

Global Charter on Children's Care Reform

The Global Context

1. The UN Convention on the Rights of the Child recognises that children 'should grow up in a family environment, in an atmosphere of happiness, love and understanding'. Strong and nurturing families are essential for a child's healthy development. Families around the world are experiencing rapidly escalating stress and trauma due to climate change and humanitarian disasters, poverty, food insecurity, conflict, disease, and insufficient access to quality, inclusive education, health and social services. These challenges can lead to family separation, vulnerability to exploitation, and children being at increased risk of violence and harm within their own homes and communities.
2. Evidence from research and those with lived experience of alternative care has highlighted that children who grow up without family care face serious challenges, including poor physical, social, and cognitive developmental outcomes and a heightened risk of violence and exploitation. These have a life-long and often inter-generational impact.
3. Millions of children still live in institutions¹ which are harmful to their development. Over 80 percent of children in these settings are estimated to have a living parent², and most have extended family, who may be able to care for them with support. Many of these institutions are supported by billions of dollars of often well-intentioned donations, tourism and volunteering every year.
4. The UN Convention on the Rights of Persons with Disabilities states that member states should take all necessary measures to ensure the full enjoyment by children

¹ "**Residential Care**" is defined in the UN Guidelines for the Alternative Care of Children 2009 as 'care provided in any non-family-based group setting, such as places of safety for emergency care, transit centres in emergency situations, and all other short- and long-term residential care facilities, including group homes'. "**Institutions**" in this charter refers to publicly or privately managed residential care, where children are cared for by staff usually working in shifts following rigid routines, have limited individual choice in care and activities, and are isolated from the broader community. In line with the UN Guidelines for the Alternative Care of Children and the 2019 UN General Assembly Resolution focusing on Children without Parental Care, States should prioritise family-based alternative care options over residential care, when alternative care is determined necessary. The UN Guidelines for the Alternative Care of Children do not extend to 'persons under the age of 18 who are deprived of their liberty by decision of a judicial or administrative authority as a result of being alleged as, accused of or recognised as having infringed the law'.

² van IJzendoorn, Marinus H et al. 2020. Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development. The Lancet Psychiatry, Volume 7, Issue 8, 703 – 720; and Global Facts About Orphanages, 2009, Better Care Network Secretariat

with disabilities of all human rights and fundamental freedoms on an equal basis with other children, yet children with disabilities are often far more likely than children without disabilities to be separated from their families, abandoned and/or placed in institutions, remain in care for longer periods and move between different care settings. They are often segregated and stigmatised, and experience discrimination, violence and neglect. The limited availability and lack of access to community-based, disability-inclusive mainstream and targeted services and support, including inclusive education, are key drivers of children with disabilities being placed in institutions.

5. With concerted action, increased investment, and global partnership, this crisis is solvable. While there are many examples of encouraging progress from every region of the world, more needs to be done to: support families to provide safe, inclusive and nurturing care and prevent unnecessary separation; prioritise family-based options when alternative care is deemed necessary; and progressively end the institutionalisation of children. Responses and recovery efforts related to natural disasters or humanitarian emergencies should also prevent family separation by actively promoting tracing and reintegration, and to prioritise family-based alternative care when necessary.

Objectives

6. This Charter builds on existing international commitments including the UN General Assembly Guidelines for the Alternative Care of Children of 2009, the UN General Assembly Resolution on the Rights of the Child with a focus on children without parental care of 2019, and the UN Committee on the Rights of Persons with Disabilities Guidelines on Deinstitutionalisation of 2022, as well as the Kigali Declaration of Commonwealth states of 2022 and the first Global Ministerial Conference on Ending Violence against Children call to action of 2024.
7. It promotes a multisectoral partnership approach by bringing together children, young adults and families, especially those with lived experience of alternative care, organisations of persons with disabilities, community and faith leaders, civil society organisations, donors, national governments, and multilateral and global agencies, to commit to urgent, decisive and coordinated action to ensure a safe, nurturing, and loving home for every child.

8. This Charter aims to strengthen resilient and inclusive child protection and welfare systems, and ensure a child's right to safe and nurturing family care through: (i) strengthening families and preventing family separation, including supporting kinship carers (ii) when alternative care is necessary, prioritising family-based care, by first exploring all opportunities for kinship care, and promoting foster care and kafaalah (iii) providing aftercare services, including supported independent living (iv) facilitating the safe reintegration of separated children into family care (v) safe and ethical adoption in accordance with domestic and international law³, and (vi) progressively ending the use of institutions for children.

Commitment to Action

9. Signatories to this Charter reaffirm our commitments to the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities, as well as regional rights-based charters, such as the African Charter on the Rights and Welfare of the Child.
10. We will demonstrate commitment to learning from children and adults with lived experience of alternative care and their families. We recognise that we are accountable to children, young adults and their families who need our support. We will invest in their accessible, safe and meaningful participation in policy and decision-making, ensuring their views are heard and they are valued as partners. In particular, we will ensure the participation of underrepresented groups, including persons with disabilities and other marginalised groups.
11. We reaffirm our commitment to implement existing global standards including through:
 - a. **Supporting families to prevent unnecessary separation, ensuring safe and nurturing family-based alternative care, and progressively ending the institutionalisation of all children.** We will invest in family strengthening programmes to address the root causes of separation and support inclusive, accessible quality services that meet the diverse needs of children and their families. We will trace and reunite children with their families where possible and safe to do so. Where separation is unavoidable and kinship care is not a viable option, we will improve care systems to offer different types of family-based alternative care and to support independent living in the community for older

³ For inter-country adoption, refer to The Hague Convention on International Adoption, 1993

children and young adults, including those with disabilities. We will ensure decisions related to children's care are made on an individual basis, according to the best interest of each child, and will ensure placements are regularly monitored and reviewed. Building on the evidence of what works to reform care systems and sustainably de-institutionalise over time, we will shift away from placing children in institutions and will ensure that multisectoral policies, programmes and services support children to grow up in a family dedicated to their well-being.

- b. **Calling out and tackling harmful and unacceptable practices.** We will take concerted action to eliminate orphanage volunteering and tourism. We will monitor and phase out funding streams that incentivise institutionalisation, contribute to unnecessary family separation, and undermine efforts to prioritise family care. We will take action to strengthen resources towards family-based care. We will tackle and penalise violence and abuse, including human trafficking and forced labour and neglect of children. We recognise as unacceptable and will act to prevent discrimination against children and families and we are committed to addressing harmful social norms.
- c. **Increasing investment and financial resources to support a family for every child and independent living for care leavers.** We will prioritise investing in family support programmes and services that help to keep families together and that support safe and nurturing family care, recognising this as a cost-effective investment in children, communities and societies. We will promote funding towards family care and investments that support safe transitions away from the use of institutions, including community-based services to support families of children with disabilities. Recognising the unique challenges faced by care leavers, we will support older children and young adults leaving care to aid their transition to independent life. We will advocate for increased global financing, including innovative financing, for strengthening and reforming child rights and protection systems, deinstitutionalisation, and family-based alternative care provision, including through local civil society organisations.
- d. **Addressing systemic and specific issues that contribute to family separation and placement of children with disabilities in institutions.** We will invest in addressing the root causes of family separation and the disproportionate placement of children with disabilities in institutions, such as violence, stigma and discrimination, inaccessibility and limited availability of key services, and

inadequate support for children with disabilities, chronic health issues, or developmental delays. We will strive to create inclusive communities that remove barriers and reduce stigmatisation, that empower and support families to care for their children and access inclusive integrated services in their community, and that contribute to ending the institutionalisation of children with disabilities. We will prioritise inclusive, comprehensive aftercare support for all care leavers, including those with disabilities, to enable their successful transition from care and into adulthood with support where necessary.

- e. **Investing in the key enablers to support improved social services for children and families, including a dedicated social service workforce, data and evidence to make sure no child is left behind.** We will work to ensure that those mandated with providing social services and supporting children and their families are adequately and proportionately resourced, and have the critical competencies required to promote family care, prevent unnecessary separation, and provide suitable family-based options when alternative care is necessary. We will improve standardised data collection and reporting systems to ensure all children are counted in the same way globally. We will prioritise gathering and reporting national data on children in the alternative care system, with disaggregation to ensure marginalised groups are not left behind. We will make all efforts to collect baseline data within one year from the signature of this Charter and to measure progress over time, including publishing updated data on children in alternative care settings by 2030. We will share knowledge, learning and resources related to care reform and the commitments in this Charter.

12. In endorsing this Charter, we commit to work together as advocates for children to be cared for in safe, nurturing and loving family care, and to prevent and address the harms of institutionalisation on children's physical and mental health, development and wellbeing. Our actions are guided by the best interests of the child, placing their rights at the centre of all reforms and ensuring safeguarding is upheld throughout every decision, action or process.

13. Our delivery of the commitments in this Charter will be guided by key principles of partnership, learning, transparent data, mutual accountability and inclusive participation. Implementation will be underpinned by commitments made at a national level to take action on key priorities.