

Interaction on concerns and challenges of care leavers in Nepal

31 March 2023
Kathmandu, Nepal

Organised by

SOS CHILDREN'S VILLAGES



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National director of SOS Children's Villages Nepal Dr Ganga B. Gurung presenting the strategic priorities for further advocacy and commitment of SOS Children's Villages Nepal to ensure continuous support for the care leavers for their rights to development, protection and wellbeing.

Introduction

On March 31, 2023, an interaction was organised by SOS Children's Villages Nepal in collaboration with the Child Care Home Network Nepal (CNET) and Care Leavers Association Nepal (CLAN) in Kathmandu to discuss the concerns and challenges faced by care leavers in Nepal. During the session, members of the care leavers' networks shared that they were experiencing difficulties accessing their civil political identities, such as citizenship, national identity cards, and birth registration. They also expressed that they are being excluded from policies related to social protection and reservation, which deprived them of further opportunities. These challenges negatively affect their psychosocial well-being and socialisation, limiting their mobility for livelihood and hindering their economic activities, ultimately leading to dependence.

Previous studies have shown that young people leaving care are among society's most vulnerable and excluded groups. They face challenges such as accommodation problems, unemployment, financial difficulties, deprivation of their civil and political rights, and inadequate responses from other community members, pushing them towards risky behaviours and hindering their social-economic engagement for livelihood. Challenges are also associated with socio-cultural skills and socialisation.

While arrangements for alternative care are needed for children and young people who have experienced limitations in their parenting in alternative care settings, the Act Relating to Children 2075(2018) requires alternative care for children who are orphans, abandoned, have parents with severe physical or mental incapacity or disability, are found in conflict, have parents under detention or prison, or are separated from their families due to abuse or protection risks. The Constitution of Nepal guarantees the state is the ultimate guardian of children, responsible for their necessary protection and fulfilment of their rights.

Care leavers are individuals who have received childcare services or family-like care during their childhood due to unavoidable circumstances to help them grow in the absence of or lack of accountability of their biological families. However, many nurtured in alternative care have been inadequately treated or deprived of their civil and political identities, important life skills, and community socialisation. As these children or youths leave care, they face numerous challenges and problems in the real world. These issues include state policies, social discrimination, lack of intersectional communication, and strategies applied for their growth in care settings. Care leavers are among the most vulnerable and underprivileged individuals, and their concerns and challenges have become a social issue. Recognising this existing context, problems, and concerns, SOS Children's Villages has created a forum of diverse groups to interact on the concerns and challenges of care leavers.

Objective

- Demonstrate the concerns and challenges faced by care leavers with the government agencies (National Child Rights Council and National Youth Council), National Human Rights Commission of Nepal and civil society organisations working for children and youths for their collaboration, support and necessary engagement or response in the concerns and challenges of care leavers in Nepal.
- To promote the visibility of care leavers concerns and issues as one of the pressing social agendas.
- To contribute for social interaction of the care leavers and institutionalise their networks as an advocate for their rights.
- Initiate intersectional communication of care leavers to ensure proper response of government agencies and collaboration of the civil society organisations.

Representative of civil society organisation speaking about the concerns and challenges of care leavers and expressing her commitment to work together to find solutions.



Interaction proceeding

Surendra Basnet, the executive vice-president of National Youth Council Nepal, was a special guest at the event along with other distinguished guests, including Bam Bahadur Baniya, the vice-president of National Child Rights Council, Regam Maharjan, the National Human Rights Commission's Gender and Social Inclusion Division representative, and various civil society organisations that advocate for children and young people's rights. Representatives from three care leaver networks - Care Leavers Association Nepal, Umbrella Organisation Nepal, and Shine Together - Care Experienced Network Nepal were also in attendance. Dr Ganga Bahadur Gurung, the national director of SOS CV Nepal, was present to observe the interaction and present SOS CV's strategic engagement for care leavers' rights through its program interventions and advocacy. Madhab Pradhan, the chairperson of Child Care Home Network Nepal (CNET), also spoke at the event and shared the programme's objectives, delivering the welcome speech alongside the president of the Care Leavers Association Nepal.



Key Concerns and challenges

Key concerns and challenges are derived from the sharing made by Care Leavers Association Nepal, Jeny Kumari Shah, representative from Umbrella Organisation Nepal, Nisha Chauhan, representative from Shine Together – Care Experienced Network Nepal, Dikshya Thapa and Birendra Shahi.

- Care leavers face challenges in obtaining civil political identities such as birth registration and citizenship.
- Government authorities often subject care leavers to discriminatory behaviour and additional interrogation when they attempt to obtain necessary documents.
- Service providers use discriminatory language and behaviours towards care leavers, further compounding their difficulties.
- Care leavers often have to spend a lengthy amount of time receiving government services related to their civil and political identities. Some care leavers reported spending up to 8 months and incurring travel expenses to obtain citizenship.
- While the Nepal Rastra Bank Regulation permits banks to open accounts for individuals with no biological parents listed on their available identity, bank staff may still exhibit problematic behaviours when opening accounts for those with anonymous parental identities.
- Children in care homes and alternative care experience diverse socialisation, which may not align with their support system upon leaving care, leading to potential psychosocial issues.

- Limitations imposed on children in care homes may leave them lacking socialisation, life skills, and financial management skills, creating dependency issues for care leavers.
- Care leavers may struggle with adjustment difficulties when starting a new family or reintegrating into society.
- Inappropriate governance by care providers or government agencies may result in care leavers losing their rights to parental property.
- Care leavers may have limited social mobility.
- Care leavers are often marginalised in development policies and plans.



- Care leavers' agendas are excluded in the socio-political process so that their agendas are still isolation.
- Proper stakeholder engagement and networking are crucial for promoting an enabling environment for care leavers' rights.
- There is currently no dedicated mechanism within the National Youth Council and National Child Rights Council to address the concerns of care leavers' rights.
- Care-experienced individuals may struggle with cultural gaps when reintegrating into society.
- Negligence by care providers and government organisations has led to care leavers losing their inalienable rights to parental property. Care providers should take care when assigning parental identities and connect children with their biological parents if possible or ensure a way for the child to search for their biological family in the future.

Commitments of authorities and stakeholders

National Child Rights Council (NCRC)

Bam Bahadur Baniya, the Vice-chairperson of the National Child Rights Council, expressed his dedication to finding solutions to the problems and concerns of care leavers. The NCRC collaborates with authorities and service providers to improve the vocational skills of care leavers, which supports their economic and social mobility. Baniya emphasised that children should not be treated with sympathy, as the state is responsible for ensuring their fundamental rights and best interests, including providing a family environment for their growth, development, and protection. He also pledged to provide services for care leavers and children in alternative care based on their specific requirements. During his address, he urged stakeholders to play a transparent role in proper gatekeeping before institutionalising children for alternative care.



General Secretary of NGO Federation Nepal, Mr. Arjun Bhattarai, sharing his solidarity and commitment to join the care leavers' advocacy for their rights.

Civil society organisations and networks

Arjun Bhattarai, the General Secretary of the NGO Federation of Nepal, pledged to collaborate and show solidarity with care leavers in their campaigns. He urged care leaver organisations to maintain regular communication with his organisation for networking purposes.

Rabin Nepali, the General Secretary of Child Care Home Network Nepal, emphasised that childcare homes are the last resort for alternative care, as defined by the UN Guideline on Alternative Care and Act Relating to Children 2075. He requested government authorities and CSOs to work together and continuously monitor care strategies and services in childcare homes to ensure accountability.

Rajesh Sharma, the Chairperson of the Children as Zone of Peace National Campaign (CZOP), expressed CZOP's support for the concerns of care leavers. He highlighted that civil registration laws have made it difficult for children and young people to receive their civil political identities.

Tillotam Poudel, the Coordinator of Social Protection Civil Society Network, explained that care-experienced persons end up in care homes and alternative care due to difficult conditions. He committed to advocating for the social security concerns of care leavers and mainstreaming their protection priorities in future programmes.

Nabin Silwal, the Coordinator of Tanneri Chaso, acknowledged that the issues raised by care leavers were genuine and committed to incorporating care leavers' agendas as one of their priorities for accountability campaigns.

Amrit Devkota, the Chairperson of Environment Rights and Climate Justice Network, encouraged care leavers to join thematic youth networks to mainstream their agendas. He also committed to future collaboration in care leavers' agendas and networks.

Nawaraj Dhakal, the Coordinator of Net for Good Alliance, stated that the challenges faced by care-experienced persons are the accountability of NCRC and National Youth Council.

Lalita Tamang, the National Adolescents Girls Network Chairperson, emphasised inclusive participation in their network, including representatives from alternative care. She expressed solidarity with care leavers' rights and campaigns.

Pradip Tiwari, the National Adolescents Boys Network Chairperson, pledged solidarity with care leavers' concerns, recognising diversity in every child's context.

Dhana Bahadur Lama, the Chairperson of Himali Nabin Samaj, stressed that care homes must be accountable to the UN Guideline on Alternative Care and the Act Related to Children 2075. He also highlighted the need for standardised gatekeeping policies in care homes to ensure children's rights.

SOS Children's Villages Nepal

Dr Ganga B. Gurung, the National Director of SOS Children's Villages Nepal, referred to previous studies that have identified care leavers as a vulnerable group and a community at higher risk. He then discussed the initiatives taken by SOS Children's Villages Nepal to provide alternative care to needy children, such as family like care, family strengthening programmes, and youth care, in compliance with domestic legal requirements and international standards guided by humanitarian principles. The highlights of his delivery follows as below:

- The latest national census shows that 26% of births in Nepal are not registered, indicating a problem in the registration system or awareness level.
- The National Youth Council (NYC) should prioritise care leavers in their youth policy and programmes.
- NYC should ensure youth representation in forming mechanisms for implementing the participatory principle of 'Nothing for us without us.'
- SOS Children's Villages Nepal is committed to implementing domestic policies, laws, and international standards while providing alternative care for children.
- Accountable government authorities (NYC and NCRC) must address the concerns and challenges children and young people face under alternative care.
- Alternative care service providers should have resources, plans, and tools to address the psychosocial, financial, and other challenges that care-experienced children and young people face.
- SOS Children's Villages Nepal will support care leavers and their network for their development and rights advocacy as per their requirements and capacity.

National Human Rights Commission (NHRC)

Regam Maharjan, a representative of NHRC, advised care leavers to broaden their networking with children living in alternative care and those who have experienced such care to

correspond with the issues, challenges, and socialisation. She also stated NHRC's commitment to engage and request recommendations if care leavers and children under alternative care are deprived of their human rights and fundamental freedom.

National Youth Council (NYC)

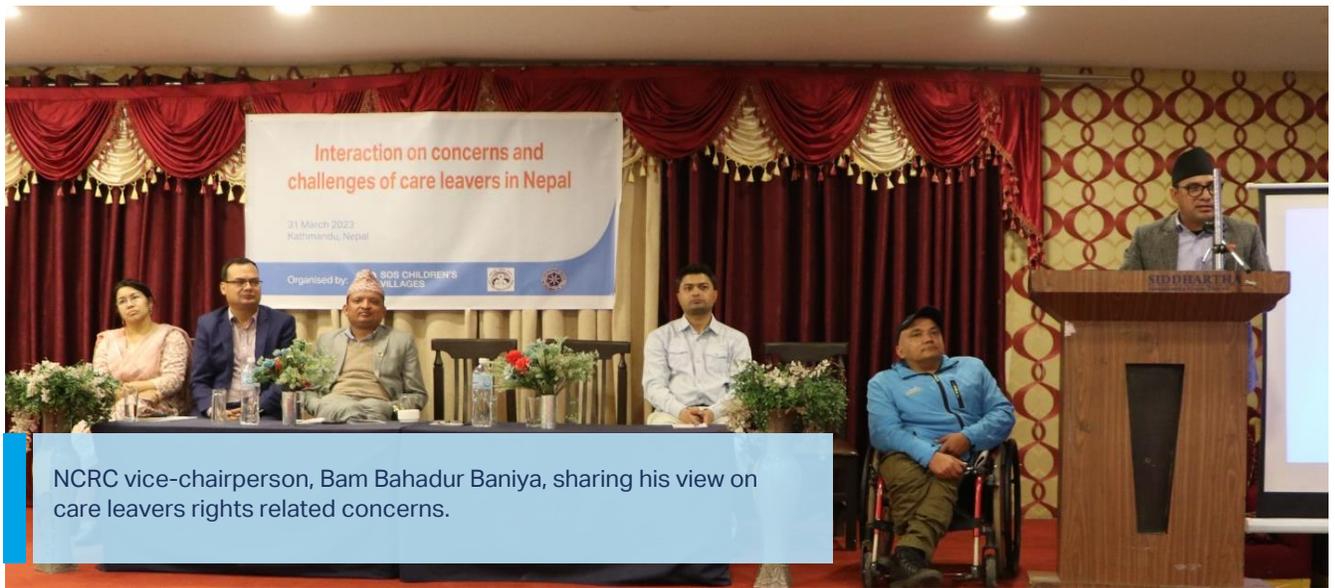
Surendra Basnet, Executive-Vice President of the National Youth Council (NYC), expressed that this programme was unique for him as a guest. He shared his personal experience of leaving his parents at age 5 and residing with his elder father for education, where he was appropriately treated but lacked parental love. With this reflection, he praised the alternative care services provided by SOS Children's Villages Nepal. He emphasised that as a signatory of various international treaties, the state and its agencies, such as National Youth Council, have a responsibility to ensure the rights of individuals, regardless of their family situation. Summary of his commitment and plan follows as below:

- National Youth Council is updating the national youth policy.
- NYC will include care leavers as one of the youth identities for their participation and opportunities
- NYC commits to resolving concerns and challenges faced by care leavers in accessing their rights and civil political identities.
- Care leavers are encouraged to communicate and collaborate with NYC for support.
- NYC will establish a coalition of care leavers' youths to support policy change and necessary support for care leavers to fulfil their rights.

CNET chairperson Mr. Madhab Pradhan concluded the programme and committed that CNET in association with the concerned organisation would facilitate the partnership to share concerns and challenges of children and young people of these categories for collaborative initiation of the authorities and stakeholders for possible resolution.

Annexure I: Photo gallery





NCRC vice-chairperson, Bam Bahadur Baniya, sharing his view on care leavers rights related concerns.



CNET Chairperson Madhab Pradhan delivering his closing remarks.



Care leavers Association Nepal's Chairperson, Mr. Deepak KC, explaining the objectives and welcoming the participants in the programme.



Nisha Chauhan sharing her experience ((Umbrella Organisation Nepal)



Dikshya Thapa sharing her experience (Shine Together – Care Experienced Network Nepal)



Representatives of civil society organisations speaking at the concerns and challenges of care leavers and their commitment of collaboration.

Annexure II: Participants' list

General Assembly
Child Care Home Network Nepal
Kathmandu, March 31, 2023

S.N	Name	Organization	Email	Mobile Number	Signature
1.	Mallav Paudyal	Changpa	mallav.paudyal@cs-ila	985055520	
2	Yadav Nisula	CNET	yadavnisula@gmail.com	9851056635	
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14	Amya + Psh. Paudyal	CNET	amyaspudyal@yaho.com	9850896682	

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Annexure III: Programmeme agenda

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March 31, 2023
Kathmandu Nepal



S.N	Activity	Time	Responsible
Registration and welcome tea (2:00 to 2:30 pm)			
1	Program Chair	2:30 pm	CNET Chairperson, Madhab Pradhan
2	Welcome remarks	2:30 to 2:35 pm	CLAN Representative (Deepak KC, Chairperson of CLAN)
3	Sharing of care Leavers Experiences <ul style="list-style-type: none"> ▪ Hurdles in accessing citizenship and other civil political identity ▪ Psychosocial status during intersectional communication and social reintegration process ▪ Challenges of care leavers during the intersectional socialization and reintegration 	2:35 to 3:20 pm	<ul style="list-style-type: none"> ▪ Umbrella Organization (▪ Shine Together –Care Experienced Network Nepal ▪ CLAN
4	Opinion sharing on the issues for possible collaboration and networking	3:20 to 3:50 pm	Plenary discussion
5	Sharing of future engagement and strategic issues for further advocacy	3:50 to 4:10 pm	Dr. Ganga Bahadur Gurung, National Director, SOS CV Nepal
6	Response on the issues shared by care leavers and social organizations	4:10 to 4:50 pm	<ul style="list-style-type: none"> ▪ National Youth Council Executive Vice-president, Surendra Basent ▪ NCRC Vice-chairperson, Bam Bahadur Banjya ▪ NHRC representative, Regam Maharjan

7	Closing Remarks	4:50 to 5:00 pm	CNET Chairperson
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