

2022



ANNUAL REPORT



CHILD
IDENTITY
PROTECTION



Foreword

2022 saw Child Identity Protection (CHIP) turn two and like any child at this age, its evolution was fast-paced, its voice became clearer and multiple milestones were met. While still a new actor on the international scene, this Annual Report clearly shows what can be achieved by a relatively modest but dedicated team.

Together, with its partners, CHIP made sure that the child's right to identity became more visible and a greater priority for the United Nations bodies, States and civil society at large.

Through its cutting edge research on under-explored themes, such as the importance of identity in family relations, and background work for the establishment of a legal atlas on birth registration laws, CHIP contributed to the full preservation of the child's identity.

Moreover, CHIP led advocacy and policy work on challenging issues such as the placement of siblings in alternative care, child parental abduction, illegal adoptions, surrogacy as well as children on the move, providing professionals with concrete recommendations for better alignment with children's rights. Thousands viewed its publications, Experts CHIP in series, webinars and dissemination of news to equip them in their daily work via its website in English, French and Spanish. The team also contributed to the UN treaty body mechanisms including engagement

with UN CRC Committee, UNICEF and UNHCR. CHIP equally provided specialised support to governments and professionals, through various mandates.

As a result of CHIP's work and collaboration with multiple stakeholders throughout the past year, there is a definite growing awareness that we can no longer ignore children's right to identity. To do so, would lead to generational damage. We must continue to work on ensuring the preservation of identity and speedy restoration when elements are missing for the full and harmonious development of all children. We owe it to society to ensure that every child can enjoy this right to identity and know their origins.

Maud de Boer-Buquicchio,
President
March 2023, Geneva

CHIP, probably the only international organization that works comprehensively throughout the world in the area of a child's right to his/her identity and nationality.

In an age where many children are displaced by migration, poverty, war and other causes, their work is of great importance. By its very nature, it relates significantly to birth registration. CHIP is based in Geneva and does much work for the UN and other international organisations like UNICEF.

Justice Vui Clarence Nelson,
Member from the Pacific Region
on the UN Committee on the Rights of the Child



Introduction

Children's right to identity – a gateway to other fundamental rights - and to know their origins is still not a reality today.

Throughout 2022, it continued to be challenged where for example, universal birth registration is far from being achieved in many countries, as 237 million children in the world under five do not have a birth certificate; thousands of children are stateless; millions of children can not enjoy and/or know their family relations and connected identity; many

children suffer from the lack of mechanism to re-establish missing and/or falsified elements of their identity.

Lack of identity can have grave consequences (medical, legal, psychosocial etc.) into many generations as often voiced by groups such as adoptees and donor conceived persons. Such risks and consequences are aggravated in emergency settings.

In this context, CHIP's research, advocacy and technical assistance projects contributed to achieving SDG 16.9 (legal identity for all by 2030) and a broader understanding of the importance of having a complete identity. To this end, CHIP launched its signature publication Preserving

"family relations": an essential feature of the child's right to identity, and pursued its cooperation with the UN Committee on the Rights of the Child.

It also collaborated closely with the Government of Flanders (Belgium) and with key child protection partners (e.g. Child Rights Connect, the Hague Conference on Private International Law (HCCH), the Institute on Statelessness and Inclusion (ISI), the International Conference on Civil Status ICCS, the United Nations Refugee Agency (UNHCR), the United Nations Children's Fund (UNICEF), University of Geneva, as well as Espace A). Finally, CHIP was honoured to be granted its observer status at the HCCH, which enabled it to participate in the Special Commissions on the implementation of two Conventions relevant to the protection of the children's right to

identity as detailed below. Moreover, CHIP's team with the University of Geneva conducted a research regarding foster care in Switzerland, in the framework of the Swiss National Science Foundation's PNR 76 programme.

As a result of these initiatives and collaboration, in 2022, CHIP facilitated the growing recognition of the children's right to identity at international, regional and national levels as outlined in this report.

Your Child Identity Protection team

1. Today's situation & perspectives

36,5 million children

displaced by the end of 2021 (UNICEF, 2022), thereby at risk of losing their identity and being separated from their families.

Adoptions from Sri Lanka: pilot project to support adoptees: 16.05.2022.

“The Swiss Confederation and the cantons are participating in a pilot project to help adopted persons from Sri Lanka trace their roots”
admin.ch

One in four children under the age of five **do not officially exist.**

(UNICEF, May 2022)

“When illegal adoptions occur, various human rights are violated, including the rights of every child to preserve their identity”

2022 Joint Statement on Illegal Intercountry adoptions : UN Human Rights Treaty Bodies.

SDG Goal 16.9:

By 2030, provide legal identity for all, including birth registration indicator

Article 7 of the Convention on the Rights of the Child

1. 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.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8 of the Convention on the Rights of the Child

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

‘ (...)Some delegations were of the view that denial of access to information should be considered an illicit practice not only where denial of access is unlawful but also where denial of access is unjustified. Others were of the view that, considering the importance of the right to identity, any denial of access should be considered an illicit practice.’

Conclusions & Recommendations adopted by the Fifth Meeting of the Special Commission on the Practical Operation of the 1993 Adoption Convention (2022)

‘To be guaranteed special protection as children and recognised as human rights holders, children first need to be recognised as persons. [...] To be recognized as a person before the law, the right to identity is key.’

Mikiko Otani,
Chair of the United Nations Committee on the Rights of the Child

The testimony of former stateless child Daniela Lima Rodriguez underscored the angst and trauma faced by children deprived of identity, specifically nationality, constantly asking themselves

**“Who am I?” and
“What am I supposed to be?”.**

In 2021, **only 72% children under one** worldwide were registered at birth (UNICEF May 2022). Over 166 million children are not registered and 237 million children under 5 do not have a birth certificate. (UNICEF 2019)



2. Mission, activities & outcomes

The **MISSION** of CHIP is to:

- Spearhead prioritising of identity rights in “family relations” on the international, regional and national scene, to ensure that every child is visible;
- Achieve universal birth registration and accurate documentation;
- Promote the restoration of identity when elements are missing and/or falsified.

CHIP undertakes this mission through the following **ACTIVITIES**:

- Research
- Advocacy and policy development
- Technical assistance to countries
- Engagement with human rights mechanisms
- Events and training

2.1 Research

CHIP carried out research to better understand the issues related to its mission and to identify promising practices that respond to existing challenges.

Launch of CHIP's publication: Preserving “family relations”: an essential feature of the child's right to identity.

Supported by UNICEF and benefiting from input from leading experts, CHIP's signature publication is the first research focusing on children's right to identity and family relations, and acts as a global advocacy tool to protect this right. To date, **the publication has been downloaded by more than 1800 persons.**

Legal Atlas on birth registration mandated by UNICEF.

CHIP started the development of a Legal Atlas that captures the relevant laws pertaining to birth registration laws in 30 countries. Further countries will be explored throughout 2023. This Legal Atlas **reflects progress and challenges in terms of laws, policies and practices and raises awareness about positive legal developments that can inspire other countries.**

Ongoing research on coercive decisions in Switzerland, with a focus on foster care placements, for the Swiss National Science Foundation (PNR 76).

In collaboration with the University of Geneva, Centre for Children's Rights Studies (UNIGE/CCRS) the preliminary findings of this research initiated in 2021, were presented at the inaugural conference of the Swiss Network for Law and Society, as well as at the 11th International Foster Care Research Network Conference. The research concluded in February 2023 and will **facilitate the alignment of the Swiss foster care system with international standards, by offering concrete recommendations.**

International research on quality alternative care.

CHIP, together with SOS Children's Villages, UNICEF and the Inspiring Children's Futures within the University of Strathclyde, are members of a taskforce initiating international research on the well-being of children and young people in care, including indicators on the preservation and restoration of the children's identity. The taskforce met with steering group members, including members of the Committee on the Rights of the Child, academics, practitioners and young people and further work is envisaged for 2023 and onwards.

Research on the children's right to identity in surrogacy in international handbook.

Two Chapters, drafted by CHIP experts, are part of an international handbook that tackles surrogacy from different perspectives. The Chapters contribute to a better understanding of how the right to not be sold and identity rights, should be safeguarded in these arrangements. The Research Handbook on Surrogacy (eds. Katarina Trimmings, Sharon Shakargy & Claire Achmad; Edward Elgar Publishing Ltd) will be published in 2023.

2.2 Advocacy and policy development

CHIP has worked with multi-agency partners to showcase promising practices, tools and resources for professionals and general public.

Launch of new 'Expert CHIP-in' videos.

These short videos reflect the views of leading experts and persons with lived experiences on pressing issues. During 2022, over 30 videos were launched, addressing birth registration, nationality, family relations, child participation as well as the protection of the identity of asylum-seeking children, those born through surrogacy and those adopted, etc. **By the end of 2022, these videos had been downloaded over 25,000 times.**

Dissemination of relevant internal and external news.

Available in three languages on CHIP's website, the latest developments relevant to identity issues are published periodically on CHIP's website and widely viewed (**over 40,000 downloads in 2022**) and disseminated through CHIP's social media networks.

Policy Briefs on children's rights to identity.

CHIP published three new Policy Briefs on the children's right to identity in alternative care, in parental child abduction cases and in relation to the placement of siblings in care. **These publications were widely downloaded with over three thousand views and contribute to a better understanding of the children's right to identity in specific circumstances.**

UNICEF-CHIP Briefing Note on children's rights and surrogacy.

UNICEF and CHIP identified key considerations for children's rights and surrogacy and recommended the preservation of information concerning surrogate mothers and donor(s). **This briefing note is the first time that UNICEF has officially taken an official position on surrogacy and is being resorted to by certain governments to develop frameworks that would be compatible with children's rights.**

Inputs to the HCCH Special Commission on the practical operation of the 1993 Adoption Convention.

CHIP participated as an observer at the Special Commission in July 2022, which provided a unique opportunity to ensure that practices are aligned with international standards. **CHIP broadly supported the documents prepared for this Commission and welcomed the systematic inclusion of identity rights.** Furthermore, CHIP also attended the Special Commission on the practical operation of the 2007 Child Support Convention and on the 2007 Maintenance Obligations Protocol, which was held in May 2022.

Contribution to the Council of Europe's report on the 'Protection and alternative care for unaccompanied and separated migrant and refugee children'.

This report, submitted by rapporteur Mariia Mezeneseva, benefited from inputs from CHIP, which ensured the inclusion of international and regional standards as well as case-law and promising practices. It identified remaining challenges relating to the protection, care and identity of these children. It included a specific part on the situation in Ukraine. **The report and its resolution were approved by the Committee on Migration, Refugees and Displaced Persons and at the plenary session of the Council of Europe's Parliamentary Assembly.**

Raising awareness of identity risks for children in and from Ukraine.

CHIP co-sponsored a number of inter-agency "calls for action" for better protecting children's rights led by the UN and/or civil society such as a resolution at the Human Rights Council, by making sure that identity rights were included. CHIP also included the voice of affected children through its webinar (see below) by showcasing their drawings about life challenges during the war and their need to be protected within their family.

2.3 Technical assistance to countries

At domestic level, CHIP has worked with countries to better safeguard children's right to identity. Community of Flanders (Belgium) – Research on the children's right to identity in intercountry adoption.

CHIP worked with the Flemish Government to ensure that current intercountry adoptions are conducted ethically by researching the laws, policies and mechanisms relating to access to origins in 21 countries, including potential responses to illicit practices. **This research supported the Flemish Central Adoption Authority in prioritising cooperation agreements with States of origin that fully protect the children's right to identity. The Flemish Government press release:**

"Opgroeien [government agency] drafted a detailed decision framework based on the outlines set by the Flemish government. International organisations with expertise in youth protection and children's rights such as UNICEF, International Social Service (ISS) and Child Identity Protection (CHIP) were called in to provide as accurate a picture as possible of the ICA cooperation in each country of origin. (...). Five countries were part of the first screening round: Continued cooperation with Portugal, Colombia and South Africa. Cooperation with Kazakhstan will require a working visit before a final decision can be made. For the time being, only very limited contact could be established with the relevant authorities in the country. In the meantime, cooperation continues, pending further clarification. With Vietnam, cooperation is being suspended because there are insufficient guarantees that the rights and interests of children eligible for adoption and their families are safeguarded (...)"

Ireland – Inputs on the right to identity in surrogacy arrangements and access to origins.

Maud de Boer-Buquicchio, President of CHIP, among other organisations, spoke before Ireland's Joint Committee on International Surrogacy, introducing concerns relating to the sale of children and the preservation of origins. Furthermore, a legal opinion was prepared in the framework of the discussions on the Irish *Birth Information and Tracing Bill 2022* and its compatibility with international standards to be used as an advocacy tool by professionals in Ireland.

Mexico – Contribution to a course on new developments in Law and Family.

In the framework of the diploma offered by the country's Supreme Court of Justice, CHIP led a module focusing on children's right to identity in family relations, in particular in the context of adoption. Exchanges took place with 170 professionals of the country's Judiciary on the latest developments and trends at international level in family law and on cases arising at country level.

2.4 Engagement with human rights mechanisms

CHIP fed into human rights mechanisms to ensure that States better respect international conventions. Cooperation with the UN Committee on the Rights of the Child (CRC) – Submission of factsheets on the children's right to identity and identity-focused briefing.

In the context of the periodic examination of countries' implementation of the Convention on the Rights of the Child, CHIP supported the dialogue undertaken by the CRC with each country's delegation by providing 12 brief factsheets focusing on children's right to identity in partnership with local contacts in all regions (Azerbaijan Djibouti, Cambodia, Canada, Chile, Greece, Ireland, Madagascar, The Netherlands, Philippines, Ukraine, Vietnam).

These factsheets are intended to ensure that key issues related to children's right to identity are addressed during the dialogue with the country and that they are reflected in the CRC's concluding observations. In addition, CHIP, together with UNICEF, UNHCR and ISI, met with the CRC for a briefing session, during which these organisations raised issues and concerns relating to the right to identity.

Strengthening of the right to identity on the UN agenda.

CHIP and ISI pursued efforts to convene a **group of** approximately 15 international organisations (e.g. UN agencies, international NGOs and groups of persons with lived experience) **working on the children's right to identity**, centralising expertise on birth registration, nationality and family relations. This group also hosted a webinar on the children's right to identity in emergency settings (*see below*).

Likewise, CHIP contributed to the drafting and adoption of the **Human Rights Council's 2022 resolution on family reunification**. With other civil society organisations, CHIP worked to develop the text of the resolution, which recognised the importance of preserving the children's right to identity in family relations. **This is a very positive outcome for the recognition and enjoyment of the right to identity in a variety of domestic and inter-country family situations.**

CHIP engaged with UNICEF Innocenti Office of Research and Foresight **2022 Leading Minds Conference**.

CHIP participated in the panel on the children's right to identity and State obligations, stressing the need to build on legal identity to ensure that other identity rights, such as family relations, are well protected.

CHIP also participated in the establishment of a **new Global Alliance to End Statelessness**, led by UNHCR, ensuring that children's perspectives are captured in the vision, mission and key priorities of this new Alliance.

Inputs to publication aimed at strengthening implementation of UN resolutions.

CHIP collaborated on the development of the guide *How to Use United Nations Human Rights Resolutions to Advance Children's Rights*, including illustrating a practical example of how to use the UN resolutions to promote the children's right to identity. This guide aims to enable civil society practitioners to make the most of human rights resolutions adopted by the UN to advance children's rights at country level, through a step-by-step plan of action, case studies and practical tips and tools.

Support to persons and advocates with lived experiences.

As part of Voices Against Illegal Adoption (VAIA)'s process before the United Nations, CHIP added its perspective and offered inputs to documents submitted by this coalition, which contributed to a Joint Statement about illegal intercountry adoptions by various human rights committees, including a focus on the prohibition of abduction, sale, trafficking, enforced disappearances and falsification of children's identities and their impact on adoptees' right to identity.

2.5 Events and training

CHIP – with a wide range of partners – equipped professionals with shared knowledge and training as well as by ensuring the voices of persons with lived experiences are central.

Hybrid Symposium on Every Child's Right to Identity and Health.

This event explored the scope of the right to identity and (physical and mental) health as well as the interactions between access to health and birth registration, nationality and family relations.

Professionals and experts from several countries participated in this event, which was attended and subsequently viewed by over 1,400 persons.

Virtual Symposium on the Child's Right to Identity in Emergency Settings.

ISI, CHIP and other supporting organisations, convened a symposium, which examined how children's right to identity are undermined in emergency settings, the increased risk of statelessness and the need for urgent action on repatriation, reintegration and reunification of children affected by armed conflict. **As the event sought to identify best practices from the field and stimulate further action on these issues, over 100 persons attended the event online and it subsequently received an additional 1,000 views.**

Initiatives with the academic sector.

In the framework of the **University of Geneva – Centre for Children's Rights Studies'** Master of Advanced Studies in Children's Rights, CHIP presented on identity issues related to intercountry adoptions. Furthermore, CHIP hosted the 2022 cohort of students of the **University of Leiden's Advanced LLM in International Children's Rights**, sharing CHIP's international activities to promote children's rights to identity during their field mission to Geneva. Additionally, coordinated by the UNIGE/CCRS and IDE, the development of a **Massive Online Open Course (MOOC) focusing on children's rights in Switzerland** started in 2022. CHIP is part of the steering committee, which will validate the content of the six modules, speakers and dissemination of this training.

Contribution to EurAdopt's conference on sustainability of intercountry adoptions.

Co-hosted by Danish International Adoption, EurAdopt held the 14th edition of its conference with 180 participants from over 30 countries. CHIP presented the States' responsibility to preserve and restore the identities of adoptees.

CHIP was encouraged to see the overwhelming agreement that identity rights are an integral part of the sustainability of any intercountry adoption.

Joint projection of the film *Juan* in Geneva, Switzerland.

CHIP organised, with the Geneva-based association Espace A, the screening of the documentary *Juan* and hosted a round-table discussion, attended by adoption professionals and adoptees. This event addressed the challenges and issues at stake in any process of restoration of identity for adoptees, who have been victims of irregular procedures, and reflected the needs of each of the parties involved and the importance of quality professional support.

'Merci à CHIP pour cette opportunité de projection et discussion autour du documentaire qui explore les questions identitaires dans la recherche des origines. entreprise par Jean. Jean et moi avons été particulièrement touchés par la qualité des interventions des invitées et des échanges avec le public.'

Louise Heem,
réalisatrice du documentaire *Jean*

Participation in Fondation Brocher's Meetup Sessions.

CHIP had the privilege of participating in the 2022 Brocher Meetup to discuss the navigation of the surrogacy labyrinth and its ethical, legal and psychological dimensions for children.

OUTCOMES AND IMPACT

CHIP's activities are contributing actively to promote and defend children's right to identity (Arts 7 and 8 of the Convention of the Rights of the Child) at international, regional and national levels through :

Awareness raising among professionals and general public:

More visibility on the right to identity on the international agenda through human rights reporting;

Awareness raising efforts and sensibilisation of the general public through videos and news shared on the website and social media.

Knowledge transfer activities:

Research, advocacy, technical assistance and events have increased the knowledge and facilitated the dialogue about thematic issues, progress, challenges and trends relating to the **implementation of children's right to identity in situations of conflict, migration, adoption, surrogacy and birth registration**;

Intergovernmental and multi-organisational debates have benefited from the sharing of **promising developments** such as twinning with health and education sectors to improve birth registration;

Interested governments have benefited from research undertaken by CHIP on issues such birth registration, foster care, adoption, migration systems, surrogacy, access to records from the perspective of children's right to identity and origins.

Training of professionals:

Professionals from multi-disciplinary background: improved access to cutting edge issues related to identity;

Promising practices and potential responses have been identified and widely disseminated to ensure the creation, preservation and restoration of children's identity.

Development of a network focused on dialogue between stakeholders:

Partnerships with intergovernmental bodies, civil society and other key actors and persons with lived experiences have proven essential to an increasing global recognition of key identity issues.



3. Human & financial resources

3.1 Human resources

CHIP's team offers the commitment, knowledge and professionalism of each of its members to the delivery of the organisation's activities and is currently composed of Christina Baglietto, Laurence Bordier, Mia Dambach, Siena-Sophia Demetriou, Cécile Jeannin and Gisela Sin Gomiz. During 2022, CHIP's team also benefitted from the support of, and would like to thank, its interns: Betina Borisova, Vanessa Cordeiro, Greta Faieta, Mahli Knutson and Alexandra Levy.

CHIP would not be able to deliver its mission without the ongoing guidance, time and support of the association's **Executive Committee members**: Maud de Boer-Buquicchio (President), Gregoire Bordier (Treasurer) and Wanchai Roujanavong (Secretary).

CHIP is also very grateful for the valuable input and advice shared by its **Special Advisers**: Dr Claire Achmad, Eda Elizabeth Aguilar Samanamud, Dr Nigel Cantwell, Prof. Patricia Fronek, Dr Chrissie Gale, Prof. Olga Khazova, Lynelle Long, Rosa Maria Ortiz, Prof. Dainius Puras, Prof. David Smolin, Dr Katarina Trimmings and Dr Michael Wells-Greco.

CHIP would like to acknowledge and thank its international and local **partners**, who it looks forward to future collaboration, in particular Espace A, ICCS, ISI, UNHCR, UNICEF, University of Geneva/CCRS and the many organisations led by those with lived experiences.

CHIP would also like to thank its **donors and volunteers**, in particular the Fondation Brocher, Fanny Salmon (translations) and Olivier Jeannin (IT support).

A huge thank you to all the organisations and individuals, who help us safeguard the children's right to identity in 2022!

3.2 Financial resources

During 2022, CHIP received funds from project partners, private donors, and a private foundation.

Thanks to these funds, a modest compensation was available to team members. Some team members were also compensated for their work in the framework of the Swiss National Science Foundation's PNR 76 programme, which was coordinated directly by the University of Geneva and is therefore not reflected in CHIP's 2022 accounts.

The overall balance sheet for 2022 is satisfactory as it reflects the association's goals for the year, in terms of income from projects and private donations. The year 2022 ended with a positive balance.

This financial situation represents continuity from the 2021 accounts, which were unanimously approved at the General Assembly in May 2022, upon the recommendations issued by external auditors Chantal Saclier and Evelyne Chappuis, to whom CHIP is very grateful for their support and reporting efforts. CHIP would also like to thank Ferial Monnard and Alexandre Brand for their meticulous accounting work for the association throughout the year.

Financial Accounts December 31, 2022





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