

Alþingi
Erindi nr. P 141/1579
komudagur 14.2.2013

Velferðarnefnd Alþingis
Alþingi v/Austurvöll
150 Reykjavík

Mosfellsbær , 14. Febrúar 2013

Athugasemdir við frumvarp til laga um breytingu á barnalögum nr. 76/2003, mál nr. 323

This proposed amendment to the current law which would allow a man outside a family structure to file a paternity suit would be detrimental and unsupportive of children's rights and violate existing rights of a legal father. One must consider the impact of this change in law on the pre-existing family unit. This change would allow a stranger to enter into the life of a child, at any given time, and lay claim based solely on DNA. The best interest of the child is to belong to loving and caring parents who allow him or her to grow and offer support and guidance throughout their lives. DNA is not indicative that this will happen.

Adoptive children are raised to love, trust and rely on their non-biological family their entire lives. We teach them that it does not matter where they come from but who they are and who they are with now. Not all adoptive children benefit from meeting a biological parent. Would this law benefit change if it affected adoptive parents, in the same respect, and gave rights for a stranger to claim his DNA on their family? If the legal father is raising his child, supplying him or her with love, clothes, food, a home and all care of the child's well-being, has his legal rights stripped away from him and passed on to some stranger, how can this be in the best interest of the child? It is no different than walking into an adoptive child's life who was adopted, and now telling them they have a different father.

A child has a right to know both parents. So we must consider why the biological father was not involved and determine why he was not made a part of this child's life from the beginning. Based on DNA, one would pass the rights of a child to an abusive man? What if the father just left his biological child because he wanted nothing to do with him/her and years later he can step in and claim him/her after never showing that child any decency, love or care over the years? It is unfair for established fathers that this change in law would, in essence, would rewind and take back the rights that were given to them upon the child's birth.

The proposed changes are an intrusion into the lives of fathers who are actively parenting and raising children, who will now face losing their son or daughter based on results of a blood test. With the laws as they sit now, fathers, mothers and children can actively petition for a blood test. This is the least intrusive way for any child to know his roots and background. Families are not only comprised of blood relatives and the many adopted children in Iceland can attest to this. It is the role of this society to protect children and their current rights with the families they have. It is also the responsibility of the families to ensure that a child is safe and free from harm. The courts need to understand that the family unit is sacred and should have protection from outside interference which would unjustly affect the rights of children in Iceland in these situations.

Regards,

Jennifer Greenland
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