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OPINION | ELIZABETH BARTHOLET AND PAULO BARROZO

US can save children by upholding international adoption rights



MIGUEL MEDINA/AFP/GETTY IMAGES/ FILE 2014

Children at an orphanage in the Central African Republic.

By Elizabeth Bartholet and Paulo Barrozo MAY 24, 2016

Republican Representative Tom Marino of Pennsylvania and Democratic co-sponsors David Cicilline of Rhode Island, Jim McDermott of Washington, and Brian Higgins of New York introduced a bill last week that would put the United States in the position of supporting — rather than undermining — the human rights of children worldwide. It is a simple bill, consisting of only a few lines of text and requiring no new resources. But it would have a profound effect on one of the most significant human rights crises of our time.

The bill would essentially tell the State Department to stop discriminating against children through its refusal to consider the violations of human rights inherent in their unnecessary institutionalization.

Many millions of children worldwide are now locked into institutions for no fault of their own, simply because they have been abandoned, or removed from their parents because of maltreatment. There are good homes waiting for many of these children if only nations would free them up for adoption. Currently, most of these homes are available only across national borders, since institutionalized children generally live in the poorest and most devastated countries of the world, where few families can afford to take in additional children to parent. Few of these countries have any culture of domestic adoption.

But countries regularly shut down international adoption, or create barriers that restrict it to only a lucky few. Unfortunately, the State Department has in recent years joined with other forces to limit international adoption as a meaningful option for unparented children. The result has been the precipitous decline by 75 percent in the number of adoptions into the United States since 2004, and by more than 50 percent in the number international adoptions worldwide. This represents the deliberate and unnecessary denial to well over 20,000 children per year of their most fundamental human right other than life itself — the right to grow up with nurturing parents.

This bill would put the United States in the position of standing up for the human rights of unparented children. It would put us in the position of calling out the human rights violations involved in condemning children to the destruction inherent in growing up in institutions.

Gold standard social and medical science demonstrates how institutions destroy children mentally, physically, and emotionally. It demonstrates that there is a sensitive period in early life after which, even if children are removed from institutions, it is much harder to undo the damage done. The evidence also demonstrates that placement in adoption, whether in the country of origin or abroad, works wonderfully well to help children make the most of their lives.

This bill is supported by a coalition representing academic experts in human rights and child welfare together with core organizations committed to the rights of unparented children — the National Council for Adoption, the Harvard Law School Child Advocacy Program, the Center for Adoption Policy, Saddleback Church Orphan Care Initiative, the American Academy of Adoption Attorneys, and Both Ends Burning.

This bill is simple but would represent a profound, paradigm-shattering change. It would put the United States in an important position of international human rights leadership. And Congress should be able to agree on the position that children have the basic human right to grow up in a family.

Elizabeth Bartholet is professor of law and faculty director of the Child Advocacy Program at Harvard Law School. Paulo Barrozo is associate professor of law and jurisprudence and director of the Clough Center for Constitutional Democracy at Boston College Law School