

THE PARMA CHARTER

of

THE RIGHTS OF THE NEWBORN

Foreword

The first article of the Universal Declaration of Human Rights (UN, 1948) reads: “*all human beings are born free and equal in dignity and rights*”. According to the International Convention on the Rights of the Child (UN, 1989) “*the child, by reason of his physical and mental immaturity, needs special safeguards and care*”.

In this context, the newborn represents a very special case on account of his vulnerability and total dependence.

This implies a series of responsibilities and obligations for parents, medical staff, institutions and society as a whole that must be guaranteed by the State.

This document, having the title “*Declaration of the rights of the newborn*” intends to provide a landmark for policymakers, administrators, scientific corporations and more generally for citizens and all those who for various reasons are involved in the promotion and protection of the newborn’s health.

DECLARATION OF THE RIGHTS OF THE NEWBORN

1.- Every newborn is entitled to life and the best levels of health No one is entitled to put at risk the health or mental and/or physical integrity of the newborn, either in the long- or short-term. This obligation must be respected without any racial, geographic, religious, cultural, sexual, social status or other kind of discrimination.

2.- Every live newborn is entitled to appropriate assistance during delivery. This assistance must be guaranteed with equality and an absolute refusal of any form of discrimination, regardless of gestational age, weight, sex, the presence of malformations, economic or social class, ethnic origin and/or religion.

3.- Every newborn, be he healthy or ill, is entitled to the best care, social protection and safety available. Special attention must be granted to the medical, social and psychological care of the unborn child and the mother, during pregnancy and delivery, on account of the close implications for the newborn’s health.

4.- Every newborn has the right to be born in the most suitable place, considering his foreseeable care requirements, especially if he suffers from or is at risk of an illness. Respect of this right presupposes a correct regional distribution of perinatal care facilities, served by an efficient neonatal transport service for births that take place in an unsuitable facility.

5.- *The newborn must be guaranteed vicinity to his parents.* Healthy newborns must be guaranteed rooming in. Newborns with health problems hospitalised in Neonatal Pathology centres and Neonatal Intensive Care Units must be managed in compliance with the principles of family-centred care, to minimise stress and pain and guaranteeing adequate support to parents, who must be involved as far as possible in caring for their child and in the relative decision-making processes.

When there is evidence of abuse and circumstances suggest that the health of the newborn is at risk, appropriate legal and organisational measures will be taken to guarantee the child's protection, even when this involves separation from his parents.

6.- *No medical procedure, including those for research purpose, may be performed on the newborn without the informed consent of his parents or legal guardian.* The only exception to this being emergency conditions in which the physician has to take urgent action in the best interests of the newborn. Such interests must prevail at all times and the parents' choices must be respected within the limits of feasibility and medical appropriateness. Under no circumstances are mutilations or medical procedures that are not strictly necessary to guarantee or improve the health of the newborn justified.

7.- *Every newborn is entitled to be adequately fed,* to guarantee his best psychological and physical development. Breastfeeding must be facilitated and encouraged. When it is not possible on account of the mother's physical, psychological or personal situation, feeding must continue using human or formula milk.

8.- *In the case of the birth of a severely ill newborn* (extreme prematurity, malformations or life-threatening abnormalities, etc.) ***appropriate treatment must be guaranteed,*** including palliative care and pain control, avoiding both therapeutic obstinacy and the practice of euthanasia.

9.- *Every newborn is entitled to be registered after birth, to be given a name and to acquire a nationality.* Any disowned newborn is entitled to be adopted with optimum guarantees, taking into account that the child's interests must prevail at all times.

10.- *The newborn is a person* and as such he is entitled to the full respect of his dignity. He is nevertheless a very special "citizen" who has rights but no duties and who, for the recognition of his rights, depends totally on the attention and commitment of others. The awareness of the newborn as a person and of his vulnerability and dependence constitutes the fundamental grounds for his rights to be recognised, protected and satisfied.

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