



## Ukraine and other affected countries : protecting all rights of children, including their right to identity

In emergency situations such as that of Ukraine at present, among the many dangers that children are facing is separation from their parents or movement to an ostensibly safer location, sometimes outside their country and without family members. When this occurs, access to basic services is compromised and children are at heightened risks of sale, trafficking, exploitation, recruitment and use in armed conflict and death. Likewise, children's right to preserve their identity (including birth registration, name, nationality and family relations) is at special risk through lack of access to civil registries, inadequate attempts to maintain contact and return them to their families, as well as lack of attention to ensuring that documented evidence of their identity accompanies them if they are moved elsewhere, as required under international guidelines.

Child Identity Protection (CHIP) therefore advocates for all national and foreign entities to prioritise peace, safety and protection measures that enable children to remain with or return to their families whenever it is in their best interest. Displacement should be fully prepared, supported and carried out in compliance with international standards to safeguard all elements of identity.

Whenever separation and/or displacement occurs, immediate efforts should concentrate on maintaining contact with the child and their family and eventual reunification whenever in their best interest, to protect the child's right to identity and family relations. Given the significant number of children in alternative care, particularly in residential care, specific attention should be given to preserving the identity of this vulnerable group.

Long-term decisions as to the extra-familial care of a child, such as adoption, must never be made during or in the immediate aftermath of the emergency, as this can cause, among other things, the arbitrary and unwarranted modification of a child's identity in violation of international law. Any modifications to a child's identity including legal parentage and/or parental responsibility should be subject to a best interest determination with minimum safeguards including long term considerations. For example, such safeguards are essential for protecting children born through surrogacy, who are at greater risk of rights violations in conflict situations, including abandonment as well as deprivation and/or sale of their identity.

CHIP encourages all efforts to ensure that all children's rights are protected in Ukraine and in affected countries, especially the preservation of identity, including birth registration, name, nationality and family relations.

### Additional references :

- [UNICEF/UNHCR position paper](#)
- HCCH position paper ([www.hcch.net](http://www.hcch.net))
- [Special Representatives of the Secretary General for Children and Armed Conflict and on Violence Against Children](#)
- [Ukraine Response Protection Snapshot, 25 February - 1 March 2022](#)
- Child Identity Protection Policy Briefs
  - [Child's right to identity in intercountry adoption](#)
  - [Child's right to identity in alternative care](#)
- [Changing the Way We Care](#)

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