogate mother and intending parents, are not compromised, is challenging. The ISS Experts' Group, led by the core group of drafters, is committed to working towards this balance. The Principles will be guided by opinions and decisions, such as pronounced by the UN Committee on the Rights of the Child (see p. 9), the European Court of Human Rights (see p. 6), as well as the UN Special Rapporteur on Sale and Sexual Exploitation of Children, who will dedicate her 2018 report to the Human Rights Council to the sale of children in surrogacy arrangements. In her 2017 report on illegal adoptions, the Special Rapporteur noted that '*[i]nternational commercial surrogacy is a growing phenomenon quickly overtaking the number of intercountry adoptions. The international regulatory vacuum that persists in relation to international commercial surrogacy arrangements leaves children born through this method vulnerable to breaches of their rights, and the practice often amounts to the sale of children and may lead to illegal adoption*'³. The work will also dovetail the work of the Hague Conference on Private International

Law on parentage/surrogacy. There is indeed many lessons to be learnt from adoption-related discussions, even though the context of family construction is different.

Noting such views and decisions, it is clear that international standards based on human rights are needed. ISS is privileged to be working with leading experts to ensure that the child's best interests are at the centre of surrogacy arrangements. Thus, independently of the context of the international surrogacy arrangement (altruistic, commercial, in developing and developed countries, in different cultural environments, etc.), the Principles being drafted intend to protect all the parties involved, in particular the children born through this form of reproductive technology, through a regulatory framework.

The ISS/IRC team
May-June 2017

References:

¹ European Parliament resolution of 17 December 2015 on the Annual Report on Human Rights and Democracy in the World 2014 and the European Union's policy on the matter, Para. 115, <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2015-0470&language=EN&ring=A8-2015-0344>.

² 'Carrying a child for someone else should be celebrated—and paid', *The Economist*, 13 May 2017; available at: <http://www.economist.com/news/leaders/21721914-restrictive-rules-are-neither-surrogates-interests-nor-babys-carrying-child>.

³ Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/34/55, 22 December 2016, Para. 52; available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/34/55.

BRIEF NEWS

Ethiopia: Suspension of intercountry adoptions

On 21 April 2017, the Office of the Ethiopian Prime Minister informed of its decision to suspend intercountry adoptions in the country. This information – posted on the websites of the Central Authorities of Spain and the U.S.A., and confirmed by a local contact of ISS – results from the willingness of the Ethiopian authorities to prioritise domestic solutions for Ethiopian children deprived of a family. With regards to pending adoption cases at the time of the suspension, it appears that only those, which already included an adoption judgement prior to the declaration of the suspension, will be able to be finalised. The Ethiopian authorities have not yet made a decision in relation to those cases, which had already been subject to a matching. The ISS/IRC will continue to inform of any forthcoming developments in this country, and reiterates its support to the latter in the process of strengthening, legally and practically, its child protection system.

Sources: Ministerio de Sanidad, Servicios Sociales e Igualdad, <http://www.msssi.gob.es/ssi/familiasInfancia/Infancia/adopciones/adopInternacional/Noticias/>; US Department of State, <https://travel.state.gov/content/adoptionsabroad/en/country-information/alerts-and-notices.html>.

Inter-American Court of Human Rights: Hearing on institutionalisation and intercountry adoption

In May of this year, the Inter-American Court of Human Rights (IACtHR) heard the case of the *Ramirez Brothers v Guatemala*, which addressed issues relating to the brothers' separation from their family, their institutionalisation and their subsequent intercountry adoption, in a well-known context of illegal adoptions in the country. It is the first time that the IACtHR examines these issues. Furthermore, the absence of the children's participation, and that of their parents – who did not stop searching for them and initiated appeals, which did not proceed – was also raised.

The case reached the Inter-American Commission on Human Rights (IACHR), but given the lack of response from the Guatemalan State, the Commission submitted the case to the IACtHR in February 2016 in order to proceed with the process. Upon a request from the IACHR, a member of the ISS/IRC submitted an expert opinion on the implementation of, and compliance with, international standards on child protection in this case, in particular those aspects relating to family separation and institutionalisation, whilst other international experts, who are partners of the ISS/IRC, also submitted their opinions on these issues and on adoption-related aspects of the case.

The IACtHR has not yet issued its decision in this case, but the ISS/IRC will continue to inform on the latter as it becomes available. In this context, we would also like to remind our readers of the existence of the ISS/IRC's publication on this issue, *Responding to illegal adoptions: A professional handbook*.

For further information on this case, see: IACHR, Report on Merits No. 72/15, Case 12.896, *Hermanos Ramírez and Family v Guatemala*, OEA/Ser.L/V/II.155 Doc. 25, 28 October 2015, <http://www.oas.org/es/cidh/decisiones/corte/2016/12896FondoEs.pdf>. The hearing at the IACtHR may be downloaded at: <http://www.corteidh.or.cr/index.php/es/al-dia/galeria-multimedia>.

Publications and advocacy for the implementation of sustainable quality solutions for Children on the move

Several ISS members (Canada, Germany, Switzerland and the General Secretariat) attended the Global Conference on Children on the Move, which took place in Berlin on 12 and 13 June 2017. Over 300 representatives of governments, UN agencies, international organisations, NGOs and of the private sector worldwide attended this event, which was part of the Initiative for Child Rights in the Global Compacts (<http://www.childrenonthemove.org>). The conference was aimed at creating interactive dynamics across all efforts undertaken in this field, by exchanging and advocating for a solid international strategy for the protection of the rights of children on the move, with a view to the 2018 Global Compacts, but also beyond these major events. For further information, see: [Recommandations for protection, promoting and implementing the human rights of children on the move in the proposed Global Compacts](#) and [Summary of the recommandations](#).

The event was also an opportunity for ISS to launch its international handbook, *Children on the move: From protection towards a quality sustainable solution*, now available at: http://www.iss-si.org/images/Childrenonthemove_Guide.pdf.

Internationally and regionally, the ISS/IRC would also like to mention the following recent publications in this regard by: UNICEF (May 2017). A child is a child: Protecting children on the move from violence, abuse and exploitation; available at: https://www.unicef.org/publications/files/UNICEF_A_child_is_a_child_May_2017_EN.pdf; and Red Latinoamericana de Acogimiento Familiar, UNICEF, Save the Children (2014). Handbook of International Human Rights Standards applicable to Migrant Children and Adolescents; available at: <http://relaf.org/materiales/ManualMigrantesIngles.pdf>.

UNICEF publishes new research on residential care

Nicole Petrowskia, Claudia Cappa and Peter Gross recently published, on behalf of UNICEF, an article titled 'Estimating the number of children in formal alternative care: Challenges and results', which appeared in *Child Abuse & Neglect*. The said article focuses, in particular, on the need to have quantitative data relating to children in residential care, in order to be able to have more comprehensive knowledge of children living outside of their family. 'The purpose of this paper is to provide a snapshot of the availability and coverage of data on children living in residential and foster care from some 142 countries covering more than 80 per cent of the world's children'. Based on the latter, it is estimated that approximately 2.7 million children between the ages of 0 and 17 years could be living in institutional care worldwide. The collection, analysis, dissemination of these numbers must be systematic, and this article will undoubtedly contribute to the States' reflection on the causes of family separation, how to move forward to identify and compile resources, and to improve national systems.

For further information, see: Petrowskia, N, Cappa, C, and Gross, P (2017). 'Estimating the number of children in formal alternative care: Challenges and results', *Child Abuse & Neglect*; available at: <http://www.sciencedirect.com/science/article/pii/S0145213416302873>; 'Data gaps on children in residential care leave the most vulnerable unaccounted for – UNICEF', UNICEF, 1 June 2017, https://www.unicef.org/media/media_96099.html.

ISS/IRC NEWS

Changes in the ISS/IRC team

After two years of appointment within the ISS/IRC team, Vito Bumbaca has initiated a new adventure, and will join the Department of International Private Law of the University of Geneva as a PhD candidate. The team wishes to thank Vito for his commitment, and wishes him well in this new chapter in his career. At the same time, the ISS/IRC team is pleased to welcome Juliette Duchesne who, after several months of internship, now joins the team as a Children's Rights Assistant. Following a Master's Degree in European Law at the Catholic University of Louvain La Neuve, Juliette specialised in children's rights at the University of Leiden, in The Netherlands. A warm welcome to Juliette, whose passion, energy and skills are a gift in the daily life of our team.

Assessment mission of the *kafalah* system in Morocco

Upon a request from Morocco's Ministry of Justice, a group of ISS experts undertook an assessment mission in the Kingdom of Morocco between 1 and 9 May 2017. This mission enabled the ISS team to meet over 100 key actors (governmental, civil society, families and children) involved in child protection and to talk with them, specifically, about *kafalah*. The aim of the mission was to draw an analysis of the situation of 15 years of implementation of the legal framework relating to the care of abandoned children through *kafalah*, in Morocco and elsewhere, and to identify the achievements and the remaining challenges in practice. On 9 May, in a participative workshop, several preliminary recommendations were shared with a technical committee. On this basis, a comprehensive report is currently being drafted and will be finalised in the coming months.

The mission in Morocco, once more, has demonstrated the need to work for the implementation of international standards, such as those enshrined in the 1996 Hague Convention. Thus, it is positive to notice that many countries – such as Canada and Cuba recently – are deciding to ratify or accede to this legal instrument to ensure a better protection of their children across borders.

The ISS/IRC at conferences in Belgium and Greece

The month of May has been marked by two conferences, which the ISS/IRC had the honour to participate in. Indeed, it facilitated, together with ISS's International Family Mediation Unit, a workshop on the issue of participation of children in family separations, whether in the context of child protection or following conjugal separations or divorces. This workshop took place in the framework of the 8th International Symposium of the International French-Speaking Association for Actors Working with Separated Families (AIFI, see p. 11), titled '*Faire famille*', which took place on 19 and 20 May in Brussels. This Symposium brought together experts from various professional and geographic backgrounds (lawyers, family mediators, magistrates, psychologists, medical doctors, sociologists, etc.), and generated a true exchange of practices and experiences to improve the support provided to separated families in a truly changing societal and worldwide context.

On 25 and 26 May, the ISS/IRC was also pleased to present at the second international conference organised in Athens by the Roots Research Center, a NGO established in 1999 by adoptees, and based in Athens, one of whose main objectives is to support adult adoptees in the search for their origins. This conference was an opportunity for the ISS/IRC to disseminate several tools available to adoptees, who wish to initiate a process of search for their origins, with a particular focus on adoptees, who become aware that their adoption has been marked by illegal issues. These two days were enhanced by the personal stories of adoptees, adoptive parents and foster families.

LEGISLATION

The European Court of Human Rights examines a new case of surrogacy

In its judgement of 24 January 2017, the Grand Chamber of the European Court of Human Rights (ECtHR) decided, upon appeal, that the separation of a child born through surrogacy from his or her intentional parents did not amount, in this case, to a violation of the applicants' private and family life.

In this case¹, which follows a series of previous judgements of the ECtHR in relation to surrogacy², a couple of Italian nationality resorted to a surrogate mother in Russia. After the child's birth, in February 2011, the intentional parents registered themselves, in Moscow, as the child's biological parents.

Reactions of the Italian authorities

Soon after the parents' arrival in Italy in April 2011, criminal proceedings were initiated against them on grounds of false declaration of their civil status and the use of forged documents, as they had, according to the Italian authorities, brought the child to Italy in violation of the procedure established for intercountry adoptions. In May 2011, the Children's Court appointed a guardian for the child – who requested the suspension of the parents' parental authority – and declared the child adoptable. In parallel, a social study and a psychological report were prepared, both concluding in favour of the intentional parents. Furthermore, a DNA test was undertaken between the father and the child, which revealed the absence of any genetic link between them, even though the applicants had confirmed that the child was genetically linked to the intentional father. In October 2011, the Children's Court

ordered the placement of the child – then six months old – in a children's home, and transferred the guardianship to the social services. This separation was justified, on the one hand, by the child's best interests, and on the other, by the need to put an end to this situation. Indeed, according to the Italian authorities, to authorise the latter would mean confirming an illegal behaviour, in clear violation of the applicable rules. Fifteen months later, the child was placed with a family for his adoption.

Decision of the ECtHR

Following an analysis of the measures taken by the Italian authorities, the ECtHR decided that there was no violation of Article 8 of the European Convention on Human Rights. Its reasoning is based on several elements: the intentional parents' illegal behaviour; the urgency justifying that measures had to be taken given the child's abandonment status; the public interest pursued by the Italian laws relating to adoption; the assessment *in concreto* of the child's situation as undertaken by the Italian courts; the age difference between the intentional parents and the child, which exceeded the difference allowed in cases of adoption.

The ISS/IRC welcomes this new judgement, which evidences, in particular, the need to respect the domestic laws of the various countries involved in surrogacy. This decision is not based only on the child's and the intentional parents' interests on the short term, but takes into account the long-term effects resulting from the applicants' actions, which the child will know about one day. Indeed, the ISS/IRC's recent publication on illegal adoptions³ has demonstrated that adoptees, who discover, on the one hand, the illegal nature of their adoption, and on the other, that their adoptive parents have contributed to it, may reject them. However, the child's first months cannot be concealed: they are a comprehensive part of his or her life. Thus, it may be interesting, in these situations, to prepare a lifebook, which includes the information and essential stages of the child during the initial moments of his or her life. Furthermore, this case highlights the need to advise and to select, on the basis of set criteria (health, motivation, etc.), those persons wishing to resort to surrogate mothers; it is a shared responsibility between all countries involved, whether of country of origin or receiving country. Thus, the multi-agency initiative aimed at the drafting of international Principles in this regard takes on its full meaning (see p. 7).

References:

¹ *Paradiso and Campanelli v Italy*, Application No. 25358/12; available at: [http://hudoc.echr.coe.int/eng#{"itemid":\["001-170359"\]}](http://hudoc.echr.coe.int/eng#{).

² See, in particular: *Mennesson v France* and *Labassee v France* of 26 June 2014, Application No. 65192/11 65941/11; *D. and others v Belgium* of 8 July 2014, Application No. 29176/13; *Foulon and Bouvet v France* of 21 July 2016, Application Nos. 9063/14 and 10410/14; *Laborie v France* of 19 January 2017, Application No. 44024/13.

³ Baglietto C, Cantwell N, Dambach M (Eds.) (2016). *Responding to illegal adoptions: A professional handbook*. Geneva, Switzerland: International Social Service; available at: http://www.iss-ssi.org/venteonline/product.php?id_product=31.

PRACTICE

Experts' meeting to discuss international responses to surrogacy at University of Verona

The International Social Service (ISS) together with a group of experts (the Experts' Group) met from 18 to 20 May 2017 at the Department of Law, University of Verona, Italy, to discuss the urgent need for national and international child-focused responses to surrogacy arrangements.

This first meeting of the Experts' Group was attended by 30 experts and observers from governments, academic institutions, civil society as well as international organisations, including, among others, the [Council of Europe](#), the [Permanent Bureau of the Hague Conference on Private International Law](#), the [UN Special Rapporteur on the sale and sexual exploitation of children](#) and [UNICEF](#). The Experts' Group represented various regions, including States and non-governmental organisations, which have different approaches to national and international surrogacy arrangements.

The Experts' Group acknowledged the disparate national approaches to surrogacy and the concerns relating to surrogacy arrangements including, for example, the potential for exploitation of children, women and intending parents. The Experts' Group agreed, in particular, that the rights of all children, irrespective of the circumstances of their birth, must be protected. The Experts' Group also agreed, in principle, that States must prohibit the sale of children in the context of surrogacy with particular reference to the [Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography](#).

ISS and the Experts' Group agreed that there is an urgent need for comprehensive universal principles, which consider surrogacy from an international and child-centred approach, and grounded in International Human Rights Law and

standards, with particular reference to the [UN Convention on the Rights of the Child](#).

The purpose of this meeting was therefore to review a working document proposing 'Principles for better protection of children's rights in the context of surrogacy'. These Principles would, first and foremost, support inter-governmental and national efforts in providing a comprehensive international children's rights response to surrogacy. Significant steps are now beginning to be made in that direction.

This is the first of a number of consultations that ISS and the Experts' Group intend to convene. ISS and its core group¹ will continue to work in close collaboration with inter-governmental organisations, States and other relevant stakeholders, in order to secure their input on specific issues where improved clarity, information and action are most urgently needed.

ISS wishes to thank [Professor Maria Caterina Baruffi](#) and the University of Verona for hosting this first meeting of the Experts' Group. A second meeting will be convened in Zurich, Switzerland, in early 2018.

Reference:

¹ Claire Achmad, Christina Baglietto, Nigel Cantwell, Mia Dambach, Patricia Fronek, David Smolin, Katarina Trimmings and Michael Wells-Greco.

For further information, please contact: Mia Dambach, ISS/IRC Director, mia.dambach@iss-ssi.org.

ISS Expert Group: Key agreed messages

As of June 2017, there are eight key agreed messages, that provide the framework for the Expert Group's work in drafting 'Principles for a better protection of children's rights in surrogacy arrangements':

1. There is an urgent need for national and international regulation on surrogacy arrangements compliant with international human/children's rights standards. The foundational international human and children's rights documents do not specifically address surrogacy. Hence, the task of this project is to apply the general norms of children's rights and human rights to surrogacy arrangements. The Principles apply to all surrogacy arrangements, with a particular emphasis on international surrogacy arrangements (ISAs). Helpful guidance is provided by examining the treatment of analogous relevant practices, such as adoption, noting both the differences and similarities.
2. The Principles simultaneously define the standards for surrogacy to be compatible with international human/children's rights, as well as what to do after the fact if surrogacy is conducted in ways that violate those norms.
3. Under current interpretations of international and children's rights, as well as national policy determinations, there is a legitimate diversity of approaches to surrogacy. It is legitimate to prohibit all surrogacy arrangements, prohibit only commercial surrogacy arrangements, or to permit certain arrangements under regulations compatible with human/children's rights norms. States must prohibit surrogacy arrangements constituting the sale of children, and should create safeguards to ensure that the sale of children does not occur in the context of surrogacy.
4. States may refuse to become centres for ISAs by limiting the participation of foreign intending parents. States should strive to respect the national policies of other States regarding surrogacy arrangements, by limiting the participation of foreign intending parents evading their own State's laws. States are not required to acquiesce in ISAs or foreign parentage orders contrary to their own national policies on surrogacy.
5. Children must never be punished based on the circumstances of their birth, and surrogacy prohibitions must therefore not be enforced through the denial of rights to surrogate-born children. Hence, even when surrogacy arrangements violate the Principles and/or national policies on surrogacy, the Principles permit States to grant intending parents parentage and/or parental responsibility, so long as such is done in the context of individualised post-birth consideration of the best interests and rights of the child, and of the rights of surrogate mothers.
6. Pre-birth processes, so long as they are not binding on the surrogate mother or the courts, may be helpful. For example, preliminary suitability screening could prevent the initiation of inappropriate surrogacy arrangements.
7. Parentage must not be established, lost or transferred by private agreement or contract. Written agreements may provide evidence of intention and be part of a process of recording consent, but such agreements cannot be determinative: a court or competent body must make final determinations through appropriate processes. The surrogate mother should be recognised as a parent on the birth of the child. Jurisdictions that do not recognise the surrogate mother as a legal parent at birth due to pre-birth agreements, contracts or arrangements (or the intentions therein) deprive both surrogate mother and child of their rights. In a commercial context, such agreements, contracts and arrangements are likely to encompass conditions that constitute or give rise to the sale of children.
8. Irrespective of the circumstances of their birth, all children have a right to a nationality, and States have an obligation to prevent statelessness. States must ensure that there is an adequate legal framework on nationality and immigration for all children conceived through surrogacy, such that no surrogate-born child is stateless. States should apply provisions on acquisition of nationality to surrogate-born children under the same conditions as they do to all children.

Committee on the Rights of the Child: Key messages related to surrogacy as expressed in Concluding Observations

Whilst the Committee on the Rights of the Child (CRC) has yet to make a formal statement on surrogacy arrangements, for example through a General Comment, some of its concerns have been reflected in Concluding Observations when examining the reports of States Parties. These concerns and recommendations are reflected in the being developed by the ISS-led expert group, and may arguably be grouped as follows.

1. Surrogacy arrangements occurring in a legal vacuum can lead to the sale of children

From as early as 2013, the CRC raised concerns with the unregulated nature of surrogacy arrangements, for example in the USA, whereby: *'(a) Ambiguous definitions and legal loopholes persist despite the new accreditation act, such as for example the fact that payments before birth and other expenses to birth mothers, including surrogate mothers, continue to be allowed, thus impeding effective elimination of the sale of children for adoption; (b) The absence of federal legislation with regard to surrogacy, which if not clearly regulated, amounts to sale of children'*¹.

Similar issues were raised with respect to India in 2014, in the following terms: *'Commercial use of surrogacy, which is not properly regulated, is widespread, leading to the sale of children and the violation of children's rights'*².

Likewise, apprehensions were raised in relation to Mexico in 2015: *'The fact that the regulation on surrogacy in the State of Tabasco does not provide sufficient safeguards to prevent surrogacy from being used as a means to sell children'*³.

2. Surrogacy arrangements that allow parentage to be determined pre-birth can lead to the sale of children

In 2017, the CRC noted that the sale of children can occur even within existing legal frameworks, such as contractual arrangements in Family Law, for example in the U.S.A., in relation to which it stated that it was *'nevertheless concerned that widespread commercial use of surrogacy in the State party may lead, under certain circumstances, to the sale of children. The Committee is particularly concerned about the situations when parentage issues are decided exclusively on a contractual basis at pre-conception or pre-birth stage'*⁴.

3. Protecting children's rights in surrogacy arrangements requires adequate evaluation and preparation of surrogate mothers and intending parents

In 2013, the CRC made recommendations to Israel as to aspects that would need to be in place to ensure the best interests of children were a primary consideration, as follows: *'The Committee recommends that, in the regulation of assisted reproduction technologies, particularly with the involvement of surrogate mothers, the State party ensure respect for the rights of children to have their best interests taken as a primary consideration and to have access to information about their origins. The Committee also recommends that the State party consider providing surrogate mothers and prospective parents with appropriate counselling and support'*⁵.

In 2015, the CRC went further with its recommendations to Israel, arguing that without such an evaluation framework in place for its intending parents, this could lead to the sale of children and/or possible sexual abuse: *'While noting the efforts of the State party to regulate international surrogacy arrangements, the Committee is concerned that there is no appropriate procedure for screening prospective parent(s) of children born to surrogate mothers abroad, aimed at preventing the hidden sale of children and/or possible sexual abuse'*⁶.

4. Protecting children's rights in surrogacy arrangements entails their access to origins

The recommendation to ensure the child's rights to know his or her origins in surrogacy arrangements to Israel in 2013, was again repeated to Georgia in 2017, whereby the CRC suggested to: *'Ensure that a child born through surrogacy motherhood will be able to get access to the information about his or her origin'*⁷.

5. Protecting children's rights in surrogacy arrangements entails that they have a nationality

The CRC has raised its concerns about children born from surrogacy arrangements being stateless, for example to Georgia in 2017, where they recommended: 'Noting the regulation of birth registration of children born in Georgia through surrogacy under article 19 of decree No.

18 of the Minister of Justice on approval of the rule on the registration of civil acts, the Committee recommends that the State party: (a) Address possible obstacles to the implementation of the decree, especially with regard to international surrogacy arrangements; (...) (d) Establish an effective and efficient identification and referral mechanism for children who are undocumented and at risk of statelessness'⁸.

The Concluding Observations issued by the CRC, which include recommendations relating to surrogacy, reflect the CRC's concerns in this regard from a children's rights perspective, despite the absence of a specific statement on this issue. Indeed, these concerns relate to various aspects, such as the potential sale of children, the right to identity, and their best interests and protection in the assessment procedure. Finally, these aspects will be addressed in the Principles being developed internationally (see pp. 7 and 8), and the CRC's views will provide key inputs and guide discussions and potential consensus.

References:

¹ CRC, Concluding Observations: United States of America, CRC/C/OPSC/USA/CO/2, 2 July 2013, Para. 29.

² CRC, Concluding Observations: India, CRC/C/IND/CO/3-4, 7 July 2014, Para. 57(d).

³ CRC, Concluding Observations: Mexico, CRC/C/MEX/CO/4-5, 3 July 2015, Para. 69(b).

⁴ CRC, Concluding Observations: United States of America, CRC/C/OPSC/USA/CO/3-4, 2 June 2017, Para. 24.

⁵ CRC, Concluding Observations: Israel, CRC/C/ISR/CO/2-4, 4 July 2013, Para. 34.

⁶ CRC, Concluding Observations: Israel, CRC/C/OPSC/ISR/CO/1, 13 July 2015, Para. 28.

⁷ CRC, Concluding Observations: Georgia, CRC/C/GEO/CO/4, 9 March 2017, Para. 19(b).

⁸ *Ibid*, Para. 19.

INTERDISCIPLINARY RESOURCES

Intercountry adoption: An invitation to challenging questions

Luce de Bellefeuille, a Psycho-Sociologist and former Director of the Secrétariat à l'adoption internationale (Quebec, Canada) that she directed for 13 years, and Christine Delepière, former Head of a French accredited adoption body and an adoptive mother, come together in a book that, according to them, invites us to question intercountry adoption.

The world of intercountry adoption is complex. In the book *Les arrière-boutiques de l'adoption internationale. Une invitation à des remises en question*, recently published by Editions Quebec-Livres¹, we can grasp this complexity thanks to the narratives of two women, one from Quebec and one from France, each having worked in this field for some years. During the course of an exchange of emails over some 15 months, they describe their practices, their knowledge and their reflections.

Daring to address delicate issues

Reading these exchanges allows us to address some delicate issues in intercountry adoption, such as the competition between parents, between organisations, between institutions,

between receiving countries and countries of origin. In addition, the authors call into question several accepted ideas such as 'intercountry adoption saves children', 'a child does not have a price', 'conventions and regulations harm the interests of children', or 'everybody has the right to a child'.

Does intercountry adoption have a future?

Finally, this work is an invitation to reflect on several fundamental questions about intercountry adoption: is it a private project, purely domestic, a social project or even societal? Does intercountry adoption have a future? In isolation, this question makes no sense: how can we wish for a future that for the child is inseparable from abandonment, breakdown and

suffering? However, from a more realistic point of view, it deserves to be studied, particularly

through the spectrum of *clichés* and common assumptions.

In matters of intercountry adoption, there are very few truths. This work does not, therefore, seek to answer the many questions that it raises; its main objective is to overturn ideas and small-minded assertions already made in order to stimulate reflection. In this sense, the book is directed at everybody: all of us are concerned, directly or indirectly, by the outlook that society has on adoption and the impact of this outlook on adopted children and their families.

Reference:

¹ Available in French at: <http://www.quebec-livres.com/arriere-boutiques-adoption-internationale/luce-bellefeuille/livre/9782764025482>.

Join the International French-Speaking Association for Actors Working with Separated Families

In 2003, the Association internationale francophone des intervenants auprès des familles séparées (AIFI)¹ was born from the wish to gather, at international level, the expertise and experiences of a multitude of professionals working on a common issue: parental separation. The mission and achievements of this association are briefly presented below.

Mission and objectives of the AIFI

The AIFI, whose head office was established in Montreal, is an interdisciplinary association bringing together judges, lawyers and notaries specialising in Family Law, mediators, professionals in the psychosocial field, researchers, sociologists, professors, participants from the community network (associations); all looking for new solutions to help and support children and adults affected by separation during their family transitions. A key partner of ISS since 2008, the organisation welcomes members from all countries, and is present in Belgium, Canada, Ivory Coast, France, Italy, Lebanon, Luxembourg, Poland and Switzerland. The AIFI promotes exchanges in French by holding high-calibre international conferences – 10 since its inception, seminars and discussion groups, as well as invaluable publications such as a biannual scientific journal and a liaison newsletter (available five times per year).

The AIFI pursues several objectives that are shared by its members:

- Promoting constructive ways of resolving family conflicts;
- Providing a forum for exchanges and ideas for social and legal professionals working with separated families;
- Offering places for reflection to develop a concerted action for separated families;

- Creating an international network between the various professionals to encourage the transfer of knowledge and expertise.

Achievements of the AIFI

This sharing of thoughts and actions has allowed:

- Reflection on the evolution of our societies and the notion of disconnected families, the resulting social regulation issues, and the structures to be promoted or put in place;
- Providing separated families with management of their family conflicts by promoting actions, services and laws;
- Reconsidering the place and role of each institution and the services offered to separated families;
- Promoting research on the impact of breakdown and parental conflict on the adaptation of the child, the role of the mediator and the use of mediation, the role of judges, lawyers and notaries, the factors of resilience of children and adults following a breakdown, etc.
- Pooling our techniques, strategies and winning experiences with families, as well as the results of clinical, sociological, legal and family research, etc.
- Contributing with other partners, including ISS, to the development of international family mediation.

ISS would encourage you to become a member of this vast network, open to all those working with separated families, who adhere to its values and mission, and pay the annual membership fees. Through the sharing of knowledge and experiences generated by the AIFI at international level, you can contribute to a better protection of separated children and families.

Reference:

¹ For further information, see: Association internationale francophone des intervenants auprès des familles séparées, <http://www.aifi.info>, where you will find a list of all members by country and profession.

READERS' FORUM

Lion: When the reality of an adoption goes beyond fiction

In this article, Daria Michel Scotti, a Psychologist specialised in Psychotherapy at Espace A (Geneva, Switzerland), presents the film Lion, and shares with us her viewpoint as an expert in adoption and child protection.

Lion is a film directed by Garth Davis and released in cinemas in 2016. Adapted from the autobiographical novel by Saroo Brierley, *A Long Way Home*, published in 2013, this feature film retraces the extraordinary journey of a man of Indian origin, adopted by an Australian couple after being lost at the age of five years who, as a young adult, manages to trace his family of origin.

In the footsteps of Saroo

Following the early life of Saroo outside his village, in the footsteps of his older brother, the spectator is immersed in the context of a precarious childhood in material terms, but seemingly rich from an emotional point of view. The economic misery, in which Saroo's mother finds herself, in the absence of a father – and it seems other family resources – exposes the three siblings to different dangers: the eldest works at night in conditions, which will result in his death, while the younger son is responsible for looking after his little sister despite not being capable of this given his own young age.

This socio-economic reality and a hazardous convergence of misfortune leads to Saroo becoming lost some thousands of kilometres from his region of origin, to find himself exposed this time, like many others, to the dangers that threaten children without protection in large urban centres. We follow Saroo in his wanderings through the streets of Kolkata, where his presence seems invisible to the eyes of the adults, except for a certain number of 'predators', who dehumanise him by considering him primarily as potential merchandise. Thus, we can measure how, in the absence of family and

State protection, children become the target of criminal networks, sometimes even acting within orphanages. On different occasions, Saroo puts his trust in adults, who turn out to be sources of potential danger much greater than the solitude in the street, where he lives for several months, sustained by the memories of his mother and older brother.

Two destinies, two adoptions

Is it not therefore, thanks to the psychic trace of these first bonds, that Saroo, despite everything, manages to commit to the adventure of an adoption and is open to the opportunity of meeting another mother and another father, after having temporarily renounced the hope of finding his own? Similarly, it is easy to imagine why Mantosh, his adoptive brother, was himself not able to benefit from a 'good enough' emotional foundation to manage to overcome, without too much damage, the test of the loss of the first bonds, migration and integration into the new context of family, social and cultural life that an adoption entails. Mantosh expresses an obvious suffering, succumbing to artificial highs and struggles to give a sense to his life, whereas Saroo, perhaps at the price of having deeply buried his memories, traumatic or not, adapts to the challenges of his new life, to the expectations of his adoptive parents and responds to their affection.

A fragile balance?

Having become a dynamic young man, close to his family and well rooted in his Australian identity, his stability falters the day he meets some students of Indian origin, who confront him with the forgotten parts of his pre-adoptive

history. On the occasion of a meal shared with them, his body's memory suddenly wakes up: like Proust's Madeleine, the smell and the taste of *jalebi*, a much loved sweet from his childhood, rekindles the existence, and therefore the absence of those Saroo has lost. A breach opens on his past. Encouraged by the new possibilities offered by Google Earth, he undertakes to rebuild, at a distance, his wandering path and to go back to the source of his journey, to his village of origin.

This quest triggers in him emotions of great intensity: Saroo, haunted by the presence of his lost brother and mother, has difficulty finding sense in his present activities and relationships. He seems suspended between the present and the past, the here and the elsewhere of this India, both real and virtual, that the magic of Internet allows him to draw near, through screen and zoom interposed. Finally, a double guilt overwhelms him: that of not being able to reassure his family of origin about the outcome of his journey on the one hand, and that of

risking disappointing and hurting his adoptive parents on the other hand. It is therefore in a profound solitude that Saroo goes on with his search, reliving the traumatic experience of his wanderings, obliged to replay, here and now, the losses suffered in the past. The current adoptive and love relationships are put to the test, but also represent the opportunity to reaffirm their foundations and their underlying strength.

In search of the trace of others in oneself

Saroo manages to find his birth village, then his mother and his sister, and he goes to meet them. From these meetings, other reunions were born between his two families, as well as a book and a film and, coming from them, a foundation to help disadvantaged children in India. These achievements testify to the capacity for resilience of the author, Saroo Brierley, who reconciles, through them, the different parts and characters of his story, and demonstrates his attachment and loyalty to them.

Whilst the film draws from its story to offer role models and possible understanding of the challenges of adoption and the search for origins, it does so in a way that is both generalised and limited to its particular destiny: a destiny where abandonment did not precede adoption, and where the grieving of the birth family seems remedied by the 'ideal' reunions. However, despite these limitations, *Lion* has the merit of making visible, on a large scale, the implicit issues of an often unknown experience, where the first name, like the construction of identity and the personal equilibrium are elements, of which the sense and the value are revealed in hindsight of becoming one, in the course of an existence that implicates a quest for an initial dimension: that of the trace of others in oneself.

Reference:

¹ For further information, see: <http://www.sarooBrierley.com> or www.lionmovie.com.

For further information on this issue: Chamot, S (2017). *Les enjeux du prénom dans l'adoption*. Geneva, Switzerland: Espace A.

The search for origins in the framework of sperm donation: The Swiss experience

Danièle Besse, Adviser in Sexual Health at the University Hospital of the Canton de Vaud (CHUV), Switzerland, who has supported couples for many years, whether in family planning or in reproductive medicine, sheds some light on the Swiss experience with regards to the search for origins in the framework of sperm donation.

1. How long has the access to the identity of the donor been allowed for in Switzerland? Under what conditions?

The Swiss Law on medically assisted procreation (LPMA)¹, in force since 1 January 2001, authorises those children

conceived through sperm donation to know the identity of their donor and to meet him if he agrees, as from the age of 18 years. Before this age, access is only possible on specific grounds, in particular medical grounds. Indeed, Article 27 of the LPMA

<p>Name: Danièle Besse Function: Sexual Health Adviser Place: CHUV (University Hospital of the Canton de Vaud, Switzerland)</p>
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states that ‘the child over the age of 18 years may obtain, from the Federal Civil Registry Office, the data relating to the identity of the donor and his physical characteristics’. Furthermore, ‘when he justifies a legitimate interest, irrespective of his age, the child has the right to obtain all the information about the donor’. On the basis of these provisions, the first requests for information will occur in 2019.

It is worth mentioning that ‘before the Office communicates the data relating to the donor’s identity to the child, the donor is informed, as far as possible. If the donor does not wish to meet the child, he or she must be notified, and must be informed of the rights of the donor and his family. If the child maintains the request submitted, only the data will be communicated’. Furthermore, in accordance with Articles 31 and 32 of the Implementation Regulations of 27 September 2013 on the register of sperm donors (Regulations)², should the donor not wish to meet the child, ‘the latter must be informed, if possible, by someone trained in social psychology’.

2. What essential needs does the withdrawal of the secret respond to for persons born in the framework of sperm donation?

Danièle Besse shares with couples affected by sperm donation questions related to secrecy: to conceal the true story of the conception may be harmful if the child is told by a third party, or if he or she feels awkwardness if his or her family resulting from this secret. It is normal to know one’s genetic origins, this is part of the rights of the child. In general, psychiatrists and psychologists agree on the importance, for the positive development of the child, to live in an environment of openness in relation to the ‘secret’.

3. What procedures will be established for this request for information relating to the identity of the donor?

The Regulations establish the following procedure: the child submits a written request to the Federal Civil Registry Office, which contacts the donor and subsequently conveys the information to the child. Furthermore, it will inform the latter of the agreement or refusal of the donor with regards to a meeting. In accordance with the Regulations, ‘as far as

possible, a person with a training in social psychology is present at the interview’. Communications are currently ongoing amongst several professionals and the Federal Civil Registry Office, in order to determine the terms and conditions of such support. One of the pending questions is also the need, in 2019, to disseminate information relating to the rights of children born from sperm donation, and if so, how to proceed.

4. Has a database been created and what are its management conditions?

The Order of the LPMA (OPMA) states that the register of data is held by the Federal Civil Registry Office, in electronic form, and includes a directory of sperm donors. All the terms and conditions for its management are detailed in the Regulations, and the data will be preserved for 80 years.

Each donation file will include the following information:

- the data conveyed by the doctor in charge based on the registration form;
- the results of medical examinations;
- if applicable, any other data registered upon request of the sperm donor.

In accordance with Article 24 of the LPMA, the registration form includes the following information:

- with regards to the donor: name and surname, date and place of birth, domicile, place of origin or nationality, profession and training, date of the sperm donation, results of medical examinations, information on his physical aspect (corpulence, height, hair colour, eye colour, skin colour, specific features);
- with regards to the woman benefiting from the sperm donation and her family: name and surname, date and place of birth, domicile, place of origin or nationality, date of insemination or transfer of embryo;
- with regards to the child, if the doctor has knowledge of it: name and surname, date and place of birth, sex, domicile; if the birth is unknown: estimated date;
- if applicable, with regards to the doctor, who has preserved or handed over the sperm, if he or she is not the family doctor: name and address.

5. What kind of support must be offered to a person born from donation, to the donor and to the parents?

Psychological support should be provided to the child, his or her parents and to the donor. Indeed, the child, the parents and/or the donor will experience, during the process, and at some key stages, emotions and questioning. It will be important that they have a place where they can talk and receive help in accordance with their needs.

6. What is the situation in other countries?

Practices vary considerably from one country to another. Sweden has experience in this field since 1985, but only few requests are submitted. It is not known whether this is due to the fact that

children do not know that they were conceived through sperm donation, or that they may obtain information about the donor, or whether this is due to the fact that they have no interest in undertaking this process... In fact, this raises the issue of knowing whether it will be necessary to disseminate information on the rights of persons born by resorting to a donor in Switzerland, and if so, how.

In Finland and Great Britain, donations are not anonymous. In particular, in Great Britain, many information documents exist to support parents, children and donors in their process of reflection³. In France, donations remain anonymous.

This interview reflects that Switzerland is well aware of the psychological follow-up needed for all the actors involved in a search for origins in the framework of sperm donation. A national ethical commission is foreseen by the LPMA, and hospitals have their own ethical commissions.

References:

¹ Law available in French and English at: <https://www.admin.ch/opc/fr/classified-compilation/20001938/index.html>; Implementation Regulations available at: http://www.ge.ch/legislation//rsg/f/s/rsg_K3_05p02.html.

² Available at:

<https://www.bj.admin.ch/dam/data/bj/gesellschaft/zivilstand/spenderdatenregister/reglement-samenspender-f.pdf>.

³ Available at: <http://www.socialsciences.manchester.ac.uk/morgan-centre/research/research-themes/kinship-and-relatedness/relative-strangers/>.

Other resources are available at: <https://www.dcnetwork.org/letter-leaflets>; as well as at: <http://maia-asso.org/> (in French).

Play to grow up, play to think, play to learn: The student hides a child (Part II)

In this second part of her article, Sophie Marinopoulos¹ draws attention to the role of play in the acquisition of knowledge for the child, particularly the adopted child. Play should be part of school time because playing enables growth, and opens the intellectual appetite, especially for children, who have suffered from inadequate care during childhood.

To be motivated and curious about learning is the product of a baby's life that is rich in experiences. Faced with a child, who is becoming a student and reflecting, in accordance with 'traditional' means of expression, a lack of motivation or a lack of willingness to learn at school, we need to try and understand his or her general progress in terms of growth.

Overcoming fears through children's games

The child's mastery of routes to knowledge is part of the continuity of mastering his or her emotions, body and the space and objects around him or her. Learning and wanting to learn is an early stance that reveals how the child, as a baby, was able to participate in his or her discoveries. We should never forget that 'knowledge' is, for the child, an unknown world that he or she is going to learn about. Learning is daring to go towards what you do not know and is an early childhood posture. Look at a baby

watching the world, listening to noises, taking a breath, going into new arms. It is all about courage and the ability to pass from the known to the unknown.

This is the reason why the child begins to play and to punctuate his play activities with repetition. Repeating, in order to integrate into his or her environment, and also repeating in order to overcome his or her fear of the unknown. Through repetition, the child can achieve transforming what is foreign to something familiar. Thus, a worrying situation, a source of displeasure that makes him afraid can become, through play, a time of discovery and enjoyment. The most obvious example is the moment when the child, who is old enough to be put into a high chair to eat, will throw an object in the hope that his or her parent will pick it up. Through this activity that he likes to repeat, he is going to make his or her parent, who has moved away, come back to him or her. This repetitive activity is a playful activity *par excellence*, a highly symbolic activity that goes beyond the fear of losing a parent and controlling the distance between himself or herself and the parent. This is the objective of childlike play: to overcome fears in order to grow.

Play to grow up: From sensory integration to intellectual integration

The child does not play in order to fill in time in the early years of his or her life, he or she is playing to grow up. The game is serious. When he or she is old enough to go to school, he or she pursues this same objective. If he or she enjoyed conquering his or her environment at an early age, he or she will be used to this and his or her attitude in a school environment will be successful.

At each stage of his or her growth, the child repeats experiences that correspond to his or her stage of development. Repeating something over and over again is the basis of every achievement. Through repeating, the child makes an experience that forms his or her development his or her own. It is a sensory integration, the sensory experience that leads to intellectual integration. The success is therefore hidden behind the ability of the child to try and to happily transform his or her failures into success.

To succeed in accepting failure without feeling devastated, resuming the unsuccessful exploration in order to acquire what is coveted: this is the path that will lead the baby to become a child, then a pupil, a high school student and a college student.

Play should belong to the school environment

Clearly, academic success is not summed up by so-called intellectual baggage acquired from birth. If all children do not have the same potential at the outset, they can all develop their thinking and succeed. Our young children, who recoil from learning at school, suffer from the fact that they missed a trial and error experience from an early age. Whilst school represents a time of discipline and legitimate common rules, when it comes to learning in groups, school must also not forget what childhood requires. It must not forget that even an older child needs to experience, within autonomous play activities, a certain number of ideas. Play at school should therefore belong to school time and all classes, from nursery to high school, should have interesting and varied play material so that children can learn through play. To introduce playtime into the learning and teaching of our children, where pleasure and fantasy take precedence, would be an extraordinary lever for all children and in particular for children, who need to remain tied to a sensory and motor approach to knowledge. Pleasure motivates the desire and fantasy developing the imaginary, the stories and the language. The relationship with time and space, as well as abstraction, are, thus, building on childhood games and nourishing the intellectual appetite.

Play in order to express a thirst for learning

Many parents state exasperatedly '*he only thinks about playing*'. Yet, thinking about playing is thinking! This is a great opportunity for each child to test his or her achievements. The game should not have a poor reputation and be opposed to the concept of learning. In particular, the more the child has had a complicated and deficient childhood, the more the game enables him to grow and therefore to learn. Giving the child the pleasure of repeating the experience in order to own it should not be standardised. As an example, a child learns to write correctly just as well by playing at making marks on the sand or in

the mud or by using a penknife on the bark of a tree, as sitting on a chair in the classroom. Whilst some children are immediately at ease with paying attention and with silence, and are well behaved in order to learn, others experience this as a hindrance to their pleasure of understanding. No child accepts learning without pleasure. The pleasure of becoming

'knowledgeable' pre-empts 'to know'. It should be mentioned that the more the child is in difficulty with the traditional teaching approach, the more time must be given for him or her to express his or her desire to learn in a different way. No child loses time when spaces are organised where the pleasure of playing in order to learn comes first.

The adopted child, before his or her adoption, will have had a chaotic life path with inadequate or poorly structured care, and must be listened to for his or her specific needs. Once again, I appeal to your parental creativity and to the rights of all children to access a route of knowledge in keeping with his or her individuality. There is a degree of parental resistance to protecting the child from an inappropriate pace or an unsuitable approach to academic achievements. If the child needs courage to engage in life and learning, the same applies to becoming a parent. Let us be clear: it takes an extra ounce of courage for each parent, who feels that their child is different in his or her relationship with knowledge. There is no single means of learning, so allow yourself to stray off the beaten path by putting play at the heart of the child's learning and ... expect to be surprised!

References:

¹ Psychologist-Psychoanalyst and Director of the Psychological Health Prevention and Promotion Service in Nantes (France) and its reception centre *Les pâtes au beurre*.

FORTHCOMING CONFERENCES AND TRAININGS

- **United Kingdom:** *a) Children and Childhoods*, Conference, University of Suffolk, Department of Children, Young People and Education, Ipswich, 18 – 19 July 2017. For further information, see: <https://www.uos.ac.uk/content/children-and-childhoods-conference-2017-0>; *b) Achieving Placement Stability in Fostering: Applying Learning from Disruptions*, CoramBAAF, London, 24 July 2017; *c) Current Case Law in Fostering and Permanency*, CoramBAAF, London, 7 August 2017. For further information, see: <http://www.corambaaf.org.uk/training/events>.
- **World:** *a) Monitoring & Evaluation in the NGO Sector*, e-learning course, early bird registration until 1 July 2017, 30 August– 10 October 2017; *b) Child Rights Public Budgeting*, e-learning course, early bird registration until 1 July 2017, 18 October – 1 November 2017. For further information, see: <http://www.hrea.org/learn/elearning/>.

EDITORIAL COORDINATION: Cécile Jeannin

EDITORIAL BOARD: Christina Baglietto, Cécile Jeannin

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irc-cir@iss-ssi.org
www.iss-ssi.org

ISS
32 Quai du Seujet
1201 Geneva / Switzerland