



Keeping Family Together ! Every Manager's Responsibility



Children-Women in Social Service and Human Rights

@Preventing Child Separation



SESSION 1

Opening, Introduction & Creating Training Environment





Training Objectives



1. Enrich knowledge of international and national drivers of children's right to parental care
2. Discuss the status and issues of parental care right in Nepal.
3. Deepen the understanding of the harms of separation on children.
4. Build insights on the facts of child and parental /family separation in Nepal.
5. Revisit features of child rights organizations and commitment to child rights work
6. Enhance capacity in building strong organizations to protect children from harm.
7. Plan integration of parental care right in the organization system





SESSION 2

Parental Care is Every Child's Right!

Global and Local Instruments of Children's Right to Parental Care



Session 2 : Objectives

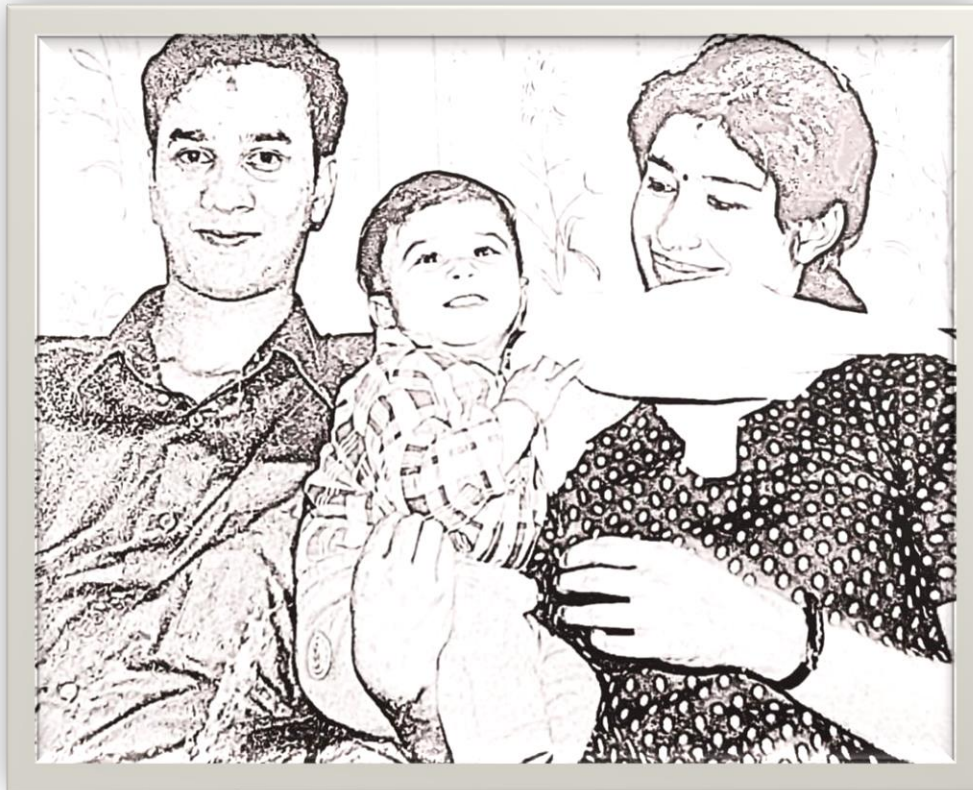


At the end of the session, participants will

- Enhance their understanding of the meaning and concept of parental care rights.
 - Enrich their knowledge of UNCRC, UN Alternative Care Guideline and the 2019 UNGA resolution as the global drivers and Children's Act Nepal as a local driver of children's rights to parental care.
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Parental Care Right



Every child's right to the Care from his/her parents in a family, the fundamental group of society and the natural environment of growth and wellbeing for all the children.

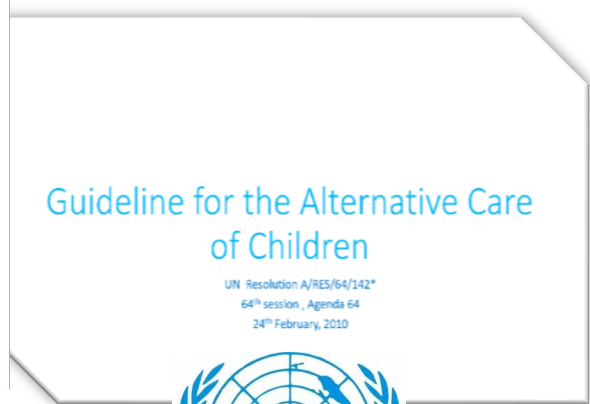
Based on UN-CRC



Key Drivers of Children’s Right to Parental Care



- ❖ UN Convention on Rights of the Child
- ❖ UN Guidelines for the Alternative Care of the children
- ❖ 2019 UNGA resolution on the Rights of the Child
- ❖ Children’s Act Nepal - 2018



2019 UNGA Resolution on the Rights of the Child

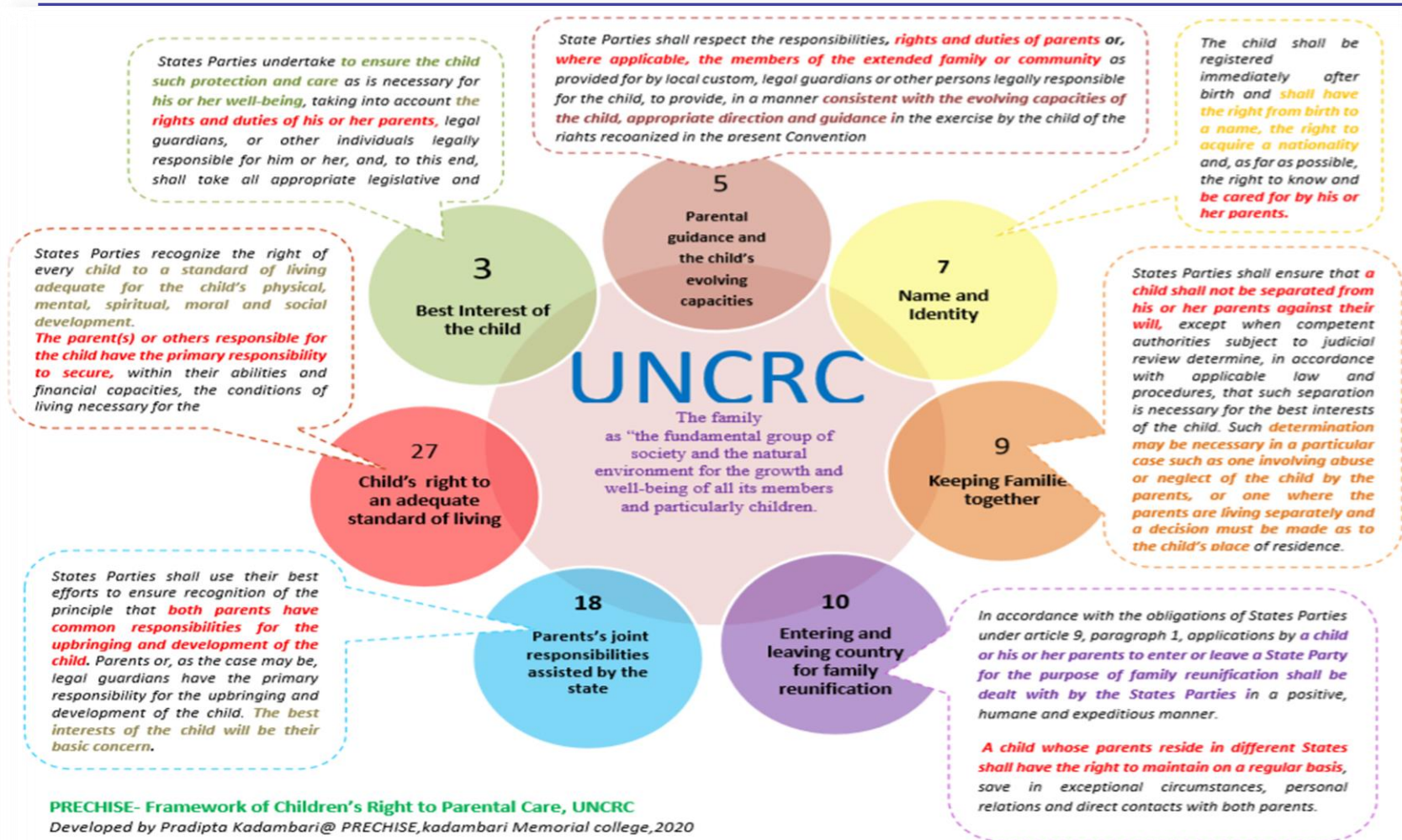
United Nations General Assembly Third Committee, 18 Dec 2019

The 2019 Resolution on the Rights of the Child was adopted by the United Nations General Assembly on 18 December 2019. The Resolution focuses specifically on children without parental care. It emphasizes the importance of growing up in a family environment and the right of the child to a family, highlights the rights of children with disabilities with respect to family life, opposes the unnecessary separation of children from their families and the unlawful or arbitrary deprivation of liberty of children, encourages efforts to reunify families where in the best interests of the child, and stresses that children should not be separated from their families solely due to poverty or lack of access to resources. Please see p. 3 of the [Report of the Third Committee on Promotion and Protection of the Rights of Children](#) for the complete list of Member States that co-sponsored the resolution.





Parental Care Right in UNCRC





UN's Efforts on the Right of Children to Parental Care



The UN Committee on the Rights of the Child gave whole-hearted support to the idea of developing guidelines to address the diverse situation of child separation and alternative care.

The acceptance of the Guidelines by the UN General Assembly and signaled all governments' general agreement on the content

Resolution adopted by the General Assembly

64/142. Guidelines for the Alternative Care of Children

UNGA 2019 special focus to children without parental care

2004

18th Dec,
2009

24th
Feb, 2010

18th
December
2019.

Guideline for the Alternative Care of Children

UN Resolution A/RES/64/142*

64th session, Agenda 64

24th February, 2010

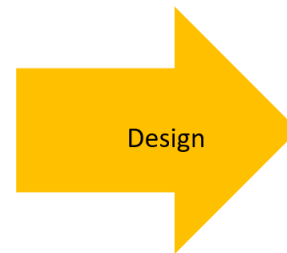


United Nations Guidelines for the Alternative Care of Children



Guidelines for the Alternative Care of Children

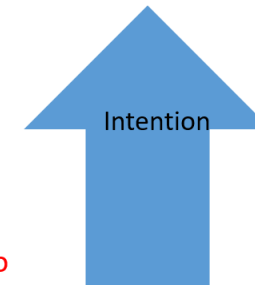
65th plenary meeting 18 December 2009



Designed to provide set of desirable orientation to policy and practice and to disseminate among all sectors related to issue to alternative care directly and indirectly.

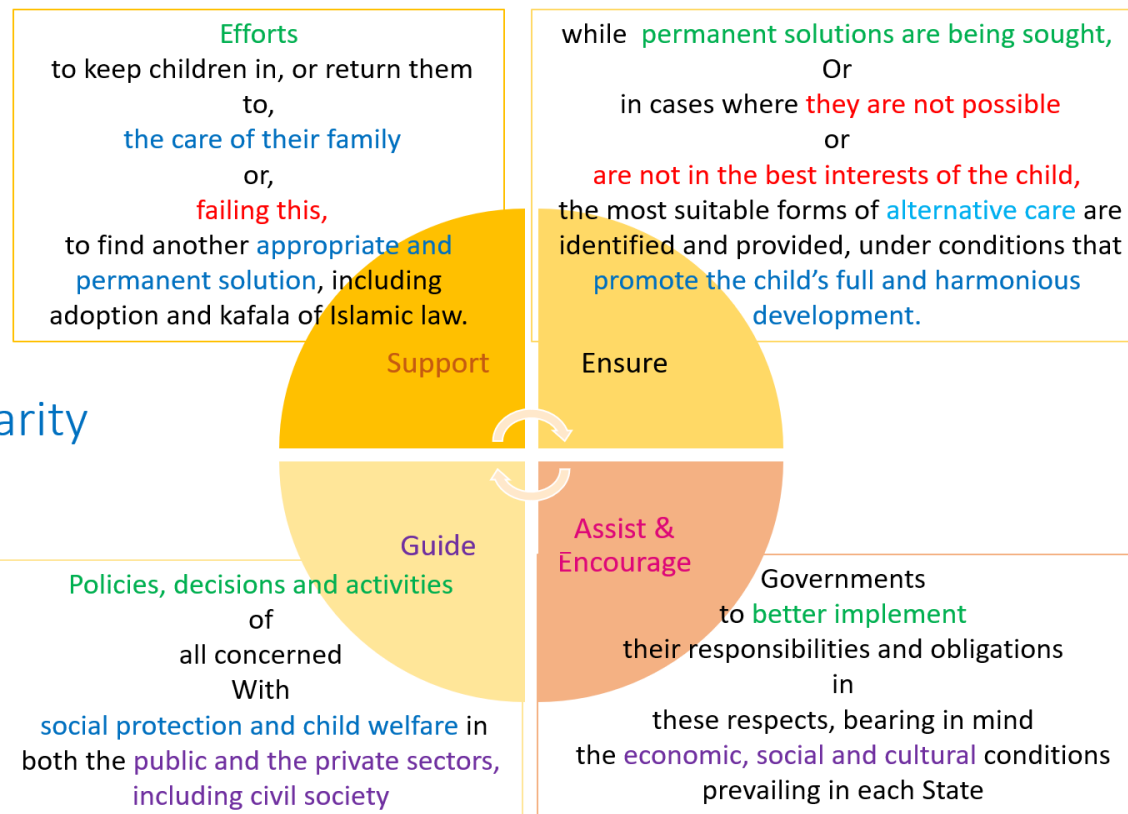
PURPOSE

Enhancement of the implementation of the CRC and relevant provision of other international instruments regarding the protection and wellbeing of children who are deprived of parental care or who are at risk of being so





United Nations Guidelines for the Alternative Care of Children



Design Particularity



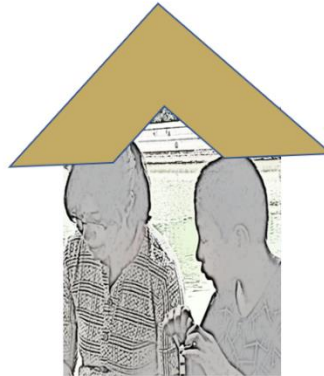
Three Pillars of Guideline



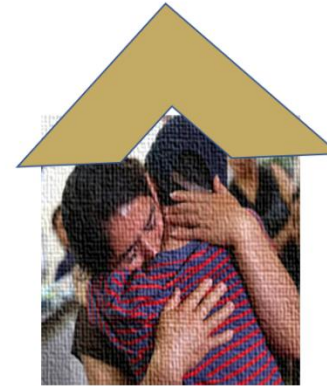
1 Prevention of Unnecessary separation



2 Suitable Alternative Care



3 Reunification to family/family based care



Gate Keeping



Two Principles of the Guidelines



Principle of Necessity Principle of Suitability

iii. Applying the principles of necessity and suitability

The following are among the key elements to take into account to ensure that alternative care is used only when necessary and is appropriate for the child concerned.

Q1

IS CARE GENUINELY NEEDED?

Reduce the perceived need for formal alternative care

- Implement poverty alleviation programmes
- Address societal factors that can provoke family breakdown (e.g. discrimination, stigmatisation, marginalisation...)
- Improve family support and strengthening services
- Provide day-care and respite care opportunities
- Promote informal/customary coping strategies
- Consult with the child, parents and wider family to identify options
- Tackle avoidable relinquishment in a pro-active manner
- Stop unwarranted decisions to remove a child from parental care

Discourage recourse to alternative care

- Ensure a robust gate-keeping system with decision-making authority
- Make available a range of effective advisory and practical resources to which parents in difficulty can be referred
- Prohibit the 'recruitment' of children for placement in care
- Eliminate systems for funding care settings that encourage unnecessary placements and/or retention of children in alternative care
- Regularly review whether or not each placement is still appropriate and needed

THE NECESSITY PRINCIPLE

Q2

IS THE CARE APPROPRIATE FOR THE CHILD?

Ensure formal alternative care settings meet minimum standards

- Commit to compliance with human rights obligations
- Provide full access to basic services, especially health-care and education
- Ensure adequate human resources (assessment, qualifications and motivation of carers)
- Promote and facilitate appropriate contact with parents/other family members
- Protect children from violence and exploitation
- Set in place mandatory registration and authorisation of all care providers, based on strict criteria to be fulfilled
- Prohibit care providers with primary goals of a political, religious or economic nature
- Establish an independent inspection mechanism carrying out regular and unannounced visits

Ensure that the care setting meets the needs of the child

- Foresee a full range of care options
- Assign gatekeeping tasks to qualified professionals who systematically assess which care setting is likely to cater best to a child's characteristics and situation
- Make certain that residential care is used only when it will provide the most constructive response
- Require the care provider's cooperation in finding an appropriate long-term solution for each child

THE SUITABILITY PRINCIPLE

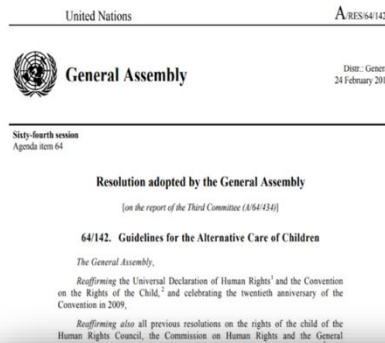


United Nation General Assembly Resolution 2019



Consideration

Guidelines for the Alternative Care of Children, **set out desirable orientations for policy and practice** with the intention of enhancing the implementation of the Convention on the Rights of the Child and of relevant provisions of other international instruments regarding the **protection and well-being of children deprived of parental care or who are at risk of being so.**



Signed in 2020

Guidelines for the Alternative Care of Children

Welcomes

A set of orientation to help to inform policy and practice.

Encourages

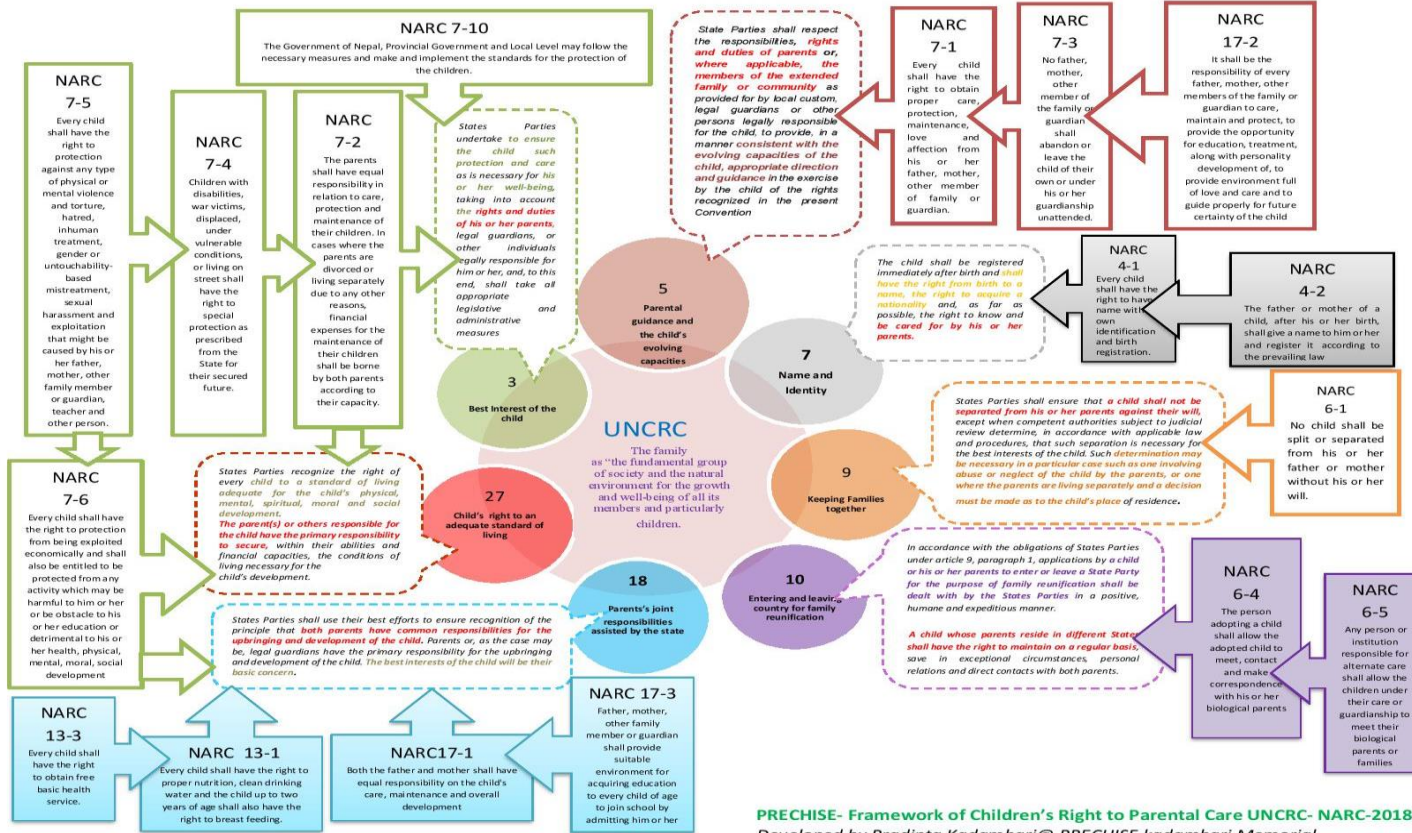
State to take guideline into account, bring them to the attention of the relevant executive, legislative, and judiciary bodies of government, human rights defenders and lawyers, the media and the public in general.

Request

Secretary general, within existing resources, to take steps to disseminate the guideline in all official language of UN, including by transmitting them to all Member states, regional commissions and relevant intergovernmental and non governmental organization.



National Driver Children's Act Nepal-2018





Duty of Parents Children's Act Nepal-2018



1) Both the father and mother shall have equal responsibility on the child's care, maintenance and overall development

(4) Father, mother, other member of the family or guardian shall not engage the child on labor which may adversely affect his or her education, health and physical or mental development.

(2) It shall be the responsibility of every father, mother, other members of the family or guardian to care, maintain and protect, to provide the opportunity for education, treatment, along with personality development of, to provide environment full of love and care and to guide properly for future certainty of the child.

(3) Father, mother, other family member or guardian shall provide suitable environment for acquiring education to every child of age to join school by admitting him or her to the school.

(5) Father, mother, other member of the family or guardian shall not leave the child below six years of age alone at home or any other place or send alone elsewhere, without being accompanied by an adult person.



Responsibilities of Parents toward Children- CAN-2018



Alternative Care in Children's Act Nepal-2018



(f) Infants born due to rape or incestuous relationships that are punishable by law and concerning whom application has been made to the child welfare authority, stating inability to maintain them

g) Children who have been separated from their families for their best interests due to abuse, violence or neglect by their respective father, mother or guardian.

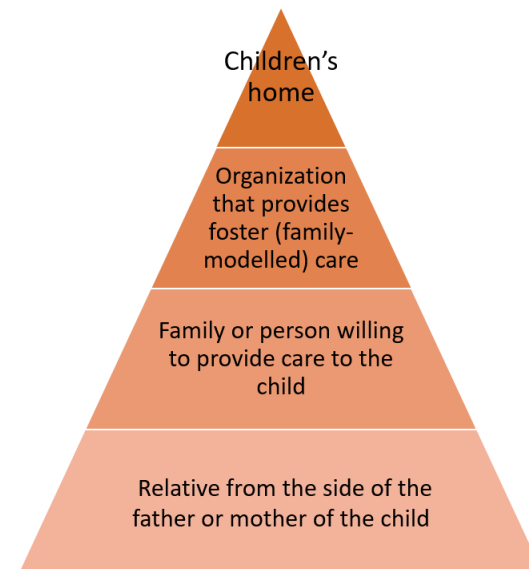
(d) Out of the children in conflict with law, those who have been referred for alternative care under the diversion process.

(e) Children who are staying in prison being dependent on their father or mother who is detained or imprisoned.

(a) Orphan children

(b) Children that have been left or found abandoned in hospitals or other public places or separated from parents or left unclaimed, with the identity of their parents unknown

(c) Children that are deprived of appropriate care due to serious physical or mental disability or incapacity of their parents.



Priority order for alternative care

Chapter 5-Section 48 & 49- NAC 2018
Provision of alternative care for children in special protection



Session 2: Discussion



- With all these treaties, policies and provisions, why do children still separate from their parents?
 - What child rights organizations can do in ensuring the application of the global and national driving instruments in Nepal?
-



SESSION 3

Child Separation, a Traumatic Event in a Child's Life!

Child Separation and Impact on Children



Session 3- Objectives



At the end of the session, the participants will

- Broaden understanding of child separation from parental care.
 - Enhance understanding of the harm of child separation from parents and family.
 - Deepen the insights on the role of child organizations in protecting children from the harms of separation.
-



What is Child Separation ?



UN guidelines for the appropriate use and conditions of alternative care for children (2007) – definitions

Children without parental care

All children not living with at least one of their parents for whatever reason and under whatever circumstances.



Elements of Child Separation



Lost opportunity to healthy child development

- Loss of individual care and parental guidance
- Loss of secure foundation building
- Loss of family and community connection
- Loss of healthy emotional development.

Institutionalization

- Institutional culture
- Regime- ordered way of doing
- Child isolation from community and world outside the facility
- Institutional centered approach than child developmental approach

Life Under Duress

- Excessive volume of work
- Degrading living condition
- Limitation in the freedom of movement
- Risks of abuse, exploitation and neglect.
- Trafficked to serve the interest of traffickers

“The most important thing that children miss is love. Where children are loved, they receive all that they need”. A boy from Malawi, 2009



Children living in Institutions: A Global Phenomenon



Prevalence and number of children living in institutional care: global, regional, and country estimates



Chris Desmond, Kathryn Watt, Anamika Saha, Jialin Huang, Chunling Lu

Summary

Background Children living in institutionalised settings are at risk of negative health and developmental outcomes, as well as physical and emotional abuse, yet information on their numbers is scarce. Therefore, the aim of our study was to estimate global-level, regional-level, and country-level numbers and percentages of children living in institutional care.

Methods In this estimation study, we did a systematic review of peer-reviewed publications and a comprehensive review of surveys and unpublished literature to construct a dataset on children living in institutional care from 136 countries between 2001 and 2018. We applied a wide range of methods to estimate the number and percentages of children living in institutional care in 191 countries in 2015, the year the Sustainable Development Goals were adopted. We generated 98 sets of estimates for each dataset, with possible combinations of imputation methods for countries with different available data points. Of these 98 sets, we report here five types of global-level estimates: estimates with the highest values, those with the lowest values, those with median values, those with uncertainty levels, and those derived from methods with the smallest root-mean-square errors (RMSE).

Findings Global estimates of children living in institutions in 2015 was highly sensitive to the methods and data used, ranging from 3.18 million to 9.42 million children, with a median estimate of 5.37 million. When selecting the method with the lowest RMSE, the global estimate was 4.21 million, whereas with negative binomial regression with bootstrapping, the global estimate was 7.52 (95% CI 7.48–7.56) million. We also observed large variations in country-level estimates. Compared with other regions, estimates in south Asia, sub-Saharan Africa, and Latin America had larger variations in values when switching between estimation methods. High-income countries had the highest average prevalence of institutionalisation, whereas low-income countries had the lowest average prevalence. Estimates from the full data with the smallest RMSE method showed that south Asia had the largest estimated number of children living in institutions (1.13 million), followed by Europe and central Asia (1.01 million), east Asia and Pacific (0.78 million), sub-Saharan Africa (0.65 million), Middle East and North Africa (0.30 million), Latin America and the Caribbean (0.23 million), and North America (0.09 million). North America consistently had the lowest estimates among all regions.

Interpretation Worldwide, institutional care places millions of children at elevated risk of negative health and developmental outcomes, highlighting the need for deinstitutionalisation. However, there is considerable uncertainty regarding the number of children living in institutions. To improve estimates of the size of this population, we need to standardise the definition of institutional care and improve data collection, particularly in countries with large child populations.

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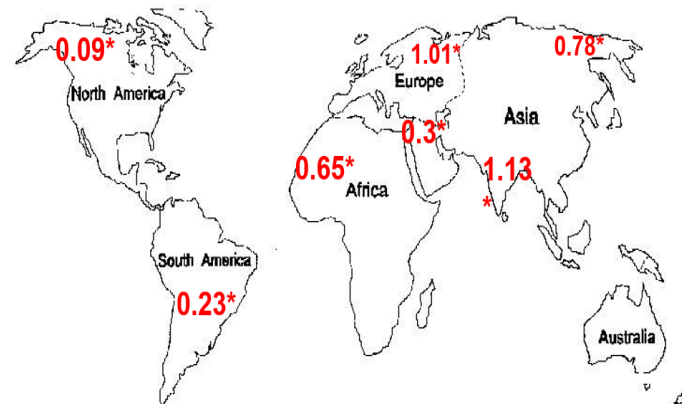
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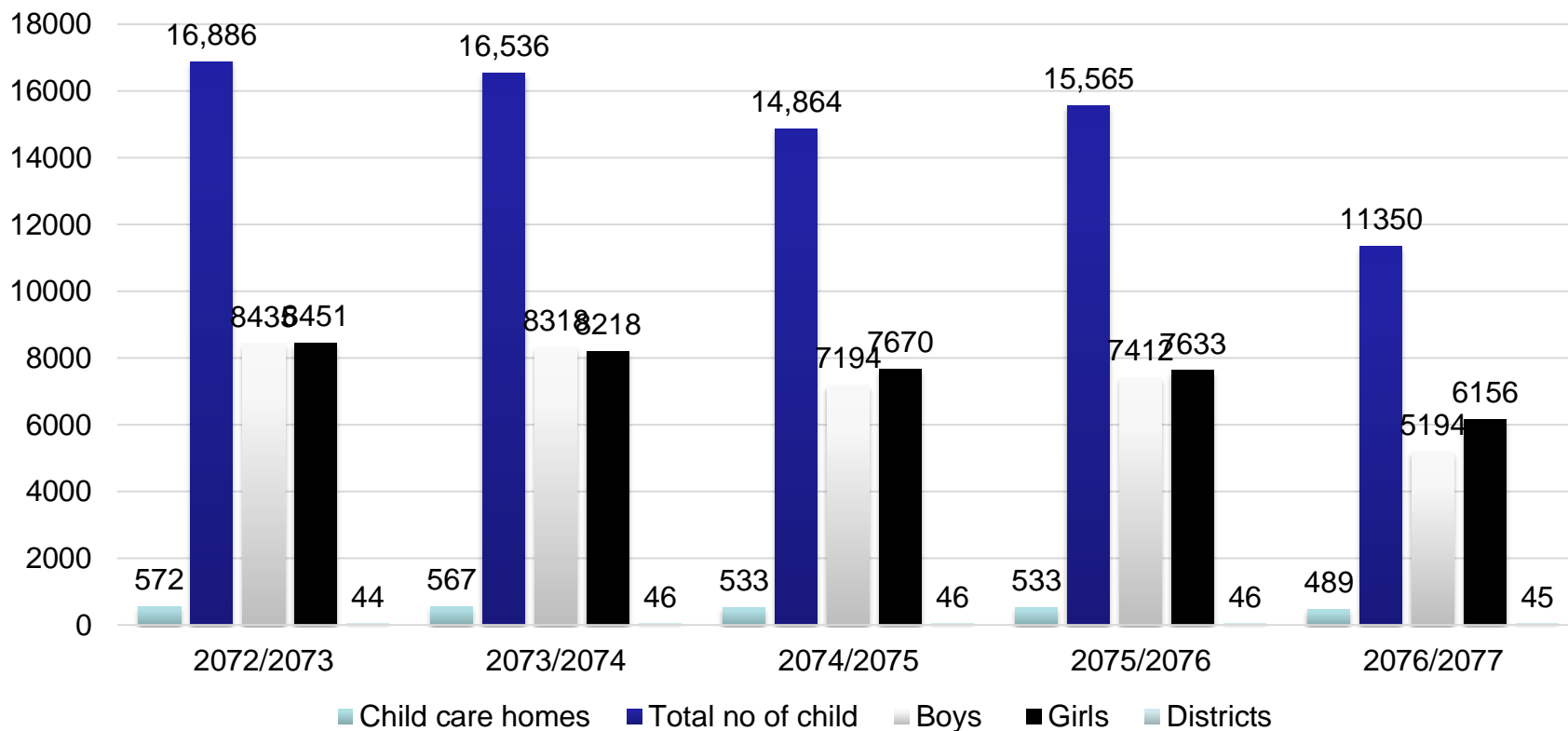
Source : Desmond, et al 2020

* million

Approximately 2.7 million children between the ages of 0 and 17 years are estimated to be living in residential care globally, 120 children / 100,000, (UNICEF,2017)



Children living in Institution in Nepal





What do 80 years long studies tell us ?



Evidence of harm has been explained by various psychology and child development theories and experiments. Many researchers have confirmed that child separation causes short-term and long-term damages which in many instances are irreparable and fatal.



Harms of Child Separation



The Lost Opportunity & Increased Vulnerability

Child care

increases the vulnerability of children to separational trauma, exploitation and abuse.

Family environment & community

has negative effects in their holistic child development

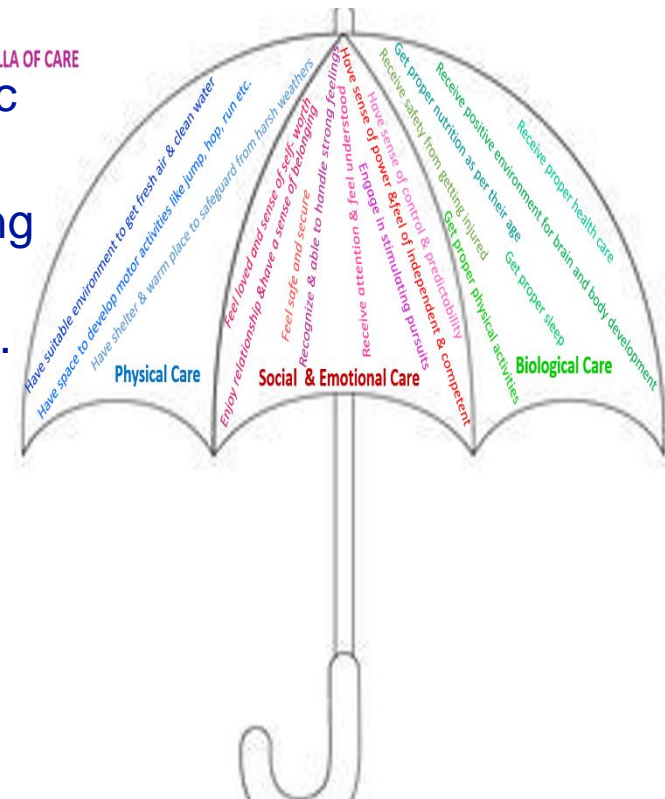


Harms of Child Separation



- Infants/ child early life experience and secure base formation.
- Lost opportunity of individual care and basic needs fulfillment.
- Disruption to Secure Attachment and lifelong emotional impairment: Attachment theory (Bowlby, Ainsworth and Harlow experiment).
- Separational trauma: Shonkoff's eco-bio-developmental theoretical approach
- Exposure to violence against children
- Institutionalization and harms of institutions
- Minnesota University longitudinal study

UMBRELLA OF CARE

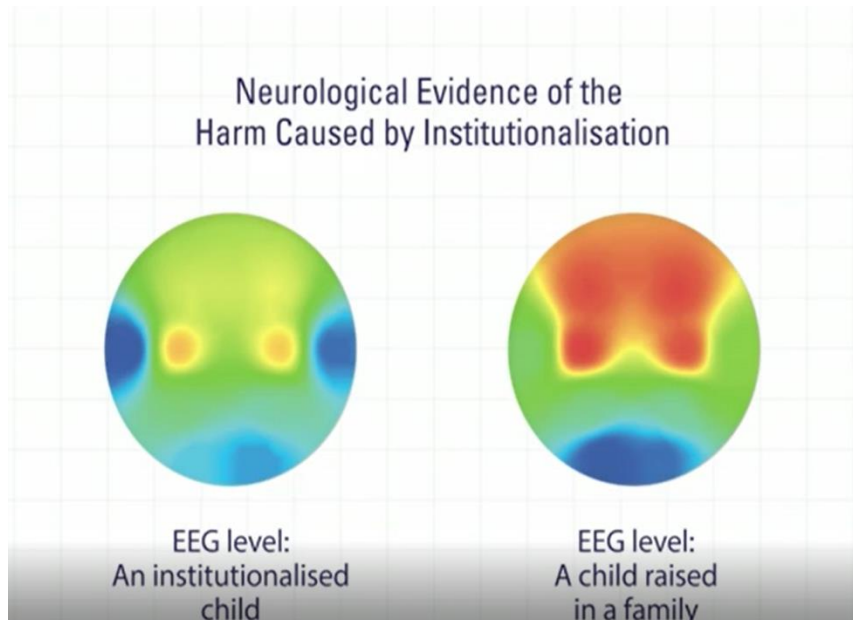




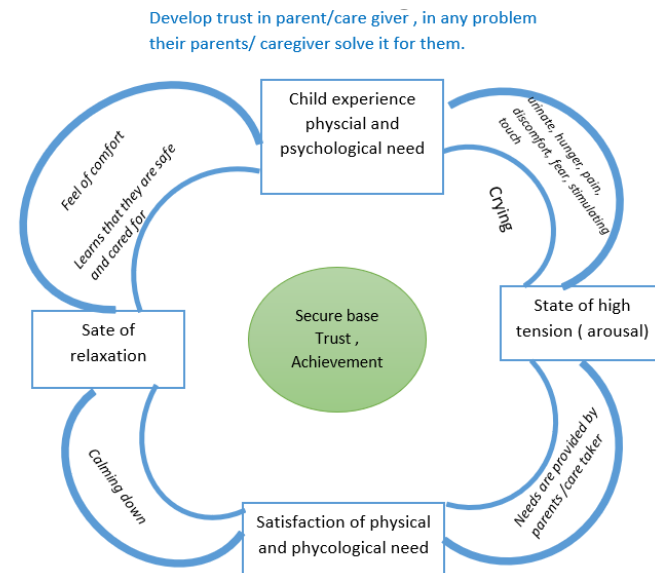
Infants' Experience and Child Development



First Few months experiences shapes child development



Source : LUMOS, 2020



Development of sense of security



The Evidences of Harms :Exposing Children to Separation Trauma, Violence, Abuse and Exploitation



- When secure base is removed or missed, children feel unsafe and scared. This puts children into the situation of stress and which if timely not deescalates, turns into distress leading to separational trauma, an impaired mental health condition.
- During separation , children become vulnerable to physical, emotional and sexual abuse, exploitation, neglect and trafficking.
- At least one in six of the children entering SOS village has previous experience of violence. (Gale & Khatiwada,2015)
- The studies have shown that, the vulnerability of the children with disability institution is very high. The lack of personal attention to the child have resulted 26% death of such children in institutions,(LUMOS,2015)



The Evidences of Harms :Exposing Children to Separation Trauma, Violence, Abuse and Exploitation



- Involve in smoking, misuse alcohol and drugs, and engaging in high-risk sexual behaviour.
- Higher rates of anxiety, depression, other mental health problems and suicide.
- Affects brain development negatively brain development and damages other parts of biological systems.
- Negative effect on cognitive development and results in low educational and vocational learning.
- highly exposed to violence against children and builds on the trauma, impairs children's growth and many times threatens the child's life
- lack of warmth and love (healthy stimulant) and separation trauma lead to the use of drugs, and alcohol-like substances to compensate for childhood healthy stimulation.

WHO,2020
<https://www.who.int/news-room/fact-sheets/detail/violence-against-children>



The Evidences of Harms



- Research suggests that staff-to-child ratios vary enormously around the world, but in some instances can be as high as 1:100 (Pinheiro 2006 in Every child matter, 2019, p 40).
- In Sub-Saharan Africa, the rapid rise in children's homes run by faith-based organizations in response to the HIV and AIDS crisis means that children are often cared for by volunteers.
- Not only are such individuals often not properly trained, but they also come into institutions for relatively short periods, making it particularly hard for children to form a long-lasting bond (Firelight Foundation 2008 in Every Child matter 2019, p 40)

What is wrong with institution?

According to LUMOS, Ending the Institutionalisation of children Globally- The Times is Now, 2015.



Estimated 8 million children worldwide live in institution. Among them more than 90% of children are not orphans.

Children raised in institutions are

- 10 times** more likely to be involved in prostitution
- 40 times** more likely to have criminal record
- 500 times** more likely to commit suicide

And



26% of young children with disabilities died in institution.

Over 80 years of research demonstrates that children who are separated from their parents and growing up in institution are getting harms on physical, emotional, mental health and well-being.



The Evidences of Harms



- Institutions lack environment of attachment and adequate stimulation which hinder the development of social skills, motor skills and intellectual capacity (Every Child 2005; Tolfree 2003).
- Emotional deprivation under three years can hinder the physical development of the brain (Rutter 1996 in Everychild 2005)
- Children living on the streets, or in institutions or detention, may never get opportunity to recover their emotional deprivation and bonding process (Thomas de-Benetiz 2007; Save the Children 2004; Tolfree 2003).
- In many institutions, children's ability to form an attachment is particularly hindered by limited contact with families, high staff to child ratios, and high staff turn-over, (Every Child, November 2019)



SESSION 4

Nepal, a Country that Stands Out!
Nepal and Family Separation



Session 4: Objectives



At the end of the session, the participant will

- Enhance knowledge of the causes and emerging trends of child separation in Nepal
 - Enrich their understanding of the association of child trafficking with child separation.
 - Deepen insights on the link of trafficking and child separation in Nepal.
-



Cause of Family Separation in Nepal



Poverty

- 28th poorest country in the world rank , 2019
- Nepal is one of the 48 least developed country(LDCs) in the world.

Parental perspective

- Belief that children receive better living condition in institution.
- Perception that children get access to better standard of education to improve their life opportunities.

Weak child protection system

- The national child protection system is not functioning in the way to ensure children will not be placed unnecessarily in institutions due to the reason of poverty alone.
- Not been able to protect children from harm and safeguarding form harms in institutions.



Emerging Trends and Causative Factors



- Migration and child abandonment
 - Teenage child marriage and child separation
 - Working class and child separation
 - Nature of job and child separation
 - Social media and child separation
-



Orphanage Trafficking in Nepal



- The roots of orphanage trafficking in Nepal go back to the 10-year civil conflict between 1996 and 2006 (Punaks & Feit, 2014a).
- When the conflict ended in 2006, orphanage trafficking evolved further and spread across Nepal as business model extended to intercountry adoption
- Following the 2010 restriction on inter-country adoptions, the business model target well-intentioned foreign volunteers.
- Donors were persuaded to financially support children's homes and 'orphanages', believing the children to be orphans or destitute.



Orphanage Trafficking in Nepal



- In fact, up to 85% of the children had living parents.
- Children were often be forced to lie about their origins and identity
- They were denied access to their families and communities; emotionally, physically and sexually abused; and sometimes denied access to proper care as a deliberate strategy to incentivize donations.
- In 2017, the phenomenon was recognized by the US government as a form of trafficking in Nepal in the Trafficking in Persons Report (Department of State, 2017)
- This stands out Nepal as a country of orphanage trafficking and serious concerns for child right organizations.



SESSION 5

Keeping Children in the Family!
Gatekeeping System and its Effectiveness

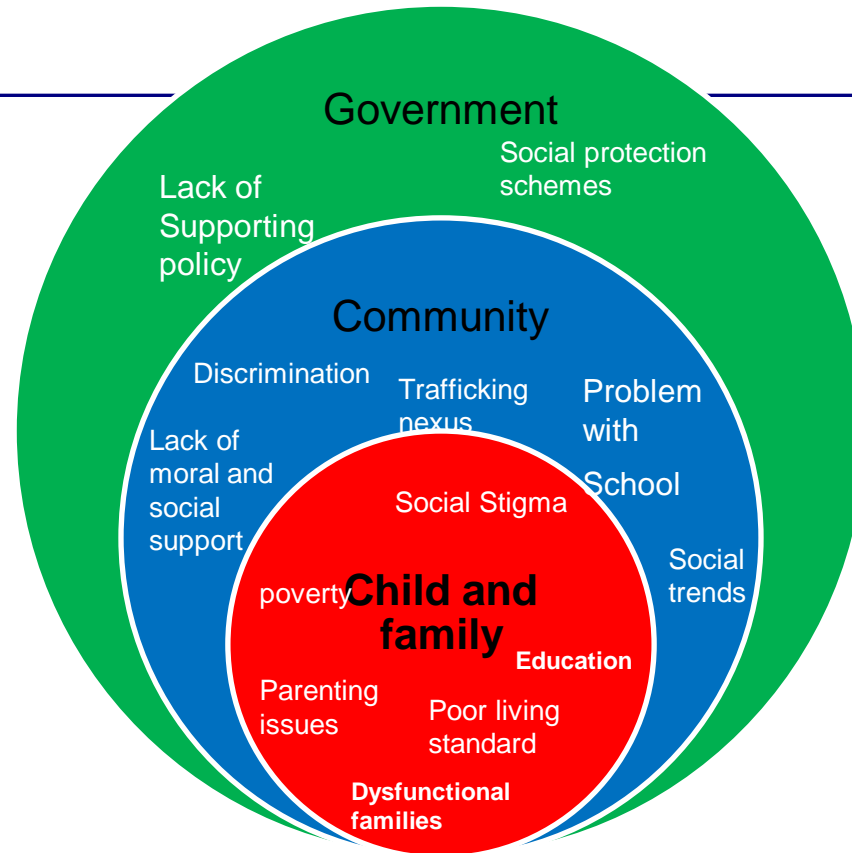


Session 5: Objectives



At the end of the session, the participants will

- Understand Gatekeeping as an effective system for keeping children with families.
 - Build insights on the importance and significance of gatekeeping system in Nepal and the role that the organization can play in building the system in Nepal.
-



Circle of child separation



Changing the Circle of Separation

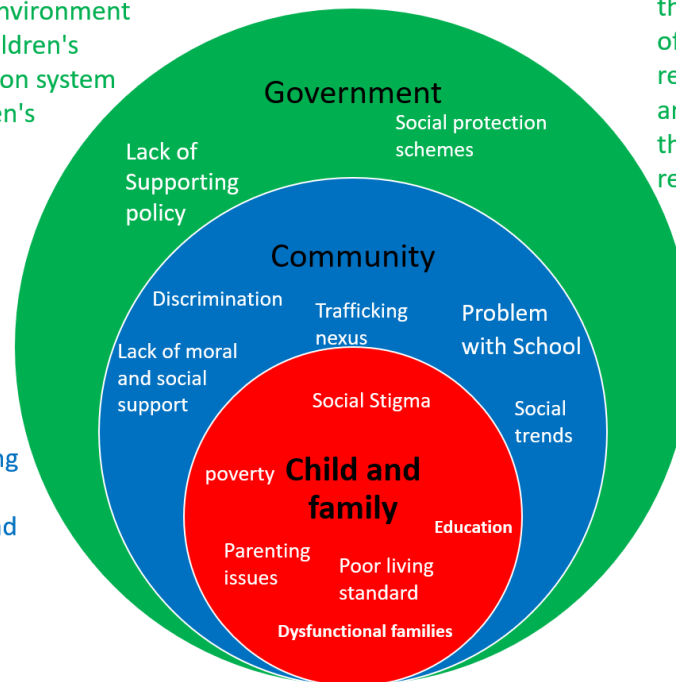


Creating an effective policy environment and context that supports children's reintegration, a child protection system that is able to support children's reintegration.

Effective laws and policies in place that are supporting the reintegration of children and enabling families to receive the support that they need, and having a child welfare workforce that is also able to support children's reintegration.

Circle of Support

Community monitoring of children and vulnerable families and traffickers



Providing support in many different ways-- providing practical support, moral support, and additional support in schooling, solving problem of good education in school

What was the root causes of the separation ? Has that been solved ?
Solving / supporting the family to solve the problem



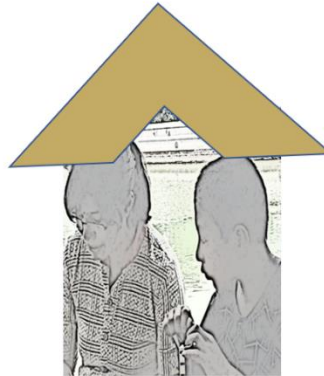
Three Pillars of Guideline



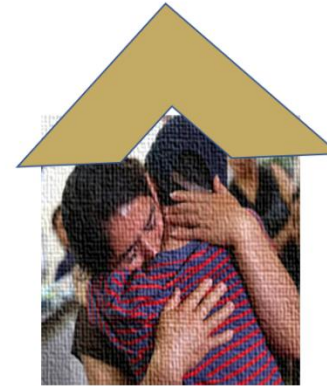
1 Prevention of Unnecessary separation



2 Suitable Alternative Care



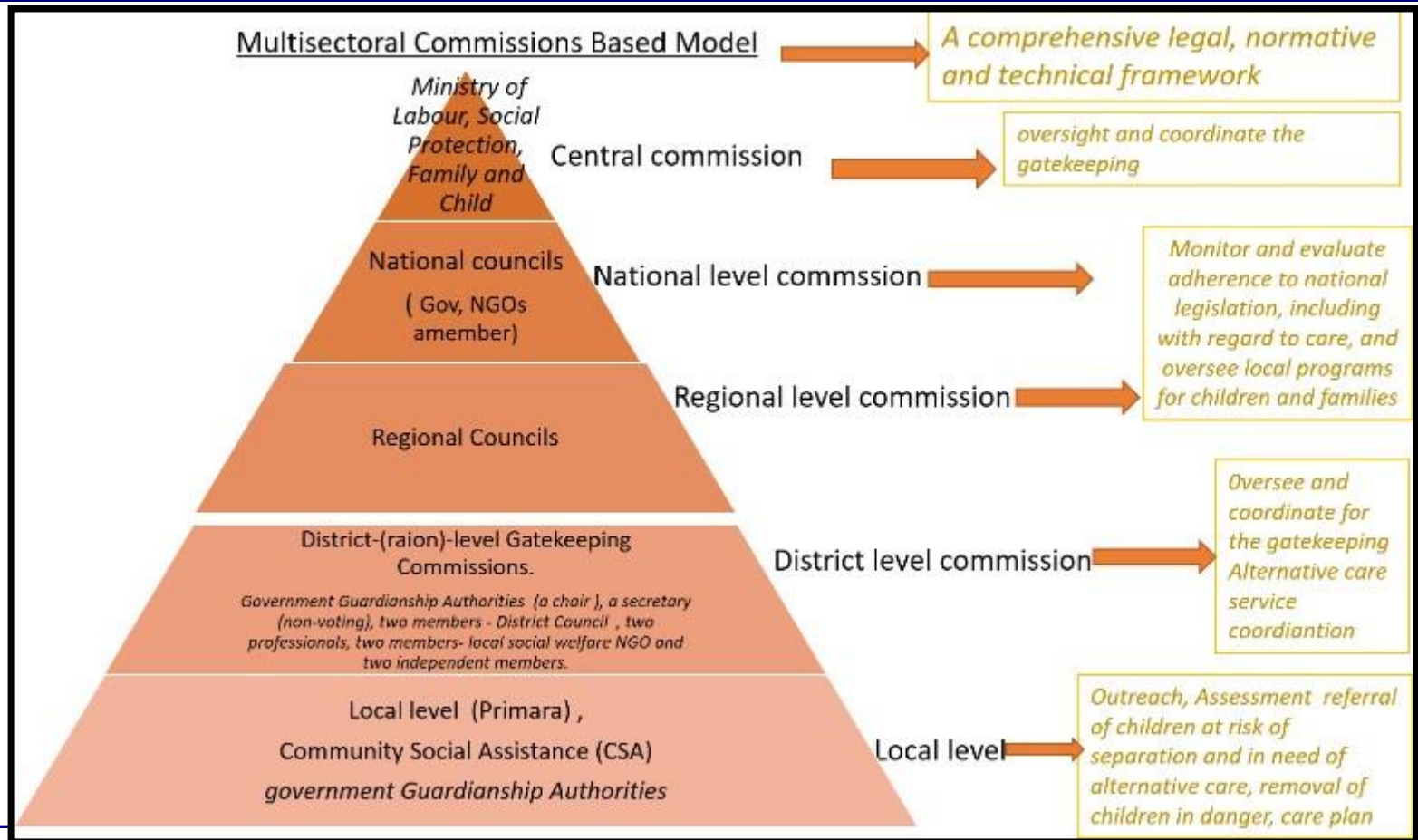
3 Reunification to family/family based care



Gate Keeping

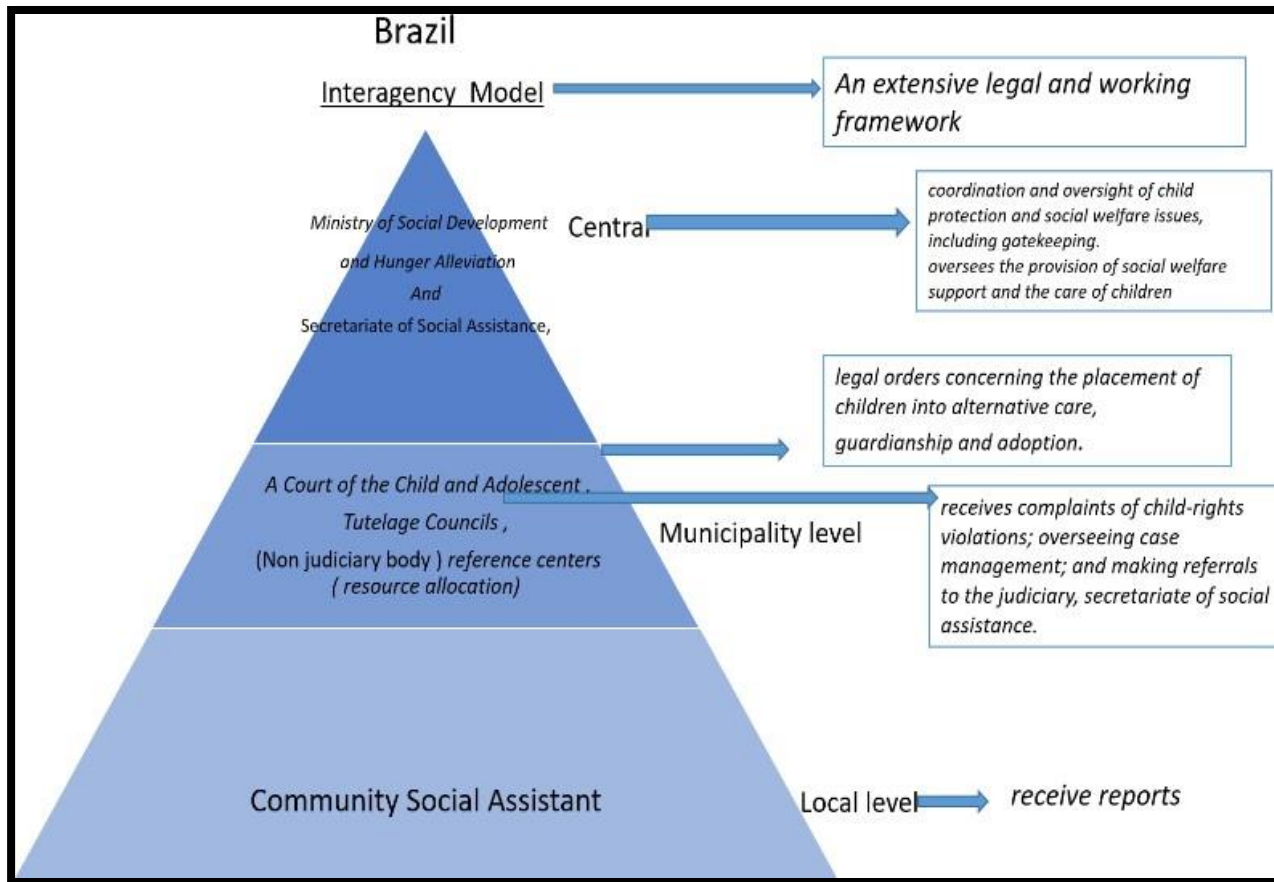


Gatekeeping: Moldova



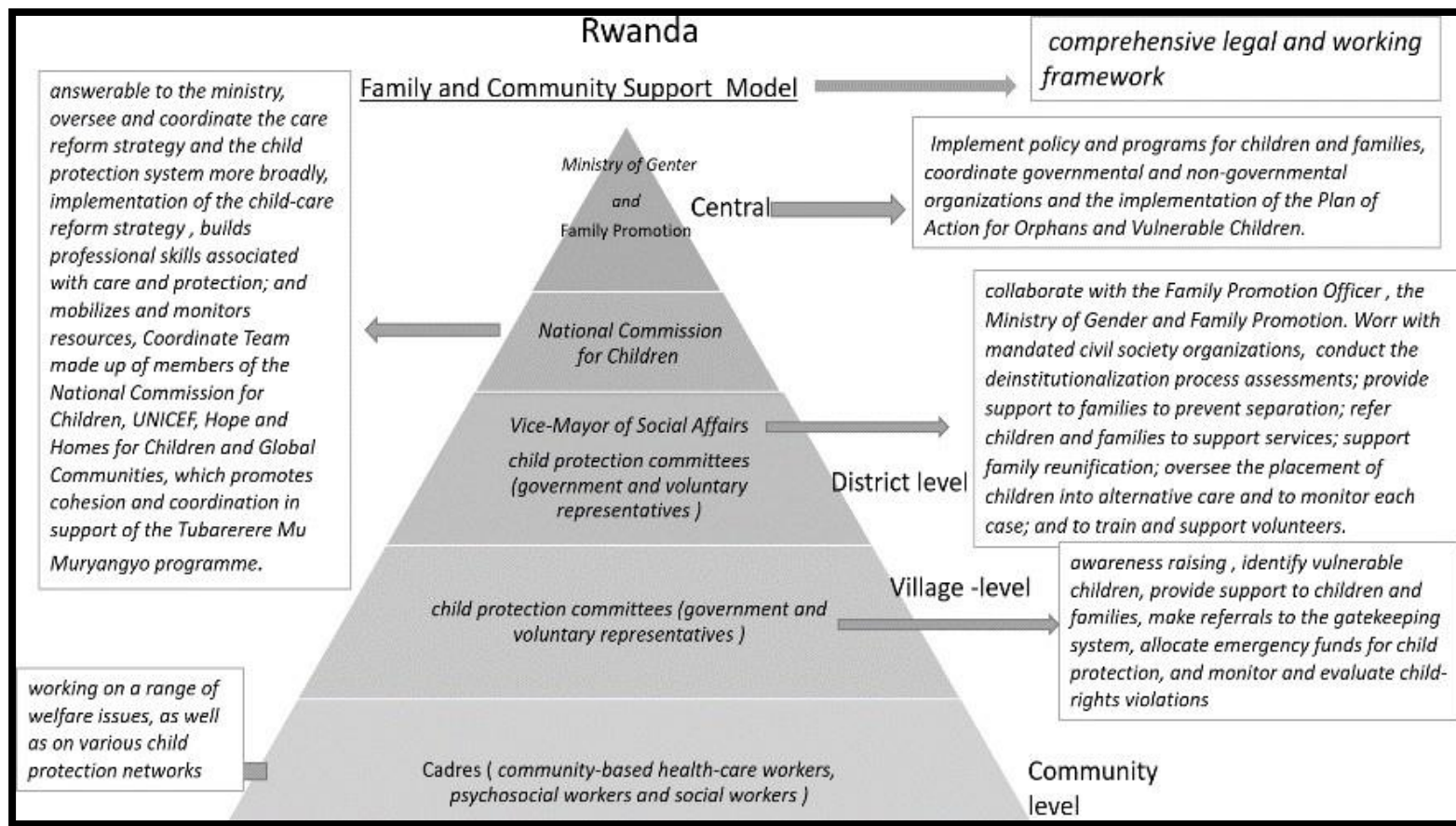


Gatekeeping : Brazil





Gatekeeping: Rwanda



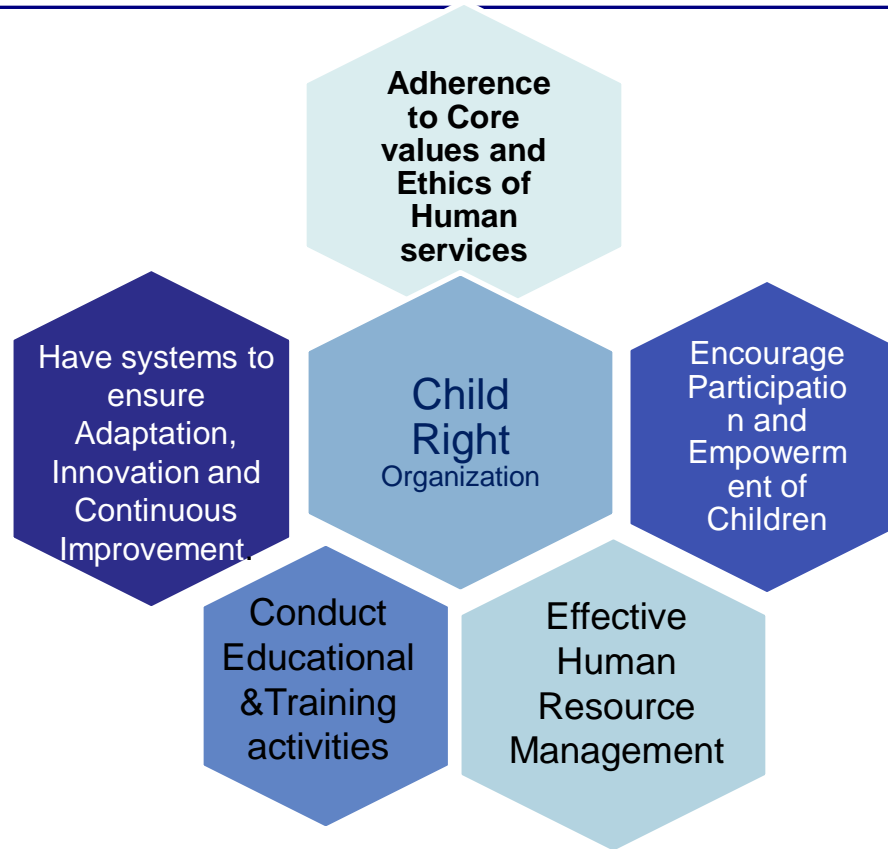


SESSION 5

Strong Institutions, Safe Children!
Features of Strong Child Rights Organisations



Features of Child Rights Organization





Core values and Ethics of Human service



- Serve people in need with special attention to children and work to address social problems.
- Recognize of the Inherent Dignity of Humanity and children's worth and value
- Promote and protect human rights with special focus on Children's Rights
- Promote social justice (challenge discrimination and institutional oppression, respect diversity, access to equitable resources, challenge unjust policies and practice, build solidarity) in the best interest of the child
- Promote right to self determination as per evolving capacity of children and other beneficiaries
- Promote participation within the organization and with their beneficiary
- Respect confidentiality and privacy of its clients including children
- Treat every human including children as a whole person
- Ethical use of technology and social media
- Maintain professional integrity of board members, managers and staffs as child right workers



Encourage Participation and Empowerment of Children



- Enabling and Promoting Participation of Children
 - Inclusive and Empowering Language
 - Strategies to reduce the potential for undiscovered or ongoing harm
-



Effective Human Resource Management



- Recruitment and Selection Practices acknowledge the importance of child rights and child protection
 - Job Descriptions / Duty Statements
 - Staff Support, Supervision and Performance Management
 - Complaints Management and Disciplinary Proceedings
-



Conduct Educational and Training Activities



- Awareness and Understanding of Child protection and promotion of child rights and Organizational Responsibilities.
 - Capacity building exercises and activities
 - Building intrapreneurship amongst the human resources
 - Support Organizations in maintaining and strengthening capacity.
-



Front Line Workers' Training



Training Manual

Child Rights Workers

for Children's Right to Parental Care !

www.stopchildseparation.org

Face book page; stopchildseparation.



Have Systems to ensure Adaptation, Innovation and Continuous Improvement



- Governance and Culture
 - A Child-Safe/Protection Policy
 - Risk Management
 - A Code of Conduct
 - Privacy and Data Protection
 - Organizational monitoring
-



Building Strong Organization Organizational Memory Management



- Importance of organizational memory management.
- Organizational memory management in knowledge management
- Steps of organizational memory managements (Acquisition, Retention (Individual, culture, transformation, structures, activities) and Retrieval.)
-

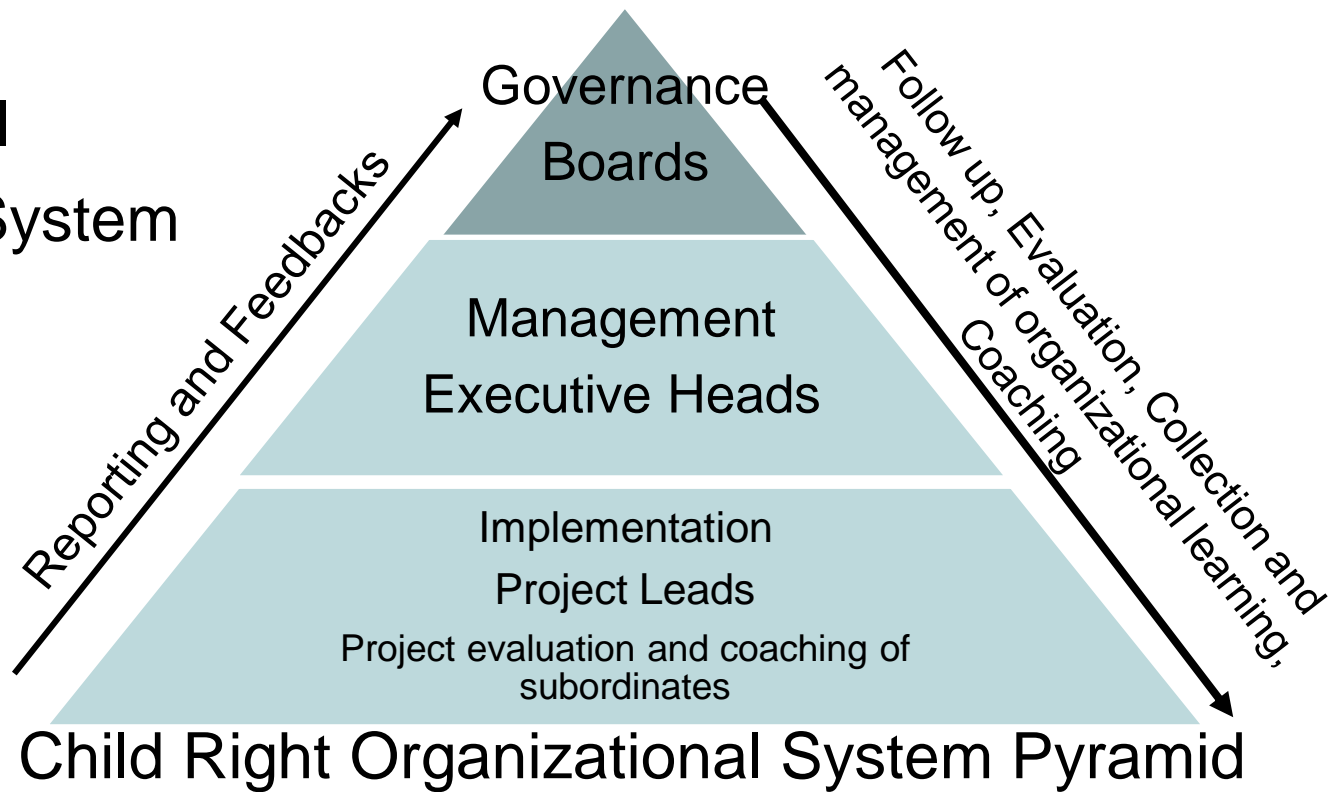




Building Strong Organization Internal Monitoring, Evaluation and Learning System (MEAL)



3 Level
MEAL System





SESSION 7

Parental Care for Every Child!

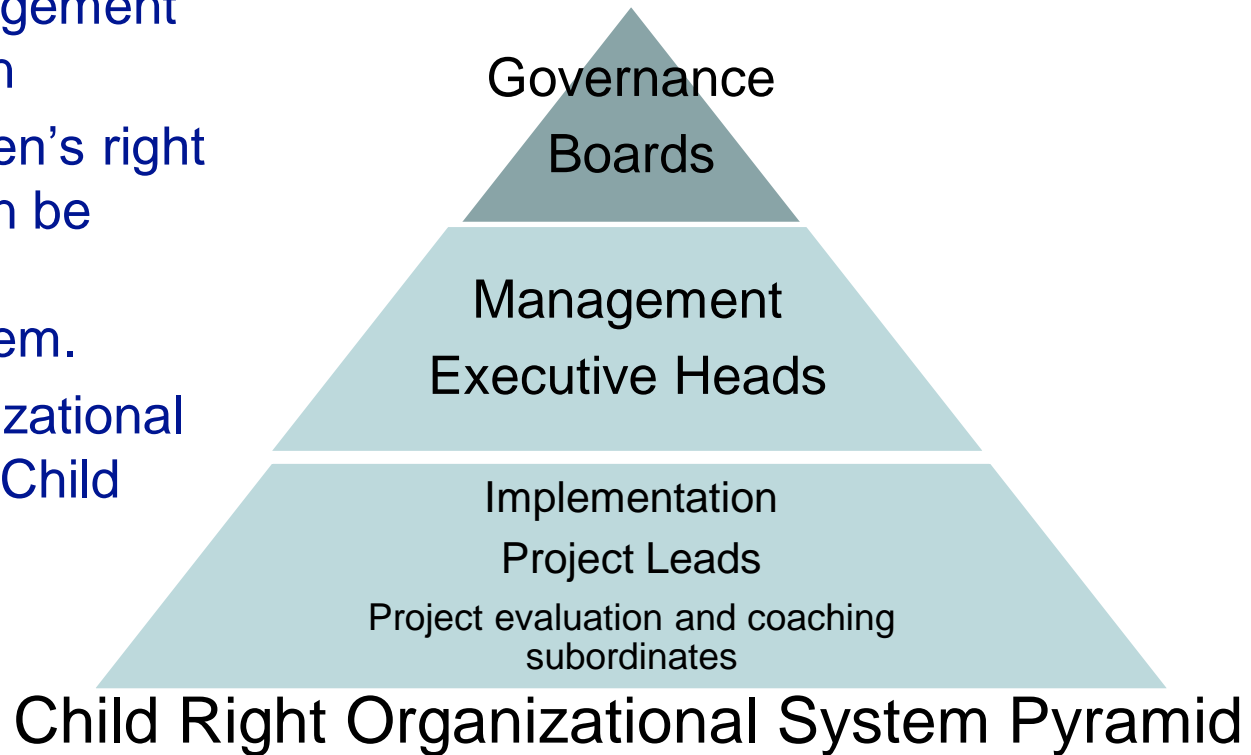
**Integrating Children's Right to Parental Care in the
Organizational System**



Integration of Children's Right to Parental Care



- Divide into three groups, Governance, Management and Implementation
- Discuss how children's right to parental care can be integrated into the organizational system.
- Referred to Organizational system Pyramid of Child Right Organization.





SESSION 8

Training Consolidation and Closing



THANK YOU !
