

# 2021 Day of General Discussion

## *Children's Rights and Alternative Care*

### Guidelines on participation and submissions

The UN Committee on the Rights of the Child will hold a Day of General Discussion (DGD) in Geneva on “**Children's Rights and Alternative Care**”. This will be held over two half days on 16 and 17 September 2021. The DGD is a public meeting aimed at fostering a deeper understanding of the contents and implications of the CRC as they relate to specific topics. Representatives of Governments, United Nations human rights mechanisms, United Nations bodies and specialized agencies, national human rights institutions, civil society, the business sector and individual experts and children and youth are invited to take part.

For more information about the background, context and objectives of the 2021 DGD, please see the [Concept Note](#).

#### 1. Participation

Following the onset of the COVID-19 pandemic in late 2019 and the adoption globally of public health measures necessary to contain transmission of the virus, the Committee decided to postpone the 2020 DGD to its September session in 2021 to ensure effective and meaningful participation and contribution to the DGD by all actors, including children and young people. Decisions about holding the 2021 DGD in person, as a hybrid event, or revert to a virtual meeting will be taken in early June 2021 in light of developments in the pandemic and global public health guidelines. As restrictions are likely to continue to impact travel and face to face meetings, the DGD is likely to combine both virtual and direct meetings. These guidelines may be further amended to reflect this.

Registration to participate on the day will open in the coming weeks. Please keep an eye on the [DGD website](#) for more details.

Please note, as this is a public meeting of the Committee on the Rights of the Child, there is neither a registration fee, nor will the Committee send out individual invitations. The United Nations is not able to provide assistance with visa, travel or accommodation arrangements. Participants are responsible for all expenses and arrangements related to their participation in the discussion day.

An agenda for the day will be developed in consultation between the Committee and the DGD partner organisations, with the input of the children's and young people's advisory teams. It will be circulated in advance of the registration deadline.

Timing will be very tight in the sessions on 16 and 17 September 2021, so in order to allow for fruitful discussion, **there will NOT be time for participants to make formal statements during the DGD. Those who wish to submit statements or written materials are invited to do so in advance, following the modalities outlined below.** The Committee will not distribute any printed copies of the submissions. However, participants in the DGD will have the opportunity to share them on specific publications desks if they so wish.

It's important to bear in mind that the DGD is not a single event but part of an ongoing process aiming at enhanced collaboration within the alternative care / child protection sector. The recommendations resulting from the DGD will include suggestions for follow-up, in particular for how children and young

people, care leavers and their associations can build on their collaboration for the DGD and continue to meaningfully engage with the key actors around the topic. If you are not able to participate on 16 or 17 September 2021, you can still contribute to the DGD by submitting written submission and also in its follow up process.

## **2. Written or material submissions**

### **2.1. Modalities for children**

A worldwide consultation with children is taking place in the first half of 2021 to collect the views of children and young people with experience of alternative care or the child protection system. Children and young people with this experience are strongly encouraged to engage in this consultation. The details of the different ways to participate are to be finalised in consultation with the children's and young people's advisory teams but are likely to include a combination of online survey, interactive methods, workshops and interviews.

Children, care leavers, and their representative organisations are also invited to send submissions directly to the UN Committee on the Rights of the Child through the submission process detailed in these guidelines.

The modalities for the consultations with children, and for sending children's submissions to the Committee, will be developed in collaboration with the children's and young people's advisory teams and shared in the coming months in a child-friendly format. For questions on child participation, please contact [lopa.bhattacharjee@familyforeverychild.org](mailto:lopa.bhattacharjee@familyforeverychild.org) and [Emmanuel.Sherwin@hopeandhomes.org](mailto:Emmanuel.Sherwin@hopeandhomes.org).

### **2.2. Modalities for adults**

**Written contributions can be submitted in English, French and Spanish**, the three working languages of the Committee, in electronic format exclusively. Videos in one of the abovementioned languages are also welcome. The public submissions will be uploaded on the Committee's [Webpage](#) in their original language only. The submissions for which publication is not authorised will be kept confidential.

The Committee requests that written contributions be limited to a **maximum of seven pages (2500 words)**.

Previously published materials may also be submitted to the Committee or distributed during the discussion day to other participants. Sufficient copies must be provided, as the Secretariat does not have resources for reproduction and distribution. Where such previously published material exceeds 7 pages in length, participants are required to ensure that this material is accompanied by an executive summary and table of contents.

The Committee reserves the right to refuse the publication of content that it considers inappropriate or containing abusive language.

Following the DGD, the Committee will issue a report with the aim of highlighting potential recommendations for improving the implementation of the CRC in the areas discussed, including next steps for following up on the discussions. The Committee's report will be informed by discussions at the DGD, including the recommendations proposed by the working groups, and the contributions submitted to the Committee.

### 2.3. Content of submissions

The purpose of the Day of General Discussion is to review progress made in the implementation of relevant international standards and to discuss particular areas of concern with regard to the unnecessary separation of children from their families and appropriate ways to respond to separation where it is unavoidable. To do this we are seeking the views of experts. This includes children and young people who have experience of the child protection system and/or living in alternative care of any type, as well as practitioners, policy makers, and others with a specific mandate to meaningfully contribute to this subject. The contribution of individuals or groups whose experiences and views are often under-represented, including children, young people and adults who are care experienced, including those who have transitioned or left alternative care, children and young people with disabilities and their caregivers, children whose parents/caregivers are incarcerated or detained, migrant and refugee children, and children and young people from indigenous communities or other socio-economic and cultural background that often lead to their placement in alternative care, are particularly welcome.

The Committee is looking for submissions based on your experiences, the experiences of others and evidence of what works to prevent family separation, provide quality alternative care, and to strengthen and reform systems, together with your recommendations for implementing those.

In recognition of the significant impact the COVID-19 pandemic is having on children and families across the globe, and on children's care and protection systems, including the provision of alternative care, the Committee is also asking for contributions to identify effective responses and adaptations in response to the pandemic to prevent separation of children from families, address the need for quality alternative care, and strengthen care systems both during and after the pandemic, including lessons learnt for preparedness to recurring public health as well social and environmental global crises.

To do this, the Committee is looking for examples of:

- Innovative practices, inter alia of family strengthening, quality alternative care, family reintegration, transition from alternative care into independent living and deinstitutionalisation processes.
- Legislation and policies and how they are designed to protect children's rights, including the principle of the best interests of the child and the right of children to be heard.
- Effective models or approaches to address root causes and drivers of separation and placement in alternative care, in particular, evidence-based interventions and programs designed to avoid out-of-home placement.
- Effective models and approaches to address the over-representation of particular groups of children in alternative care, and discrepancies in services and responses for these children, including children with disabilities, indigenous children, and other children whose socio-economic and cultural background and marginalisation often lead to their placement in alternative care.
- Recommendations for change where policies and practices have not been successful.
- Perspectives of persons with lived experience of the system of child protection, family support and strengthening, alternative care and the transition out of alternative care and about what high-quality alternative care means to them.
- Lessons learnt about system strengthening or reform and implementation.

- Lessons learnt about strategies and measures to strengthen the care sector workforce and ensure that it is adequately skilled, supported and supervised to fulfil its critical role and responsibilities effectively, in line with human rights standards.
- Measures taken to address abuse in all forms of alternative care including prevention, intervention, complaints handling and therapeutic support.
- Access to justice for children, including inquiries and reparations for abuse in all forms of alternative care.
- Lessons learnt on preparedness and response in emergencies, including the COVID-19 pandemic, its aftermath and recurring public health as well social and environmental global crises.
- Recommendations for what kind of support, guidance and processes would be helpful in the future.
- Approaches and interventions that have specifically addressed the particular issues faced by children with disabilities, who are on the move, 'left behind', or separated as a result of conflict or natural disasters, indigenous children and other children who are facing discrimination or social exclusion resulting in over-representation in alternative care and violation of their rights, and who have transitioned from/left alternative care.
- Approaches and interventions that have specifically supported the implementation of the rights of the child to preserve his or her identity, including name and family relations, and implications for children in alternative care and children who have been adopted domestically and internationally, including in terms of access to information.

All relevant stakeholders are encouraged to use all or some of the following **guiding questions** for preparing their submissions. Please consider practice as well as policies and legislation:

- *What are examples of legislation, policies or programmes that effectively strengthen families and prevent separation? What is it that makes them effective?*
- *What are examples of successful family reunification, and what factors contribute to their success (or failure)?*
- *What are examples of legislation, policies, programmes or practices that have helped to protect children without or at risk of losing parental care, including from all forms of violence, abuse, exploitation, and other human rights violations? What is it that makes them effective?*
- *What are the examples of legislation, policies or practices to support effective monitoring, access to complaints mechanisms or interdisciplinary and judicial oversight of children in alternative care?*
- *How can we work to ensure that children who are or have been provided alternative care and have been victims of human rights violations are offered access to effective legal and other remedies?*
- *What are characteristics of high-quality alternative care?*
  - *If you are or were a policy maker, how would you define high-quality care?*
  - *How would a policy maker know if high-quality alternative care was being met?*
  - *If you are or were a practitioner (social worker, mental health expert, civil society organization working with children with an experience with child protection systems, etc.), how would you define high-quality care?*

- *If you are a child or an adult with experience of child protection systems, how would you define high-quality care?*
- *What are examples of measurements of high-quality alternative care?*
- *What are characteristics or practices that should be avoided or eliminated in order to ensure high-quality care is provided?*
- *How and to what extent do current legislation, policies and programmes ensure high-quality alternative care? What could be improved?*
- *What are examples of the provision of high-quality alternative care? What made these effective?*
- *How can we ensure that children and young people are fully and meaningfully involved in decision-making on prevention of family separation and the provision of high-quality alternative care? What are examples in your context of the participation of children in decisions relating to alternative care, including decisions relating to their individual placement?*
- *What needs to be considered in preventing and phasing out the institutionalisation of children?*
- *What are the factors, in your context, that contribute to the institutionalisation of children, and how can they be addressed to prevent it?*
- *What measures and responses have strengthened family care and prevented separation in the context of the COVID-19 pandemic? What measures and responses have supported or undermined the provision of quality alternative care in the context of the COVID-19 pandemic? What measures and responses should have been applied to mitigate additional protection risks in the context of the COVID-19 pandemic resulting in increased separation from parental care?*
- *What are suitable alternative care arrangements for unaccompanied and separated children, including refugee children, children on the move, or in emergencies?*
- *How can policy makers strengthen cross-border cooperation and coordination to facilitate improved protection and care for children? Are there examples of this?*
- *What measures can be taken to ensure there is a well-trained, supported and supervised multi-sectoral workforce in your context or area of work? What makes them effective?*
- *What are examples of effective gatekeeping and regulatory systems that provide oversight of the provision of alternative care, ensure comprehensive data and monitoring systems are in place and accessible, support accountability and enable children and families that come into contact with the system to participate actively in improving it?*
- *What support do care-leavers need? What do policy makers need to understand about care-leavers?*
- *Based on the experiences in the context where you work, what kind of support, guidance and processes would be helpful in the future?*
- *What needs to be done to address the continuing impact of the pandemic on children's care, including children in alternative care, as well as to prepare for potential future public health as well as social and environmental crises?*

Importantly, please be as specific as possible, using data and research where available, and highlighting key recommendations targeting specific stakeholders. Authors are asked to challenge themselves to consider not only their own experiences, but also those in different circumstances. Clearly share with the Committee how and why you reached your conclusion.

#### **2.4. Deadline**

**The deadline for all submissions, including reports from the global consultation with children, is 14<sup>th</sup> June 2021.**