WEBINAR #4: CHILD’S RIGHT TO IDENTITY IN ALTERNATIVE CARE

1 JULY 2021

This webinar will begin momentarily.
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This webinar is part of a series of webinars from the Transforming Children's Care Global Collaborative Platform.

The platform establishes more strategic sector-wide collaboration.

Sign up at the link in the chat to join the platform and receive updates about future webinars.
• This webinar is being recorded and the recording will be made available to you (with Spanish and French subtitles).

• Introduce yourself in the chat (select “Panelists and Attendees” when sending a message so everyone can see it)

• Use the Q & A to ask questions and upvote and comment on the questions of other attendees.
Maud de Boer-Buquicchio, President of Child Identity Protection
AGENDA

- Introduction to the webinar and the issue of children's right to identity - Maud de Boer-Buquicchio, President of Child Identity Protection

- Panelist presentations/discussions
  - Cornelius Williams, Programme Division UNICEF
  - David Smolin, Center for Children, Law, and Ethics, at Cumberland Law School, Samford University
  - Maeve O’Rourke, Irish Centre for Human Rights, School of Law, National University of Ireland Galway
  - Lynelle Long, InterCountry Adoptee Voices (ICAV)
  - Ann Skelton, University of Pretoria and CRC Committee member

- Q & A
Every year millions of children are deprived of their identity. Millions are not registered at birth and even when they are, fundamental information is missing about their origins, such as who is the child’s mother or father.

- Article 8 of the CRC and history (Argentina)
- Article 8(1) right to identity including name, nationality and family relations
  - Name (birth registration)
  - Nationality (prevention of statelessness)
  - Family relations “added” (broad interpretation “family”)
- Article 8(2) States have an obligation to speedily restore missing and/or falsified elements
- Right to identity provides protective lens whenever child is separated from family relations - child soldiers, child marriage, child labour, alternative care, adoption, ART etc.
• Alternative care and adoption
  • even if children grow up in a loving family, something fundamental missing, if they
don’t know their origins
  • preserve identity by considering solutions that allow continuity in a child’s
upbringing and to the child’s ethnic, religious, cultural and linguistic background
(Article 20(3))
  • maintain family ties through prevention, family reunification etc (e.g., Articles 7,
9-10).

• Session one: Article 8(1) preservation of identity in alternative care
  • ensure all families have access to birth registration
  • recording all information during birth registration.
  • prevent child laundering and “paper orphans” in residential care
  • adoption is a profound modification of child’s identity – not to be prioritised in
emergency situations

• Session two: Article 8(2) restoration of missing and/or falsified identity
  • enquiries, archives, apologies and remedies etc.
  • complaint mechanisms
PANEL
DISCUSSION
CORNELIUS WILLIAMS

Associate Director & Global Chief of Child Protection, Programme Division UNICEF
The importance of birth registration and recording all information about a child’s family relations
David Smolin

Harwell G. Davis Professor of Constitutional Law, and Director, Center for Children, Law, and Ethics, at Cumberland Law School, Samford University
The ways in which actors may be involved in falsifying a child’s identity so that they become “paper orphans”
LYNELLE LONG

Vietnamese adoptee born in the early 70s, Founder of InterCountry Adoptee Voices (ICAV)
Lifelong Impacts Of Identity Loss

InterCountry Adoptee Voices (ICAV)
I’m stateless with no country. I have never felt grounded or a sense of stability. Never felt like I fit in anywhere…. I struggle with relationships & dating due to fear of abandonment.
An absence of belonging, in particular, culturally. I will never fully belong to one culture or another. One family or another.

Marie Gardom
Susan Devan
Harness

I feel like an imposter - we get it from all sides - for me - too white to be Indian; to Indian to be white. If I allow others to define me, I will never have a place to land. I'm still actively reminded by "real" Indians what I don't know, and therefore, cannot communicate about. As if "real" and "fake" are the only two descriptions that are acceptable.
Loss of identity is loss of self. Throughout our lives, we have been forced to find ourselves and re-claim our identities in a society where we are asked to choose one identity over the other. Loss of culture, language, history, norms take more than a lifetime to regain. Since my teen years, I have worked at reclaiming the identity of my birth culture, but I will never be able to completely re-claim it.
Knouns and Unknouns.

Trying to determine whether this fragment of story and that fragment of document and this fragment of photograph and that fragment of history connect or disconnect or what? And whether it matters to try to figure out the connections and disconnections.

The overlapping and creating and dismantling and undoing and discovering of both personal and collective histories feels powerful and overwhelming,
The person my mother gave birth to that day died when I was separated from my mother and then assumed a new identity. I'll never know the original version of myself. I feel broken because of my adoption. Everywhere I go I feel like I don't fit in.
Entering senior citizenship with so many lingering questions about my adoption story, I wonder if I'll ever feel as if I fit in anywhere.

Paula Sabbia
I didn't just lose an identity, I was given one that never fit.

As a late discovery adoptee, to finally know why it never fit was a relief. At the same time, whatever identity I had suddenly shattered.

It's difficult to put something back together when there's nothing there to grab a hold of. I don't know anything about my true and first identities. Where I'm from. Who I belong to. What I look like, etc. All things that would shape an identity.

The lifelong impact is that I will always have a hole in my identity from what is missing, and a part of it will always have a stain from the lies and deception.
Thank you for listening!
Q&A
Barrister and Lecturer in Human Rights at the Irish Centre for Human Rights, School of Law, National University of Ireland Galway
Why is archiving and record keeping so important in cases of abuse in alternative care?
ANN SKELTON

Professor of Law at the University of Pretoria and CRC Committee member
Observations and recommendations and OPIC jurisprudence related to alternative care and identity
THANK YOU FOR JOINING!

Please see the chat box for a link to learn more about the Transforming Children’s Care Global Collaborative Platform and find out how to join.

And visit www.child-identity.org to learn more about CHIP and their work.

We will be sending you a link to the webinar recording and slides in a follow-up email shortly. If you have questions, comments or recommendations for future webinar topics, please send them to:

contact@transformcare4children.org