

A CALL TO ACTION TO LEAVE NO CHILD BEHIND

An open letter in support of a 2019 Rights of the Child resolution on children without parental care





A CALL TO ACTION TO LEAVE NO CHILD BEHIND

An open letter in support of a 2019 Rights of the Child resolution on children without parental care

We, the signatories of this open letter, call on Member States of the UN General Assembly to focus on the rights of children deprived of parental care, or who are at risk of being so, as the theme of the 2019 UNGA Third Committee resolution on the Rights of the Child.

Situation analysis

Millions of children deprived of parental care, or who are at risk of being so, are among the world's most vulnerable and "left-behind" groups of children. According to UNICEF, there are approximately 140 million children classified as orphans, 15.1 million of which have lost both parents. Another source estimates that 1 in 10 children are growing up without appropriate parental care. This figure includes those children who have lost, or are at risk of losing parental care, and live in extremely vulnerable circumstances where they are lacking adequate care and protection.

A wide range of complex factors trigger the sometimes preventable loss of parental care by a child, for instance, parental incapacity due to physical or mental illness, discrimination, substance abuse, poverty or parental death to mention a few. Where possible, efforts should primarily be directed to prevent the need for separation in the first place. Where this is not possible, i.e. not in the best interest of the child, article 20 of the UN Convention of the Rights of the Child (CRC) specifies that States should ensure alternative care to a child "*temporarily or permanently deprived of his or her family environment.*"

Alternative care is any arrangement, formal or informal, temporary or permanent, for a child who is living away from his/her parents e.g. in kinship care, foster care, residential care etc. Without access to quality and appropriate alternative care, children deprived of parental care often face a downward spiral of economic, social and structural exclusion, and marginalization with long-term consequences for them and their communities. Children in institutions or on the street, separated from their parents due to poverty, conflict or disability have largely fallen off the statistical map and global development agenda. It is both important and urgent that concerted action is taken to address their often overlooked situation.

Since the CRC was adopted by the UN General Assembly (GA) on 20 November 1989, **no Rights of the Child resolution has specifically addressed the rights of children without parental care.** Therefore, there is a critical gap in addressing this issue in a comprehensive manner incorporating updated information. **2019 constitutes a particularly appropriate opportunity for the UN to address the issue of children without parental care, as it marks the 10th Anniversary of the Guidelines for the Alternative Care for Children (A/RES/64/142).** The Guidelines were welcomed by the GA in 2009 - making 2019 a key moment to take stock of progress, understand the challenges to implementation, and advance the rights of this often invisible group of children.

Rationale for resolution

A 2019 resolution on the rights of children without parental care is needed for the following reasons in particular:

1. Addressing the issue of children without parental care and those at risk of losing it, is necessary in order to achieve the Sustainable Development Goals (SDGs);
2. Children are separated and grow up without parental care in every country, making this a universal issue. However, approaches to protect them vary greatly, as does the quality of care they receive, making it important to promote universal adherence to the policy orientations set out in the UN Guidelines for the Alternative Care of Children;
3. The costs and negative impact for children, families and societies are enormous if children enter alternative care unnecessarily, and are even greater if placed in care settings of poor quality, with evidence demonstrating long lasting repercussions for all;
4. There is an urgent need to address the lack of comprehensive, accurate and official data on children without parental care, or they will remain in the blind spot of policy and social programs;

5. Children without the primary protection of their parents are especially vulnerable to human rights violations and in higher need of protection by the State, both generally and in its capacity as their legal guardian. Research (UNICEF, 2014) has shown that children who are not living in parental care are more likely to have worse social and health outcomes;
6. The loss of parental care is often as a result of overlapping vulnerabilities, and a UN resolution can present solutions to this in an integrated, consistent and coherent way;
7. There is a need to take stock of the progress made by many State Parties to strengthen and reform their alternative care system and address the drivers of separation. As the Committee on the Rights of the Child (and other UN treaty bodies) systematically makes recommendations to States parties to implement the Guidelines, a UN resolution showcasing the positive progress, and going into more detail on how their implementation can be better achieved would help States parties comply with their obligations under the CRC and other treaty bodies;
8. Due to multiple world crises and emergency situations, including those that result in cross-border movement, the numbers of children without parental care are increasing in many countries, and this issue requires special attention. The situation of unaccompanied and separated minors can be addressed therein.

Recommendations

The Guidelines for the Alternative Care of Children provide authoritative guidance on the implementation of the provisions of the CRC for this particularly vulnerable group. A resolution by the General Assembly, on the 10th anniversary of the Guidelines, will ensure renewed commitment to taking forward the policy orientations they contain.

We recommend that this resolution stresses States' obligations to regulate and monitor the quality and appropriateness of alternative care systems with a child's best interests at the center, and encourage State Parties to recommit to providing and investing in a range of alternative care options that can suit the interest of each child.

We recommend an emphasis on the importance of systems that prevent unnecessary separation of children from their parents, and support capacity building and reunification.

We recommend a focus on strengthening data systems, gate keeping, child safeguarding, improving the national care situation including by developing comprehensive national legislation and programs, and on properly preparing children for leaving care so they can be self-reliant after-care.

We, the signatories, remain committed to working with Member States to ensure this resolution becomes a reality, and that children without parental care are not left behind again.

Thank you for your kind consideration.

March 2018

INDIVIDUAL NGOS:

1. Adventist Development and Relief Agency
2. African Child Policy Forum - Ethiopia
3. Ananda Marga Universal Relief Team Ladies (Romania)
4. Association FDP - Protagonist in Education (Romania)
5. Association for Alternative Family Care (Kenya)
6. Association for Childhood Education International
7. Associazione Comunità Papa Giovanni XXIII
8. Cecodap – Venezuela
9. Centre for Excellence for Looked After Children in Scotland (Scotland)
10. Centre for Family Health Initiative (CFHI) – (Nigeria)
11. Centro De Funcionarios Judiciales De Tucuman (Argentina)
12. Child in Family Focus (Kenya)
13. Child Rights Centre Albania
14. CKR Knjazevac (Serbia)
15. Collective Community Action (Kenya)
16. Council of the Institutionalized Youths (Romania)
17. Create Yourself (Romania)
18. Cresnet (Kenya)
19. CYPF (Nigeria)
20. Defence for Children International (Switzerland)
21. Defensa De Niñas Y Niños Internacional (Costa Rica)
22. Defensa De Niñas Y Niños Internacional (Espana)
23. Doncel (Argentina)
24. Dorcas Relief and Development (Netherlands)
25. Educo
26. Excellence & Friends Management Care Centre - EFMC – (Nigeria)
27. ENFOQUE Niñez (Paraguay)
28. Equity for Children, the New School (USA)
29. Every Child An Achiever (UK)
30. Femijet Sot (Albania)
31. Friends International Suisse (Switzerland)
32. Fundatia Inima de Copil (Romania)
33. Fundatia Inocenti (Romanian Children's Relief)
34. Hope and Homes for Children (United Kingdom)
35. Ieladeinu - our children (Argentina)
36. Initiative for Social Change ARSIS (Albania)
37. Indigo (Serbia)
38. Institute for Human Rights and Development in Africa (The Gambia)
39. International Child Development Initiatives (Netherlands)
40. International Movement ATD Fourth World (France)
41. Kék Vonal Child Crisis Foundation (Hungary)
42. Kingdom Families (Tanzania)
43. Koalicja – Coalition for Family Alternative Care (Poland)
44. Kyiv Initiative Group Alpbach (Ukraine)
45. La Asociación ACOGIENDO de Perú (Peru)
46. Maestral
47. Nuestros Pequeños Hermanos (Mexico)
48. The Plast National Scout Organization of Ukraine (Ukraine)
49. Proadopcion (Venezuela)
50. Prijatelji Dece Srbije - Friends of Children of Serbia (Serbia)
51. Professional League of Social Workers of Sumy Region (Ukraine)
52. «Every Child» Partnership (Ukraine)
53. Strengthening Families for Abandoned Children (UK)
54. SOS Children's Villages International
55. Stahili Foundation (Kenya)
56. Stichting Elnura Helpen Helpt (Netherlands)
57. Stichting Peramiho (Tanzania)
58. Társaság a Szabadságjogokért (Hungarian Civil Liberties Union, Hungary)
59. "Telbin Riders" Sports club (Ukraine)
60. Terra dos Homens (Brazil)
61. Their Future Today (UK)
62. Udayan Care (India)
63. Ukrainian Child Wellbeing Foundation (Ukraine)
64. Ukrainian Public Organization «Magnolia» (Ukraine)
65. Ukrainian Public Health Foundation (Ukraine)
66. Union for Development and Integration of Roma Minority in Albania "Amaro-Drom"
67. Undugu Society of Kenya (USK)

NETWORKS:

1. Acting for Promotion of Fostering at European Level (APFEL) – Belgium
2. Alliance for Childhood, European Network Group – Belgium – 28 Members
3. Alliantie Kind in Gezin (Alliance Child in Family) – Netherlands – 40 Members
4. Better Care Network – Global
5. Better Care Network – Netherlands
6. Eurochild – Belgium – 171 Members
7. International Council of Women (ICW-CIF) – France – 68 Members
8. International Social Service (Switzerland) – 120 Members
9. International Federation for Family Development (Spain)
10. International Federation of Social Workers (IFSW) – Switzerland – 126 Members
11. Ligue Ivoirienne des droits de L'homme (LIDHO) – Côte d'Ivoire
12. National Network for Children – Bulgaria – 150 Members
13. Parenting in Africa Network – over 210 Members
14. P4EC Europe and Central Asia (ECA) Alliance
15. Relaf (Latin American Foster Care Network) – Uruguay
16. SOFT tulip Foundation – Netherlands – 7 Members
17. Together (Scottish Alliance for Children's Rights) – Scotland
18. Transform Alliance Africa
19. Ukrainian Children's Rights Network (Ukraine)
20. Uganda Child Rights NGO Network – Uganda – 65 Members



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

REFERENCE:CRC/RW

14 June 2018

To the coalition of NGOs, networks and other partners supporting the Open Letter "A Call to Action to Leave No Child Behind" calling for a 2019 UNGA's Rights of the Child Resolution on Children without Parental Care.

Following discussions during our 78th Session in May 2018, the Committee on the Rights of the Child is pleased to offer its full support to the call for a 2019 United Nations General Assembly's Rights of the Child resolution on children without parental care, recognising that children without parental care are, all too often, left behind and 2019 is an opportune time to focus on this key group of children.

We note the importance of marking the 10th Anniversary of the Guidelines for the Alternative Care of Children (A/RES/64/142) in 2019, further recognising the vital guidance they provide to ensure child rights, and the necessity and suitability of alternative care in the best interests of the child, making this a timely moment to assess progress made over the last 10 years.

We wish you every success in this endeavour.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "R. Winter".

Renate Winter
Chair
Committee on the Rights of the Child