



**CHILD
IDENTITY
PROTECTION**



HCCH

Connecter Protéger Coopérer Depuis 1893
Connecting Protecting Cooperating Since 1893

Child's Right to Identity & HCCH Child Protection Conventions

Child's right to identity in family relations
Online symposium
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HCCH Work Programme

- Parentage / Surrogacy Project
- 1993 Adoption Convention
- 1980 Child Abduction Convention
- 1996 Child Protection Convention
- 2007 Child Support Convention

General Child's Right Framework in HCCH Child Protection Conventions



Implementing key provisions of UNCRC, such as:

- best interests of the child (Art. 3)
- right of the child to be heard (Art. 12)

Implementing other UNCRC provisions that help children in cross-border situations to:

- preserve and access their identity, including their origins and their family relations (Art. 8)



Parentage / Surrogacy Project

A possible future instrument on legal parentage would assist with:

- the cross-border recognition in one State of legal parentage established in another State
- thus, helping children maintain their family ties
- which will ensure, among other things, access to, and preservation of, identity



1993 Adoption Convention

Protects children and assists in the preservation of their identity by:

- Establishing **safeguards** against the abduction, sale or trafficking of children
- Ensuring the implementation of the principle of **subsidiarity**
- Preserving **information**
- Ensuring the **access to origins**



1980 Child Abduction Convention

Protects children and assists in the preservation of their identity by:

- Preventing the wrongful removal or retention abroad of children (see Art. 11, UNCRC)
- Ensuring their prompt return to their State of habitual residence (see Art. 8, UNCRC)
- Assisting children in keeping contact with both parents (see Arts 9 and 10, UNCRC)

1996 Child Protection Convention



Protects children and assists in the preservation of their identity by:

- Assisting with the **recognition and enforcement** across borders of **measures of protection** concerning children, including:
 - parental responsibility,
 - custody rights and access rights
- Assisting children in **keeping contact** with both parents

1996 Child Protection Convention



Protects children and assists in the preservation of their identity by:

- Assisting with the **placement abroad** of children in a foster family, or the provision of care by *kafala* or an analogous institution, taking into account the child's best interests

This may assist **re-establishing the identity** of a child where a child has been illegally deprived of some or all of the elements of their identity

1996 Child Protection Convention



Protects children and assists in the preservation of their identity by:

- Assisting with the protection of unaccompanied and separated children
- Assisting with the location of their parents or other members of their family
- Allowing for urgent or provisional measures of protection to be taken in the Contracting Party on the territory of which the child is present where, for instance, they have been trafficked across borders.

2007 Child Support Convention



Protects children and assists in the preservation of their identity by:

- Establishing rules for the effective international **recovery of child support** and other forms of family maintenance
- Assisting with the **establishment of parentage** for the purpose of maintenance recovery
- Assisting children in **keeping contact** with both parents



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Thank you for your kind attention

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