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EDITORIAL

In the spirit of article 29 of THC-1993, any contact between prospective adoptive parents (PAPs) and the child's parents or carer, should be prohibited until the matching decision

This article establishes minimum standards: they can surely be improved by good practices in both receiving countries and countries of origin.

According to article 29 of *The Hague Convention of 1993 on the Protection of Children and Co-operation in respect of Intercountry Adoption* (THC-1993), no contact between foreign prospective adoptive parents (PAPs) and the child's parents or any other person who has the care of the child may take place before making sure that some requirements established in the Convention have been respected. These include, in particular, the verification (1) that the child is adoptable, (2) that no domestic measure was preferable for the child and (3) that the consents

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required have been obtained (art. 4. a, b, c). Furthermore, (4) it is also compulsory that the eligibility and suitability of PAPs be determined before any contact (art. 5. a).

One of the main objectives of article 29 is to guarantee the free consent of the biological parents. It is of utmost importance that the PAPs do not have the opportunity to induce this decision, in particular by payment or compensation (art. 4.c. THC-1993). Another objective is to oblige PAPs to respect THC-1993 adoption system, first allowing their eligibility and suitability to be assessed and secondly, by processing through the Central and competent Authorities of receiving countries and countries of origin (arts. 14-17), and preferably through an adoption accredited body (see Editorials 70 & 71).

Direct adoptions in the light of article 29 and of children's rights

"Direct adoptions" are the ones which are directly arranged between the child's birth parents or carers and PAPs, without the intervention of a professional third party in the matching process. According to the Explanatory Report to THC-1993 (n° 498) "article 29 sanctions, as a rule, the prohibition of contacts in general terms, therefore including not only "direct, unsupervised" contacts, but also "indirect" or "supervised" contacts (supposedly: visits, postal mail, phone calls, emailing).

Direct adoptions violate therefore article 29 if they are organised before the four above described requirements are assessed by a THC-1993 authority or body.

Furthermore, even if the arrangement between the PAPs and the child's parents or carer takes place after the legal assessment of the THC-1993 requirements, direct adoptions can be considered as *non compatible with the spirit of THC-1993,* which supposes the intervention of authorities and professional bodies throughout the whole adoption process.

Moreover, "direct" adoption can be considered as *counter to the United Nations Convention on the Rights of the Child (CRC)* since it makes the child an object of agreement between individuals - living furthermore frequently in unbalanced economical and psychosocial situations - whereas the CRC considers the child to be the subject of a right to professional protection measures under the States' responsability (arts. 20-21 CRC).

Direct adoption is also frequently a source of abuse, of trafficking of children and of serious violations of the rights of the child, and is at risk, as such, to fall *under the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography* (see Monthly Reviews 49, 54, 63 and 5/2005).

Some psychologists also insist on the long-term dangers for the development both of the child and of the adoption relationship, of allowing the adoptive parents to "choose" the child.

All these *risks can be avoided by the intervention of an adoption accredited body* (AAB) which supervises and guides the adoption process. Such a body should be composed of a multidisciplinary team (social assistants, psychologists, doctors, etc.) capable to follow the adoption process in a comprehensive manner (for a general comment on the role and the necessity of AABs, see Editorials of Monthly Reviews 70 & 71).

A minimum standard

In the same way that THC-1993 taken as a whole, article 29 establishes *a minimum guarantee* that must always be respected. However, in its letter, the prohibition contained in this provision is *limited in time,* as contacts are supposedly not prohibited after all the mentioned requirements of article 4 and 5 are met. The principle of the best interest of the child suggests however that *a broader interpretation, more in line with the spirit of article 29 and with the general structure of THC-1993, be promoted* by the relevant authorities in all countries, which is already the case in a lot of them.

A coherent interpretation with the whole THC-1993

The authorities of receiving countries and of countries of origin should guarantee that PAPs go through the Central Authorities of both concerned countries, in order that professional and interdisciplinary teams (based on psychological, medical, social and legal reports concerning the child and the PAPs) select the most adequate family for each child (matching) and then submit this selection to the PAPs for their approval. This interpretation is the one most in conformity with the structure described by articles 14 to 17 of THC-1993 and the only one which guarantees that the objectives of article 29 be really reached.

So no contact between PAPs and the child's parents or carer should then logically take place before the matching is carried out. Any pre-

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identification or selection of the child by PAPs should in principle be avoided. In order not to influence the matching process and not to harm unduly the child by a first bonding with people who could afterwards not be matched with him/her, it is recommended that the first travel of the PAPs to the country of origin and their first contact with the child should take place only after the decision of matching and the approval of it by the PAPs is done (with all reserve of the professional verification of the child's attachment during the probatory period).

Exceptions to the article 29 prohibition

Article 29 contains two exceptions to the prohibition.

(1) Contacts are not forbidden in case of *"adoptions within a family"* (not further defined by THC-1993 nor the Explanatory Report: see n° 502). In these situations PAPs and birth parents usually already know each other (see Editorial 3/2005).

(2) In addition, *the competent authority of the State of origin may also establish conditions authorising the contact.* The interpretation of this last exception is also an issue of discussion. According to the Explanatory Report to THC-1993 (n° 503), the idea of this exception "is to grant flexibility and permit the setting of those conditions by the State of origin, either in general terms, by the legislator, or on a case-by-case basis, i.e. by the administrative or judicial authority, taking into account the particularities of each situation". *In our sense, the case by case basis for possible exceptions to article 29 should be preferred*. Indeed if the exception is implemented so broadly that it becomes a general rule, article 29 risks loosing its meaning.

In order to be effectively implemented and monitored, *the exceptions in individual cases should, moreover, be decided in the framework of a close cooperation between Central Authorities of countries of origin and receiving countries. This special authorization of contact should not permit a matching done by the PAPs and the child's parents or carer: even if the child is already known by the PAPs, the adequacy of the PAPs' project with the child's best interest has to be checked by a professional team, after the assessment of every requirement, among others the subsidiarity principle.*

The non discrimination principle between adoptions based or non-based on THC-1993

The non discrimination principle which figures in the CRC (art. 2) encourages all countries to offer, as far as possible, the same level of guarantees to non Hague as to Hague adopted children. A recommendation (n° 56) of the last Special Commission of The Hague Conference on the Practical Operation of THC-1993 concluded in the same sense (see Editorial 2/2005).

As article 29 is one key guarantee of the respect of children's rights promoted by THC-1993, States parties, either receiving or of origin, should act in a way compatible with article 29 both in Hague and in non Hague adoptions.

Article 29 of THC-1993 is certainly justified by fear of abuses and children's rights violations. But it is also based on the advantages, for all the concerned parties (children and families), that the intervention of a professional third party represents. Although always privileging the respect of a case by case approach of the situation of each child, the implementation of article 29 *until matching* can thus be considered, in the vast majority of non relative inter-country adoptions, as the most logical interpretation and the practice the most in conformity with the best interest of the children.

All the previous Editorials can be found at www.iss-ssi.org/Resource_Centre/Tronc_DI/editoriatronc_di.html. More about THC-1993 and its Explanatory Report: http://hcch.e-vision.nl/index_en.php?act=conventions.text&cid=69.

The IRC team

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THE HAGUE CONVENTION OF 1993 ON INTERCOUNTRY ADOPTION (THC-1993)
Source : Permanent Bureau of The Hague Conference : http://hcch.e- vision.nl/index_en.php?act=conventions.status&cid=69

Belgium : On 26 May 2005 Belgium ratified this convention, which it had signed on 27 January 1999. The Convention should enter into force in this country on 1 September 2005. The Belgian authorities wanted to proceed with an extensive reform of the adoption law to accompany the ratification of the Convention. A law of 24 April 2003 (analysed in Bulletin 56-57) has fundamentally revised the civil right; although already modified since that time on minor points, it has not yet entered into force. What is still missing to make possible the entry into force of the reform and, therefore, of The Hague Convention of 1993 are: one or more implementing regulations ("arrêtés") by the Federal Government; a decree (voted by the Parliament of the French Community on 21 June 2005) and an implementing regulation of the French Community, and a decree and an implementing regulation of the Flemish and German-speaking Communities respectively; as well as a cooperation agreement between these different Federal and Federated entities. We will inform you once the Belgian legal landscape is consolidated. *Sources: Belgian Ministry of Justice; Central Authority of the French Community of Belgium; Catholic University of Louvain.*

OTHER INTERNATIONAL DOCUMENTS CONCERNING THE RIGHTS OF CHILDREN DEPRIVED OF THEIR FAMILY

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

There are already 95 States Parties to the Protocol.

As of 27 April 2005 111 countries had signed the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and 95 had ratified or acceded to it (see also Bulletins 54 and 63). Among the new States Parties since 2005, the list includes Angola (accession on 24 March), Benin (ratification on 31 January), Eritrea (accession on 16 February), Japan (ratification on 24 January), Poland (ratification on 4 February) and Turkmenistan (accession on 28 March).

As a reminder (see Bulletin 63), this instrument, which came into force on 18 January 2002, requires States in particular to make punishable that an intermediary solicit « improperly » consent to domestic or inter-country adoption, in violation of applicable international instruments (art. 3), including in particular THC.

Source: United Nations High Commission for Human Rights,
www.ohchr.org/english/countries/ratification/11_c.htm

PROTAGONISTS IN MATTER OF ADOPTION
Source : *Permanent Bureau of the Hague Conference: http://hcch.e-vision.nl/index_en.php?act=conventions.authorities&cid=69.*

- **Monaco:** This State has updated the mailing address of its Central Authority: mprovence@gouv.mc.
- **United Kingdom:** This country has updated the list of its adoption accredited bodies.

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BRAZIL: Reversing the flow of files, a practice that respects the rights of the child and the ethics of inter-country adoption

These are the files of children eligible for inter-country adoption, which are sent to bodies in the receiving countries responsible for finding them a family, and are no longer the files of prospective adoptive parents that are sent to the countries of origin.

Inter-country adoption caught on in Brazil during the 1980s, when a significant number of children found themselves without a family. At that time, most Brazilian families wanted to receive very small children, preferably white girls (for more information about the evolution of domestic adoption in Brazil, see Bulletin 65 of March 2004). Thus, older children, handicapped or black were left without a permanency planning in institutions for long periods of time. It is in this context, that the first inter-country adoptions took place.

Very quickly, the files of foreign prospective adopters flowed in to such an extent that it became impossible to deal with all their requests. The Court for children and minors in Porto Alegre (hereafter called "the Court") then decided to react in order to guarantee inter-country adoption in conformity with the best interests of the child, namely that the adoptive families respond to the particular needs of each child deprived of the family environment.

Bilateral agreements with bodies accredited in the receiving countries

One of the Court's first actions was to decide to *cooperate exclusively with the accredited bodies* in the countries of the prospective adopters (see Editorial 70 and 71, http:www.iss-ssi.org/Resource_Centre/Tronc_DI/editoriatronc_di.html) and to establish bilateral agreements with those bodies. The choice of bodies by the Court takes into account certain ethical principles: respect for the fundamental rights and promotion of the best interests of the child; overall protection of the child during the entire adoption process. The bilateral agreements determine the respective responsibilities of the Court and the bodies: the latter are responsible for managing the files of the prospective adopters, of informing and preparing the applicants and of ensuring follow-up after the adoption; the Court, for its part, concentrates on the children.

These new provisions, while clarifying what is at stake in inter-country adoption for the prospective adopters, have not, however, totally solved the problem of the flood of files: *the Court continued to feel the pressure, no longer from prospective adoptive parents, but from the bodies themselves.* In such conditions, matching, the key moment in the adoption process, always presented the risk of not being properly completed with grave consequences for the child, as well as for the adoptive parents. It was appropriate then to clarify whose responsibility it was and, more generally, what should be the respective roles of the receiving countries and the countries of origin throughout the whole process of inter-country adoption.

Reversing the flow files

As a result of the above-mentioned difficulties, the Court decided that it would no longer accept the files of prospective adopters, but *would in future send the files of children who are adoptable at the international level to the accredited bodies in the receiving country*. A similar experience, but one limited to children supposedly with special needs, also exists in Lithuania, Peru and the Philippines (see Monthly Reviews 3/2005 and 68-69).

Furthermore, it is the accredited bodies in the receiving countries that bear responsibility for choosing the adoptive families and no longer the Brazilian authorities.

The practice of reversing the flow of files has allowed the Court to better manage inter-country adoptions *by concentrating fully on the preparation of studies of the children that are indispensable for the decision on their adoptability*. The legal part of these studies consists of clarifying the status of the child, that is to say, checking that their ties with the family of origin are permanently severed. This work makes it possible to guarantee the rights of the child and the family and to avoid the risks of failure and of difficulties associated with the adoption. The second part of the study concerns the medical-psychosocial and institutional state

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of the child. Adoption, in fact, presents a risk that can be evaluated and controlled on condition one knows the child well. In cases where the child is older or handicapped, his file should be all the more complete.

Responsibility shared with the accredited body of the receiving State

Once a child's file has been opened, the Court rules on his/her eligibility for inter-country adoption. If this is declared, *the file is sent to an accredited body in a receiving country, which finds itself entrusted with the responsibility of the matching*. The body looks for the most appropriate family for the child and submits its choice for approval to the Court in Rio Grande do Sul. The prospective adoptive parents are only informed of this step if the Court's decision is positive.

In practice, in the face of the high number of prospective adopters, it still happens that accredited bodies in the receiving countries give preference to rapidity rather than quality in the professional process of matching and providing support for prospective adoptive parents, which takes time and great thoroughness.

Although few, the countries, whose prospective adopters wish to adopt children with so-called special needs (older children, sibling groups, handicapped….) are given priority. *It continues to be, at the present time, particularly difficult to find adoptive families for children suffering from AIDS, those with psychiatric, psychological or neurological handicaps, or those who are relatively old.* If the child displays special needs, the accredited body in the receiving country requested is given a maximum of three months to find a family and submit it to the Court.

Coordination within the State of Rio Grande do Sul

Moreover, to clarify the steps linked to inter-country adoption and to limit the number of authorities involved, the State of Rio Grande do Sul has divided its territory into 10 regions, in each of which a judge, supported by a small team, has been given responsibility. The co-ordination of work of these ten judges takes place by means of three common electronic databases: one each for adoptable children, prospective adoptive parents of the State, and foreign prospective adoptive parents. It is only after they have checked that no family of the State of Rio Grande do Sul can receive a child, that inter-country adoption is envisaged. Unfortunately, there are no arrangements for adoption between the different States of Brazil.

Entry into force of THC-1993 (01/07/99)

Since the entry into force of The Hague Convention of 1993 on inter-country adoption, the Brazilian Federal Central Authority has been made responsible for delivering to the adoption accredited bodies in receiving countries authorisation to engage in inter-country adoption with Brazil. This authorisation is valid throughout the entire territory of Brazil. This new practice has led to the presentation of numerous requests for authorisation by foreign bodies; *from that moment onwards a need to manage these inflows very quickly made itself felt* (on this point, see also Editorial of Bulletin 65). Each Federated State of Brazil thus retains the possibility of choosing the authorised bodies it wishes to work with. Currently, the State of Rio Grande do Sul co-operates with two adoption bodies in one receiving country, France (for more information about the interest, for certain countries of origin, in limiting the number of their foreign partners, see also the Editorial of Monthly Review 2005.5).

The experience of the Court in Rio Grande do Sul manifests the interest in centring the action of a country of origin on the child and in arranging to share responsibilities with the accredited bodies of the receiving countries duly chosen for the adequacy of their proposals of parents to the needs of children eligible for inter-country adoption. It can no doubt motivate other States of origin in their search for cooperative ventures that show more and more respect for the ethics of inter-country adoption based upon the best interests of children.

The collection of Editorials from previous bulletins can be found at the following address: *http://www.iss-ssi.org/Resource_Centre/Tronc_DI/editoriatronc_di.htm*.

Source: Sylvia Nabinger, consultant for the ISS/IRC, Doctor of family law from the Lutheran University of Brazil, family therapist and social worker in the Court for children and minors of Porto Alegre, www.tj.rs.gov.br/. The collection of various works published by S. Nabinger is available at the ISS/IRC. Latest publication : « *La mise en relation de l'enfant et de ses futurs parents dans l'adoption internationale* » (Bringing together the child and his future parents in inter-country adoption) in Ombline OZOUX-TEFFAINE, *Enjeux de l'adoption tardive. Nouveaux fondements pour la clinique* (What is at stake in the adoption of older children. New grounds for clinical study), Erès, Ramonville Saint-Agne (France), 2004, pp.169-188.

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Deportation of Adoptees

Legislations of some countries provide that persons, who were adopted internationally but have not obtained the citizenship of their receiving country, may be deported to their country of origin, under certain circumstances, when being adults. Such practice raises several legal and ethical concerns.

***A**ccording to Canadian law*, foreign adopted children do not automatically receive Canadian citizenship.[1] A specific application for naturalization must be filed. In addition, foreign nationals who are sentenced to more than six months imprisonment may be deported to their country of origin.[2] Thus if adopted children do not obtain Canadian citizenship, they may face deportation if they are sentenced for criminal activities.

This is for example the case of Gilberto Currie, who was born in Brazil on June 6, 1983 and arrived in Canada in November 1987, having been adopted, along with his older brother, by a Canadian citizen. However, he has not received the Canadian citizenship. Gilberto Currie had been convicted in September 2002 on robbery and weapons offences and had been sentenced to two years in jail -already served- and three years probation. Then he was incarcerated again for an offence against the immigration law. Although no criminal charges have been laid against him, Gilberto may soon face deportation to Brazil.

In the past, similar cases also happened in the USA,[3] but this practice was ended through the adoption of *the Child Citizenship Act* of 2000, which is effective since February 2001 and was amended in January 2004. Under this new law, foreign-born children adopted by at least one US citizen automatically acquire citizenship and thus cannot be deported anymore.[4]

Several legal principles conflict, in principle, with the deportation of adoptees from their receiving country because of delinquincy acts.

Guarantee of permanent residency under The 1993 Hague Convention on Inter-country Adoption (THC-1993)

Adoptees deportation is incompatible with THC-1993, which establishes under various provisions that inter-country adoption must result in the permanent residency of the adoptee in the receiving country. Under article 17, "any decision in the State of origin that a child should be entrusted to prospective adoptive parents may only be made if : d) it has been determined, […] that the child is or will be authorized to enter and *reside permanently* in the receiving State". Similarly, article 18 provides that "the Central Authorities of both States shall take all necessary steps to obtain permission for the child to leave the State of origin and to enter and *reside permanently in the receiving State*" (emphasis added).

If the possibility of deportation is foreseen in a country, it means that adopted children, who are not granted citizenship, do not enjoy permanent residency, since they may be obliged to leave the country if they perpetrate criminal offences. *Such possibility is recognition that some adopted children, contrary to THC-1993, only enjoy "conditional residency*".

Non discrimination principle

It is an established principle of international law that "the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption"[5]. A deportation decision clearly infringes this principle, since different punishments may be applied to persons who have gone respectively through inter-country and national adoption processes. *For an identical offence, persons of the first category are subject to a double punishment,* the penal sentence and the deportation, while persons of the second category are only sentenced under criminal law.

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[1] *Citizenship Act* (R.S. 1985, c. C-29), art. 3.

[2] *Immigration and Refugee Protection Act*, Section 36(1)(a), in effect since June 28, 2002.

[3] For example: John Gaul, adopted from Thailand at 4 and forcibly returned at 25. Michael Perry, adopted from Canada at 5 and expelled across the border at 24. Joao Herbert, adopted from Brazil at 8 years and deported at 22.

[4] Sec. 101.

[5] *UN Convention on the Rights of the Child*, art. 21. See also *UN Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with special reference to Foster Placement and Adoption Nationally and Internationally*, art. 20.

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Inhuman punishment

In most cases, the deportation of adoptees may be considered as inhuman punishment, which is prohibited by various human rights conventions.[6] Deported persons are deprived of the proximity of their relatives and friends and excluded from the community and culture in which they grew up and built their social references. They have to develop by themselves new means to ensure their survival without any social connexion or knowledge of local traditions. In most cases, they even do not speak the language of their country of origin. *Thus deportation subjects them to a level of stress and potential dangers, which exceeds the acceptable level of suffering inherent to any punishment.*

Joao Herbert, for example, was adopted when he was 8 years old by US citizens and deported to Brazil in 2000 after his conviction for a drug offence. Joao had no relatives or friends in Brazil and could not speak Portuguese anymore. He died in 2004 after being shot by a group of people in uncertain circumstances.

The right to privacy and family life

Deportation also constitutes a violation of the deportee's and his/her family's right to privacy and family life, which is protected by various international conventions[7]. Deportation usually results in the separation of the person concerned from his/her family. *Even though derogation to the right to privacy and family life may be envisaged, this can be done, only for strictly defined reasons of public order.*

Proportionality of the punishment

Finally, deportation also raises some concerns with regard to the proportionality of the sanction which is applied. Taking into account the aforementioned considerations related to the risks of inhuman punishment and interference with privacy and family life, *the deportation decision and its consequences for the person concerned may be excessive, if compared with the offence committed.* In the case of Gilberto Currie, his probation is not up and he has not been charged with any further criminal matters. Although he served jail punishment for the offence committed he is currently incarcerated for reasons strictly relating to the deportation planned. Under these circumstances, it may be considered that the criminal sanction already imposed on him, and which would be the only one imposed on a Canadian citizen in an identical situation, already meet the public interest consisting in guaranteeing that justice be done.

Therefore, the deportation of adoptees infringes both the letter and the spirit of the international law of adoption and is not generally compatible with some basic human rights principles. On the ethical point of view it can be considered that if a State takes the responsibility to organise the transfer of a child from a country to another one because of his/her adoption by one of its residents, it accepts to assume the future consequences of this decision. *Receiving States concerned should therefore amend their legislation* in order to make sure that all children adopted by their citizens receive automatic naturalization and that, in conformity with THC-1993, these children do enjoy the right to reside permanently in the country.

Sources: ISS-Canada and USA.

[6] See for example *International Covenant on Civil and Political Rights*, art. 7. *European Convention on Human Rights*, art. 3. *American Convention on Human Rights*, art. 5. *African Charter on Human and Peoples' Rights*, art. 5.

[7] See for example *International Covenant on Civil and Political Rights,* art. 17. *European Convention on Human Rights*, art. 8. *American Convention on Human Rights*, art. 11. *African Charter on Human and Peoples' Rights*, art. 18.

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Every year more than 48 million births go unregistered in the world

Birth registration, however, is a right protected by the United Nations Convention on the Rights of the Child. In particular, it enables individuals to have their rights better respected.

Every year some 48 million children are born without being registered any where, according to the latest estimates of UNICEF. In other words, these are almost *36 % of children who come into the world without a birth certificate*, a document whose importance is not always recognized. However, this « piece of paper » is the key to many doors, recalls Plan (an organisation active in favour of the children's rights protection and the improvement of their living conditions) in its report entitled *« Universal Birth Registration – a Universal Responsibility »* published last February.

The birth certificate: an instrument for child protection

The birth certificate is in fact indispensable for acquiring a social security number or an identity card. More fundamentally, it is proof of the legal recognition of an *individual by the State and ensures the individual's rights are better respected.* A child who has no proof of his citizenship risks being excluded from healthcare programmes, not having access to certain social benefits or even to education in countries that require a birth certificate for school admission. Without a birth certificate children also run the risk of being enrolled in prostitution, child labour or under age marriage, even not benefiting from juvenile justice systems.

In the event of illegal adoption, the absence of a certificate paves the way for false declarations about the child's status. For example, there are cases of children declared orphans while their parents are still alive. The absence of a birth certificate also allows them to artificially lower the child's age to make it easier to have them adopted. Thus, such a practice incurs great risks for the child and for his family circle. The adoptee, for example, lives through his puberty earlier in comparison with his peers and can experience real psychological difficulty as a result.

The birth certificate allows one to combat more effectively crime aimed at children. Mali has, for example, introduced regular checks of birth certificates at its borders to combat trafficking in children. With the same end in view, the police in Vietnam can now ask at any moment to check the birth certificate of a child travelling with an adult, either at the border or inland.

In periods of armed conflict birth registration is all the more important since, without a certificate, children will have more difficulties acquiring refugee status, having access to healthcare infrastructures or of claiming their right of residence when they return to their home country. Furthermore, orphaned or abandoned children with no papers will have more difficulties getting themselves legally adopted if need be. To this is added all the problematic situation of child soldiers.

Birth registration: an authentic right

All these consequences, both legal and social, make birth registration an authentic right of the child, one which the United Nations Convention on the Rights of the Child recognizes, moreover, in article 7 paragraph 1, which stipulates: "*The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents".*

Several obstacles however put a brake on the unconditional exercise of this right. The lack of political will of States is one of them, according to the Plan report. The lacks of financial and technical resources, of knowledge, of support or legislative barriers are others.

A programme to galvanize the registration of children

Plan and UNICEF, among others, however do not remain idle in the face of this problem. Thus, in Asia - the region most affected with 63 % of annual births unregistered - in 1998 these two organisations initiated the *Unregistered Children Project*. The first phase consisted of assessing the scale of the problem, of raising awareness of the authorities and the public, of forging national and regional committees for birth registration and in encouraging the mobilisation of resources. The organisations have then intervened at the national, regional and local

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levels with the authorities, communities and children. These actions have not only considerably activated birth registration (even in remote areas thanks to mobile registration units), but they have also made it possible to get recognition of this administrative act as a legitimate right of the child.

Heartened by this success, Plan and UNICEF have launched a similar project in Africa and foresee starting up yet another in America.

The road to universal birth registration is still long and winding. Henceforth Plan calls urgently upon the international community, States and grass root organisations to prioritize the objective.

On this theme, see also the Conclusions of the United Nations Committee on the Rights of the Child analysed in Bulletins 66, 68-69, 71 and 2/2005.
Source : Universal Birth Registration – a Universal Responsibility, Plan Limited, International Headquarters, Chobham House, Christchurch Way, Woking, Surrey, GU21 6JG, United Kingdom ; Tel : +44 (0) 1483 755155 ; Fax : +44 (0) 1483 756505 ; info@plan-international.org; www.plan-international.org.
Document accessible at the address http://www.writemedown.org/research/;
Information about Plan's campaign for Universal birth registration: http://www.writemedown.org

FORTHCOMING CONFERENCES, SEMINARS, SYMPOSIA AND COURSES

- **Germany:** *Xth ISPCAN European Regional Conference on Child Abuse and Neglect*, International Society for Prevention of Child Abuse and Neglect (ISPCAN) and the German Society for the Prevention of Child Abuse and Neglect (GESPCAN), 11-14 September 2005, Berlin. In English and German. Theme of the conference: *New Developments in Science and Practice: Influences on Child Protection*. Up-to-date information on innovative research and practice will help professionals from all over Europe to better understand and more effectively address many challenging facets of the complex problem of child abuse and neglect in modern society. Among topics discussed: Child Protection Systems in Europe, *Young Children in Institutional Care in Europe*, Primary Prevention and Community Intervention, and Abuser and Abused. The conference will be open to professionals from all disciplines involved in child abuse and neglect work, including psychologists, social workers, physicians, educators, legislators and law enforcement officers. Special forums will be devoted to social settings for child abuse, street children in Europe, children with mentally ill parents, *institutional abuse, care giving settings and child abuse,* legal and policy issues, medical diagnosis in child abuse and gender-specific ways of coping with abuse. *Contact:* Conference Secretariat, DGgKV e.V., Konferenzbüro, Mühlendamm 3, 10178 Berlin, Germany, tel: + 49 30 27 49 64 63; fax: + 49 30 27 49 64 62; emails: euroconf2005@dggkv.de (in German) and euroconf2005@ispcan.org (in English); www.ispcan.org/euroconf2005.

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