CONVENTION ON THE RIGHTS OF THE CHILD AND 3RD-PARTY REPRODUCTION IN ART

H. Konecna 1,*, C. Menzies 2, M. Petranosová 3

1ADAM CZECH REPUBLIC, NGO PATIENT ORGANISATION + UNIVERSITY OF SOUTH BOHEMIA, 2ADAM CZECH REPUBLIC, NGO PATIENT ORGANISATION, Ceske Budejovice, Czech Republic, 3Slovak Academy of Science, Bratislava, Slovakia

Do you have a preferred presentation method ?: Oral
Would you like to take part in the Under 34 Competition ?: No

Problem statement: In 1989 the Convention on the Rights of the Child was adopted by almost all countries. The Article 7 of the Convention states the child’s right to know his/her parents and the Article 8 states the obligation of all countries to respect the right of the child to preserve his or her identity. The Committee on the Rights of the Child (CRC), established as part of the Convention, meets regularly to oversee compliance with contractual obligations of countries. In the recent years the Committee has had objections towards many countries for not complying with Articles 7 and 8. It is also a problem in anonymous gamete donation.

Methods: Qualitative content analysis and discoursive analysis of ethical, legal, psychological, ... texts and other expert studies.

Results: Reasons for open identity are summarised in literature in this way: 1. The medical aspect 2. The identity aspect 3. The relational aspect 4. The parental disclosure aspect. The main (only) reason for abolishing anonymity in gamete donation is the identity aspect. There are two conceptions of identity: “essentialist” and “constructivistic”. Modern philosophy, sociology, anthropology, psychology and other humanistic disciplines are inclined towards identity as changeability created by social interactions. The majority of documents about open identity in 3rd party reproduction interpret explicitly the child’s rights stated in Article 7 and 8 of the Convention, as the child’s right to know his or her genetic origins, though. Furthermore, open identity doesn’t consider the importance of “attachment theory”.

Conclusion: Open identity does not solve the complicated situation. It simply creates a different situation, replete with no less substantial issues relating to perceptions of the essence of interpersonal relationships generally and in non-genetic families specifically.

Disclosure of Interest: None Declared