National Workshop on Alternative Care in Nepal: Contemporary Situation and Challenges

30 November 2023 Kathmandu Nepal

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30th November 2023





Government of Nepal Ministry of Women, Children and Senior Citizens National Child Rights Council

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Preface

The 'National Workshop on Alternative Care in Nepal: Contemporary Situation and Challenges' was jointly organised by the National Child Rights Council Nepal (NCRC) and SOS Children's Villages Nepal on November 30, 2023, in Kathmandu. The inauguration of the workshop saw children living under alternative care lighting a traditional oil-fed lamp, symbolising the commencement of the event. The Honorable Minister for Women, Children, and Senior Citizens, Mr Surendra Raj Acharya, served as the chief guest, addressing the audiences and sharing the key concerns and perspectives of the Ministry.

The workshop facilitated diverse participation from key stakeholders, fostering interactions and highlighting significant concerns about the quality of alternative care within the framework of existing legal and policy measures. Additionally, the event aimed to contextualise policies, procedures, and capacities, ensuring a reformation of the current alternative care mechanism in alignment with the principles of necessity, best interest, and appropriateness for children in need of such services.

The collaborative effort between NCRC and SOS Children's Villages Nepal in initiating this partnership aims to enhance stakeholder accountability, encouraging transparent and meaningful contributions to address the concerns surrounding the quality of alternative care.

The Honorable Minister for Women, Children, and Senior Citizens, Mr Surendra Raj Acharya delievering an address at the workshop. Inauguration of the 'National Workshop on Alternative Care in Nepal: Contemporary Situation and Challenges'



The inauguration of the workshop saw children living under alternative care lighting a traditional oil-fed lamp, symbolising the commencement of the event.



The workshop successfully engaged all participants and achieved the following objectives:

- Highlighted family-like care and community-based family strengthening as relatively effective strategies in response to and prevention of family separation in the context of Nepal.
- Discussed major challenges pertaining to ensuring quality alternative care, including concerns about safeguarding and adequate mechanisms, the shortage of professional care providers, funding issues, gaps in child rights mechanisms and professionals at local and provincial levels, insufficient monitoring by agencies, accountability gaps among stakeholders, and the absence of institutions for the professional development and certification of caregivers.
- Secured commitments for addressing concerns, making efforts, ensuring accountability, and fostering engagement from provincial governments and associations of local governments on issues related to children's rights in alternative care.
- Emphasised the accountability of responsible authorities, including organisations working for children's rights, in providing quality alternative care.
- Contextualised the involvement of children, young people, care-experienced individuals, and child rights activists/experts in the discourse of quality alternative care solutions.
- Facilitated a multi-stakeholder dialogue to address policy, resource, mechanism, and capacity needs for alternative care reform in the Nepali context.



Workshop procedure

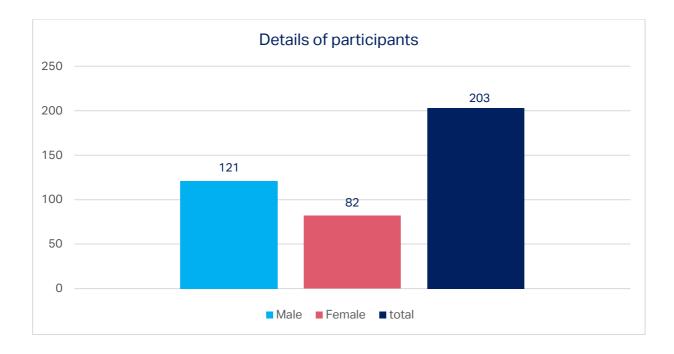
The national workshop employed a participatory process to engage all participants in brainstorming key strategies to enhance the quality of alternative care and innovate care reform in accordance with legal standards, ensuring the best fit for the necessity, appropriateness, and best interest of individual children:

- Mr Bam Bahadur Baniya, the Vice-Chairperson of the National Child Rights Council, chaired the workshop.
- SOS Children's Villages Nepal took responsibility for facilitating the programme.
- Mr Surendr Raj Acharya, Honorable Minister for Women, Children, and Senior Citizens, served as the Chief Guest, delivering the inaugural speech in the opening ceremony.
- Mr Kiran Shah, Chairperson of the Parliamentary Committee for Women and Social Affairs, was the special guest who delivered remarks during the opening ceremony and stayed throughout the workshop sessions.
- Ms Indra Devi Dhakal, the Member-Secretary of NCRC, delivered the welcome speech during the opening session.
- Dr Jyoti Ratna Dhakhwa, the president of SOS Children's Villages Nepal outlined the objectives of the workshop.
- Mr Robin Nepal, the Secretary-General of Child Care Home Network Nepal, delivered remarks and expressed solidarity regarding quality alternative care and care reform concerns.
- The workshop was inaugurated by children residing in alternative care through lighting lamps.
- The opening ceremony was formally closed by the programme chair.
- Dr Ganga B. Gurung and Mr Shree Ram Bajagain presented the paper 'Quality Alternative Care in Nepal: Evolutionary Stages, Existing Status, Accountability Concerns, and Prospects.'
- After the presentation, written feedback was collected for further review and possible incorporation into the paper, with experts opining on quality care and care reform concerns.

- Representative opinion-sharing platform was provided after the written feedback collection.
- After reviewing the session, child rights expert Mr Chandrika Khatiwada summarised the workshop session, highlighting key action points.
- Following SOS Children's Villages Nepal's presentation, NCRC's Information Officer, Mr Ram Bahadur Chand, presented concerns on 'Quality Alternative Care, Governance, and Challenges.'
- Feedback and opinion-sharing sessions were conducted after the presentation of NCRC.
- Child rights expert and former National Human Rights Commission member Mr Gauri Pradhan presented ideas on care governance and summarised the session by focusing on critical takeaways for quality care governance.
- The Care Leavers panel discussion added value to demonstrate the need for reform, accountability, and stakeholder engagement for quality care and care reform.
- Before the closing, provincial and local government representatives expressed their commitment and reflections on alternative care and their role.
- The workshop concluded with the NCRC Vice-Chairperson Mr Bam Bahadur Baniya anticipating future collaboration for quality alternative care and care reform issues.
- Organisers provided breakfast, tea and coffee breaks, lunch, and hi-tea to all participants.

Participants of the workshop

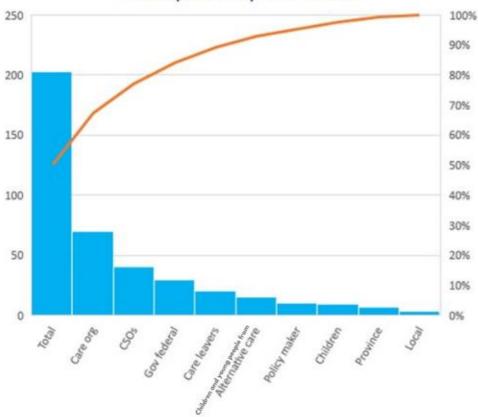
During the workshop preparation, SOS Children's Villages Nepal and NCRC decided to ensure representation from various groups. This included local government associations (Municipality Association, Rural Municipality Association, and District Coordination Committee Association), ministries from each provincial government, respective agencies of the federal government, child care providers, child rights organisations, individuals living under alternative care, care leavers, and children and adolescents from the community. According to the plan, there were a total of 203 participants in the workshop, covering all the specified categories. The highlights of participation in the workshop are presented in the chart below for reference.



There were 203 participants including 121 male and 82 female in the workshop



In the workshop, Provincial secretaries from five provinces highlighted their commitments; representatives from the federal government shared their experiences and challenges. Children, young people, child rights activists, experts, and care leavers expressed their opinions on quality alternative care and care reform concerns. The diverse categories of participation in the workshop can be reviewed through the chart below.



Participants' representation

There were a total of 203 participants in the workshop, with child care organisation representatives comprising the majority at 70, alongside other relevant stakeholders.



Opening session

The opening ceremony of the workshop saw the presence of the Minister for Women, Children, and Senior Citizens, Mr Surendra Raj Acharya, who served as the Chief Guest. The ceremony, attended by guests from the federal parliament, provincial governments, and local government associations, was marked by insightful discussions on alternative care and reform.

NCRC Vice Chairperson Mr Bam Bahadur Baniya presided over the opening session, which featured a welcome speech from NCRC Member-Secretary Ms Indra Devi Dhakal. Dr Jyoti Ratna Dhakhwa, the President of SOS Children's Villages Nepal, delineated the workshop's objectives. Mr Rabin Nepali, General Secretary of Child Care Home Network Nepal (CNET), conveyed solidarity and best wishes for the workshop's success.

During his inauguration speech, Minister Acharya underscored the pivotal role of the workshop in elevating the quality of existing alternative care and advocating for necessary reforms. He emphasised the government's commitment to implementing the Act Relating to the Children 2075 and associated rules and regulations with the act, specifically focusing on the establishment and functionality of local and provincial child rights committees. Minister Acharya stressed the importance of individualised alternative care solutions, recognising ongoing efforts to align with international human rights principles and frameworks.





Mr Kiran Kumar Shah, Chairperson of the Women and Social Affairs Committee of the Federal Parliament, acknowledged the marginalised status of children in need of alternative care. He pledged to engage experts and stakeholders in the legislative process, highlighting the essential investment in children for national development and committing to coordination with NCRC.

In her welcome speech, Ms Indra Devi Dhakal, NCRC Member-Secretary, elucidated the workshop's objectives, emphasising the goal of bridging gaps and enhancing the quality of existing alternative care mechanisms.





Dr Jyoti Ratna Dhakhwa, the President of SOS Children's Villages Nepal, emphasised a collaborative approach between SOS Children's Villages Nepal, organisations, and government agencies to identify challenges and solutions for improved alternative care governance in Nepal.

Mr Bam Bahadur Baniya, the Vice-Chairperson of NCRC, revealed plans to review the existing alternative care mechanism, incorporating family values. He disclosed ongoing discussions between NCRC and SOS Children's Villages Nepal for a strategic partnership to promote accountability, skills, quality, and resources for alternative care in Nepal. The workshop subsequently transitioned into thematic discussion sessions, further delving into the critical aspects of alternative care and reform.





As a child, you need someone who stands by you no matter what

Glimpses from the programme





Paper presentation and follow-up discussion on 'Quality alternative care in Nepal: Evolutionary stages, existing status, accountability concerns and prospects'

Presented by: Dr. Ganga Bahadur Gurung, National Director, SOS Children's Villages Nepal and Mr Shree Ram Bajagain, Advocacy Advisor, SOS Children's Villages Nepal

Dr Ganga B. Gurung, National Director of SOS Children's Villages Nepal, and Mr Shree Ram Bajagain, Advocacy Advisor, presented the preliminary findings of a qualitative research study conducted by SOS Children's Villages Nepal, exploring the **evolutionary stages, existing status, accountability concerns, and prospects of alternative care in Nepal.**

Methodology:

The research employed a comprehensive methodology to ensure a holistic understanding of the subject. The methods included an in-depth review of existing literature, focus group discussions, in-depth interviews with key stakeholders (including care leavers, care practitioners, and government agencies), and a comprehensive analysis of SOS Children's Villages Nepal's 50 years of experience and engagement in the field of alternative care settings.

Models of alternative care



Concerns of quality care in alternative care settings:

Based on the research findings, Dr Gurung and Mr Bajagain engaged in addressing the concerns surrounding the quality of care in alternative care settings. They emphasised the critical considerations,



including the best interest, necessity, and appropriateness of the care solution allocated to children who have lost their parental care or are on the verge of losing it.

Highlighting the significance of fostering a connection between children in alternative care and their immediate community or locality was identified as a crucial and fundamental factor. Emphasizing the proximity to their community contributes not only to the geographical aspect but also underscores the importance of maintaining a close and meaningful relationship between the children and their cultural, social, and familial roots. This deliberate emphasis on proximity serves as a strategic approach to ensure that children in alternative care remain integrated within the fabric of their local environment, fostering a sense of belonging, continuity, and familiarity that is pivotal for their holistic well-being and development. The presentation emphasised the assurance of basic rights encompassing survival, protection, participation, and development, which includes tailored care services for all, a clean environment, safety in all forms, nutrition, healthcare, education, play, rest, friendship, self-respect, inclusion, cyber hygiene, rights, and connections to their biological family and community communication.

Additionally, the importance of creating children's civic spaces, such as child clubs, and ensuring opportunities for various forms of association was highlighted. The management of mental health and emotional well-being, a robust reporting and responding mechanism in case of urgency, a comprehensive reintegration plan for each individual into the community, and active participation of children in alternative care governance were identified as crucial elements. The presentation also emphasised on cooperation, sharing, and continuous monitoring among stakeholders to enhance the overall quality of life for children in alternative care.

Key areas of improvement:



Evolution of alternative care -

- Cultural shifts, socio-political upheavals, wars and shift in economic behaviors impacted in the childcare practices.
- Alternative care: Children who lost their parents, neglected, abandoned, unsecured from their parents or parents identified with inadequate capacity to rare their children
- Till the medieval age: religious or cultural institutions arranged alternative care for those who required such services
- In the ancient religious literature: a neighbor/relative cared a child when the safeguarding (rights to life) concern for a child becomes prominent (Krishna cared by Nanda and Yashoda) or any form of gurukul or ashram

- Previous laws related to children in Nepal realized alternative care as charity
- The act relating to children 2075 defines alternative care: rights for those defined category of children
- The roots of formal childcare homes in Nepal can be traced back to 1953 with the establishment of Paropakar Anathalaya
- Even before this formal establishment, there were informal institutions like 'Dudh Khane Bachchaa Palne Adda, 1919," and "Charitable Society, 1904," dedicated to providing care for children in Nepal.
- They were grounded in notions of charity, welfare, and social work
- The absence of legal, policy, and normative guarantees for children's rights, coupled with a lack of state accountability, drove these early efforts in alternative care for children in need.

The preliminary findings of the research have illuminated crucial areas that need immediate attention and improvement within the realm of alternative care:

- **Rights to association:** The functionality of child and youth clubs, essential for social development, needs to be improved in certain institutions, with a notable absence of such clubs in specific care-providing institutions.
- **Safeguarding mechanism:** Existing safeguarding mechanisms within care service providers are identified as less functional, posing potential risks to the well-being of individuals under alternative care.
- **Capacity development for caregivers:** The absence of plans and programmes dedicated to developing the capacity of caregivers underscores the need for training and skill enhancement.
- **Local Level protection mechanism:** A lower number of established and functional local-level protection mechanisms raise concerns about the overall safety of those in alternative care.
- Awareness and capacity of caregivers: Caregivers exhibit a lack of understanding regarding child rights and accountability, coupled with insufficient capacity for psychosocial well-being and positive parenting.
- **Self-governance and gatekeeping policy:** A gap exists in aligning self-governance and gatekeeping policies with national laws and policies, necessitating a closer examination.
- **Social protection scheme:** The absence of a social protection scheme for children in alternative care raises concerns about their holistic well-being and support systems.
- **Complaint handling mechanism:** Weaknesses are identified in the complaint handling mechanism between government bodies and service providers, potentially impacting the resolution of issues.
- **Cyber security and digital access:** The inadequate attention to cyber security and digital access raises questions about the vulnerability of children in alternative care to online threats.
- **Sexual and reproductive health education:** The status of sexual and reproductive health education for children in alternative care is identified as an area requiring enhancement.
- **Cultural diversity challenges:** Cultural diversity is identified as a potential source of challenges for children in alternative care, emphasizing the need for inclusive practices.
- **Property rights:** The protection of family property rights for children under alternative care is identified as an essential aspect that requires attention and consideration.
- **Citizenship rights:** The status of citizenship rights for individuals in alternative care demands closer scrutiny and potential reforms to ensure inclusivity.
- **Financial literacy:** A noted lack of financial literacy and functionality among those in alternative care necessitates interventions for better financial education.
- Preparedness and monitoring mechanism: The absence of a preparedness and monitoring mechanism for family, kinship, and community-based care solutions underscores the need for comprehensive support structures.

Written feedbacks collection from the participants:

The received feedback will be carefully taken into consideration and subsequently integrated into the ongoing research process.

Written feedbacks:

Government ownership and responsibilities:
 Explore the consideration of government taking ownership in child care, child rights, child protection, and child participation within the research findings.

- Mechanism for monitoring child rights:

Investigate the integration of a proper and robust government mechanism to monitor child rights in alternative care settings into the research findings.

- Categorisation and financial support:

Examine the possibility of the government categorizing institutionalised care homes and providing financial support to such care homes in the research findings.

- Empowerment and quality monitoring:

Explore incorporating feedback on empowering alternative care practices, including institutionalisation and de-institutionalisation, with a focus on quality monitoring mechanisms into the research findings.

- Community-based care homes:

Investigate the potential inclusion of feedback suggesting the establishment of care homes in the community rather than solely in urban areas in the research findings.

- Identification of needs for children below five years:

Explore how the identification of the needs of children below five years and the assurance of proper measures are reflected in the research findings.

- Transparency in government implementation:

Investigate how the feedback emphasizing transparency in the government's implementation and involvement in alternative care is addressed in the research findings.

- Care for children with disabilities:

Consider exploring the feedback regarding the government or organisation working in the alternative care sector to provide care for children with disabilities abandoned by their parents in the research findings.

- Awareness of gender identity and sexual orientation:

Investigate the potential inclusion of feedback stressing the importance of awareness of gender identity and sexual orientation, prioritised along with mental, emotional, and social well-being, and the knowledge of care providers in these aspects in the research findings.

Qualifications and capacity building for caregivers:

Incorporate feedback emphasizing the need for qualified caregivers and government investment in caregiver capacity building into the research findings.

- Exploration of informal alternative care systems:

Investigate the potential inclusion of feedback suggesting exploring informal alternative care systems, such as goddaughters and godsons, in the research findings.

> Empower the both alternative Care practice instituteonalization and de-institulization but audity monetoning should be maintgenbe maintern--> Montal health and counseling Struce provider certificated Should also be monetor by goucerment. -> Institutionalization care home should be establish in community rather than only is urban city. -> who identify the need of childron and how it onsure. it · BRE--> hovermont should have both metitelizah come service eig HOTEL ROYAL SINGI restitution and i 7 Spaces to Gather Infinite Reasons to Celebrate Tailor-Made Events to fit any Occasion commence by best Tel: +977-1-4524190, 4524191 Fax: +977-1-4524189 Email: eventsales@royalsingi.com Web: www.royalsingi.com

- Alternative care refers to all cave amangements from Einship to foster alongwith institutional care system. This important research would have been more effective if other alternative services were also included.
- · As long as we keep emphasizing on institutional agenda, the arguments keep continuing even after a décade. Children are the cause we are about, talking and working about, they should always be the center of discussion.

* विवा । आसा अपार्ड. भारता कन्याहरूलाई Alternative Case हिड्रह्मपद्दि भार्नेम भारतुभायी तम कतिपत्र condition all alle a diffesently abled children en examp alle and abandon abandon alle et. Bifferently abled children all alternative किस्क की तिमिद्र किन्द्रायहरू काठ कींगजात acon 63 * Suggestion

* Gender identity and sexual orientation" is

equally important as any other aspects. Mental, we emotional, social well-being totals Kiesthand tot Star Gender identify and sexual orientation onto year and esta the The Case provides should be well educated about these things along with the children.

Suggestion:

- > More focus on best health care Cincluding physical and gmental health.)
- > government implementedion and their part on alternative care should be transparent.
- > Provide extra opportunities for growth and advancement especially to the teenagers.
- > Provide Strong network to voke out such challenges.

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ATTAINTAST Property EFARCIHI are Home of stal · Recommendations must also include strengthening famil statue apart from empowe attizenship Bue # करी यनि परिवार नमंदने वालवालिह Institutional homan को गणरिक्ता वताउन सम्बर्धकमाराज्य हो निर्वासिंड स्पार मापद्वा नमरहो। # रस्डारी मीते बाह्या (hind care Alternative Solicion हो राष्ट्रिले दुन नालवालिडाहे। क्रांह पानि आफला तहरूको डावर्ट्यामा मान गहरूग आरवनपनिव हर डानिबार्य जात्मदतो यो पुरून साम्त्रे su HOTEL ROYAL SINGI 27 Research yor yours, avoiding वतावने पर्ने स्वक्ति कावरहाद । उसके में आए विकलपीक हेरचाह त्रां राडयले काते हुर्याउँद? श्वामा - वार्ष गुजएका URAN 3-637131 Birth Certitica te 91131 7114603 का डगारिम कारहेका बालवालिका HOTEL ROYAL SINGI KATHMANDU राडफ्की रूमे दाफित्न होइन ? el: +977-1-4524190, 4524191 Fax: +977-1-4524189 ail: eventsales@royalsingi.com Web: www.royalsingi.com 7 Spaces to Gather Infinite Reasons to Celebrate Tailor-Made Events to fit any Occasion

Key comments by the participants:

During the question-and-answer session, a participant who is also a care leaver emphasised the hurtful nature of being labeled as *aanath / अन्ता*थ, meaning 'orphan' in English. She questioned the appropriateness of the term, stating that as the State is considered their ultimate guardian, being referred to as 'aanath' seems contradictory.

The participants also state that it disheartening to note that even the country's constitution and the Act related to Children 2018 use the term "orphan" to refer to children without parents.

This highlights a systemic issue in the language used in official documents, perpetuating a label that may



not accurately reflect the diverse experiences and backgrounds of children in alternative care settings. Addressing and reconsidering such terminology is crucial for fostering a more inclusive and respectful approach to describing the circumstances of children and young people in alternative care settings.

Additionally, the participant who is a care leaver expressed that obtaining citizenship is not a cause for celebration. Even after acquiring citizenship, they continue to face discrimination. Government documents require disclosure of three generations' names—great-grandfather, grandfather, and father. For those raised in care homes without knowledge of their biological families, the lack of this information becomes a barrier, leading to missed opportunities and a lingering sense of loss.



Key recommendations from the quality care in alternative care setting

Presented by Mr Chandrika Khatiwada, Advocate and child rights expert

- **Establish and strengthen local child protection mechanisms:** Advocate for establishing and reinforcing robust child protection mechanisms at the local level.
- **Monitoring of quality services, safety, protection, and emotional wellbeing:** Emphasise the need for continuous monitoring of the quality of services, ensuring children's safety, protection, and emotional wellbeing in alternative care settings.
- **Capacity building for caregivers and service providers:** Strengthen the service and overall quality by investing in the capacity building of caregivers and service providers.
- **Implementation of social protection schemes:** Advocate for implementing social protection schemes specifically designed for children in alternative care.
- **Comprehensive plan for development of child protection workforce:** Call for developing a comprehensive plan focusing on the professional growth of the child protection, case management, and social welfare workforce.

- Resource allocation (Government budget): Investing in Children: Encourage resource allocation from the government budget, emphasizing the importance of investing in the wellbeing and future of children.
- **Reform in policies and laws and their implementation:** Advocate for reforms in policies and laws related to alternative care, emphasizing effective implementation for better outcomes.
- **Data and information management:** Stress the importance of robust data and information management systems to facilitate informed decision-making and policy development.
- **Capacity and commitment of families and society for alternative care:** Promote initiatives that enhance the capacity and commitment of families and society towards providing alternative care for children without parental care.
- **Protection of identity and property of children in alternative care:** Advocate for measures ensuring the protection of children's identity and property rights in alternative care settings.
- **Political will of the state and mainstreaming government plans:** Stress the necessity for political will at the state level, and the mainstreaming of government plans to prioritise the welfare of children in alternative care.
- **Commitment of local, provincial, and federal government and engagement of CSOs and service providers:** Encourage the commitment of all levels of government—local, provincial, and federal and foster collaboration with Civil Society Organisations (CSOs) and service providers for a collective approach to quality care in alternative settings.

Mr Khatiwada emphasised the critical need for aftercare services and programmes for young people transitioning from alternative care settings, as this demographic is among the most vulnerable in society. When young people exit care without adequate education, vocational skills, financial support, or a social safety net, they often find themselves ensnared by poverty, homelessness, mental health issues, and exploitation, leading to many ending up on the streets.

The Constitution of Nepal, guarantees that the state is the ultimate guardian of children, responsible for their necessary protection and fulfilment of their rights. The Act relating to Children 2018 also states that children who are deprived of parental care or are on the verge of losing parental care should be placed at alternative care system. However, there is no clear policy for the aftercare support of young people.

According to the National Child Rights Council, in the fiscal year 2021/2022, there were more than 10,000 children in 417 alternative care homes. However, there is little information on what happens to them when they leave the shelters after 18.





Quality alternative care, governance and challenges

Presented by Mr Ram Bahadur Chand, Information Officer, NCRC

Mr. Ram Bahadur Chand, Information Officer of NCRC, delivered a comprehensive presentation addressing the legal and policy context and challenges associated with ensuring quality alternative care. The presentation outlines key provisions and considerations within the legal framework concerning alternative care for children.

Legal and policy context for alternative care

The Act Relating to Children 2018, specifically Section 48(1), acknowledges the need for special protection for certain categories of children as outlined in subsection 49(1). These categories include orphaned children, those abandoned in hospitals, found in public places without guardianship, separated from both parents and abandoned by fathers without an address. Additionally, the legal framework extends protection to children with disabilities, those involved in legal disputes, infants born from rape, and those facing mistreatment, violence, or abandonment.

Eligibility for alternative care:

Children eligible for alternative care due to specific circumstances encompass various scenarios, including disability, legal disputes, residence in prisons, infants born from rape, and neglect leading to intervention by the Child Welfare Officer. The provisions aim to address situations where fathers do not provide appropriate care, legal disputes arise, or children face neglect in terms of nutrition and care by their parents or guardians.

Arrangements for alternative care:

Under Section 49(2) of The Act Relating to Children 2018, and Children's Regulation 2022, the Child Welfare Officer determines alternative care arrangements based on specific priorities:

- Relatives from the child's father's or mother's side
- Families or individuals willing to provide alternative care





- Institutions conducting family-based alternative care
- Child Care Homes

The Children's Regulation 2022 empowers local Child Rights Committees to implement alternative care arrangements based on the recommendation of the Child Welfare Officer.

- Implementation and oversight

The Children's Regulation 2022 establishes a structured process for alternative care arrangements involving willing families or individuals, local authorities, and, if necessary, institutions registered with the Council. The sections also provide for the placement of children in the nearest children's home if alternative care cannot be immediately arranged.

- Regulation and monitoring

Rules 59 and 62(2) grant authority to organisations conducting family-based assessments and managing children's homes, placing responsibility for authorisation, renewal, and regulation with the Council. Section 61 mandates annual updates from local Child Rights Committees on the status and condition of children in alternative care, enabling necessary recommendations and legal proceedings.

Challenges in the implementation of monitoring in alternative care sector

Vacant positions for child welfare officers:

In 450 Local Levels, local authorities have not appointed Child Welfare Officers. This deficiency may lead to a lack of proper oversight and intervention in matters related to child welfare.

Delay to establish local child rights committees:

In 444 Local Levels, local authorities have been delayed in establishing Local Child Rights Committees. These committees play a crucial role in addressing and resolving issues concerning children's rights and welfare at the local level.

Absence of local child welfare funds:

In 507 Local Levels, local authorities have not established Local Child Welfare Funds. These funds are essential for supporting various initiatives and programmes aimed at the welfare and development of children in the local community.

वैकल्पिक हेरचाह कार्यान्वयन सम्वन्धी चुनौती

- Unregistered social workers and child psychologists:

In 744 Local Levels, there is a delay in registering social workers and child psychologists. These professionals are crucial for supporting and counseling children in need of protection and care.

- Lack of protocols for child rights protection: In 380 Local Levels, local authorities still need to formulate protocols to protect and enhance children's rights. Provide clear guidelines and procedures to ensure effective measures to safeguard and promote

- Neglect of laws and procedures for girls:

children's rights.

- Failure to establish laws and procedures related to girls at the provincial and local levels.
- Lack of awareness or prioritisation of girls by local authorities.

स्थानीय तहमा रहेने वैकल्पिक हेरचाह सम्वन्धी संयन्त्रले पूर्णता नपाएको विवरण (२०७९/८० को असार मसान्तसम्म)

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- Insufficient information on alternative monitoring:

- Insufficient information and understanding regarding the management of alternative monitoring under the law.
- Delays in formulating regulations and standards at both the national and regional levels.

Challenges in programme implementation:

Challenges in implementing programmes related to child rights protection, empowerment, and child sensitivity at the local level.

Lack of coordination among relevant agencies:

Lack of coordination, cooperation, and collaboration among relevant agencies and organisations at the national, regional, and local levels.

<u>+-</u>					
Province	Total no of district	Total no of childcare homes	Total no of boys in child care homes	Total no of girls in child c <mark>are</mark> homes	Total no of children in child care homes
Koshi	8	29	373	375	748
Madhesh	5	13	137	56	193
Bagmati	10	296	3399	4415	7814
Gandaki	6	37	535	623	1158
LumbiNI	7	19	291	256	547
Karnali	6	10	231	196	427
Sudurpachhim	3	14	178	137	315
Total	45	418	5144	6058	11202

Current context of childcare homes in Nepal



Quality alternative care for future consideration

Presented by Mr Gauri Pradhan, former member of NHRC and child rights expert

Mr Gauri Pradhan, a respected former member of NHRC and a distinguished child rights expert, presented key considerations for ensuring quality alternative care with a focus on preserving family connections and prioritising child well-being.

Upholding fundamental rights and strengthening families:

It is imperative to uphold the fundamental right of every child to grow up within their biological family. Mr Pradhan emphasised the need for targeted interventions by the government and local authorities to empower families, preserving the essential connection between the child and their family, even in vulnerable situations.

Institutional care as a last resort:

Institutional care should be considered a measure of last resort, implemented only after exhaustive efforts to maintain the child within the family. Thorough assessment and review processes are necessary before resorting to institutional care. Reintegration of the family should be a priority, highlighting the importance of reunifying the child with their family whenever feasible.

Call to action:

A call to action is extended to the Government of Nepal, urging the institution and enforcement of policies prioritising family preservation and child protection. The Ministry of Women, Children, and Senior Citizens is encouraged to initiate initiatives focusing on shielding children from violence, abuse, and neglect, ensuring their safety and overall well-being.

Children as collective responsibility:

The well-being of children is not only an individual concern but a collective responsibility of the nation. The government must track each child and act as a guardian for their welfare and protection.

Prevention and care amidst crisis:

In light of the impact of climate change, war, and pandemics on children's well-being, Mr Pradhan emphasised the need for preventive measures and comprehensive care plans. Efforts must be directed toward shielding children from the adverse effects of these crises, ensuring their safety, security, and overall welfare.

As a child, you need someone who stands by you no matter what



National Workshop on Alternative Care in Nepal: Contemporary Situation and Challenges

Experience sharing of care leavers

Panel discussion with the care leavers where they shared their experiences on living in the alternative care setting

In the panel discussion, three care leavers shared their firsthand experiences of living in alternative care settings. Care leavers, individuals who have transition from alternative care settings, play a crucial role in shedding light on the positive aspects and areas needing change. Their accounts underscored the continuous efforts required to enhance the quality and effectiveness of alternative care settings in Nepal, ensuring a brighter and more secure future for children without parental care.

The objective of the panel discussion was shared by Mr Binayak Manandhar, care leaver and Chairperson of Baikalpik Herchaha Yuwa Samaj, the organisation that provides a platform for care leavers to share experiences, offer mutual support, advocate for policy changes, and work towards improving the overall well-being and opportunities for care leavers as they navigate adulthood.

Care leavers speak out on their experiences

Ms Nisha Chauhan

When I was around five, I was abandoned on the streets, but a passerby found me and took me to the police station. Unable to locate my parents, I spent the next 13 years in a care home with around 50 to 60 other children. We were cared for by house parents and caretakers where I made many friends. The care home provided opportunities for extracurricular activities, contributing to my overall growth and leadership skills. Today, I can confidently speak in front of you, thanks to education and different opportunities that I received there. Currently, I am pursuing a double Master's in Social Work and Psychology at Padma Kanya Campus and interning at the Department of Social Work. I aspire to become a counsellor for children in the future.



Longing for love and understanding: Reflections on care home experience and the need for change

Even though I received education and different opportunities at the care home, I always missed the love of a family. At the same time, as kids, we were made to feel indebted to the education, food, and shelter we received. The adults at care home forgot to remind us that education, food and shelter are our basic rights, not a luxury. As kids, we did not know that it is actually the responsibility of the State to meet all our needs and protect our rights like a parent would. Now that I am studying child psychology, I realise that the care homes need to improve how they take care of children.

Taking care of kids is a big responsibility, and caregivers should be trained and knowledgeable about how to do it. Caregivers should be skilled enough to handle such situations in a care home with 50 to 60 children from different backgrounds and with different needs. However, now I realise that in the care home where I grew up, all of us were treated the same way. We hardly received love and affection from the caregivers. Caregivers were not aware about the mental, emotional needs of the children. Topics related to gender identity and sexual orientation were not talked about.

Discovering family: Contrasting experiences in care home and foster family environment

When I was in care home, I did not know what having a family was like and what it meant to be someone's daughter until I was placed with a foster family for a while during high school before I moved to my rental place. My foster parents were loving and caring, treating me like their daughter. The care home where I grew up felt more like a hostel. There, we had to ask for permission to do anything. In the foster family, there was freedom, and I could just be myself.

Legal struggles of care leavers: Challenges in obtaining citizenship and the unfair burden of prejudice

Growing up in a care home without knowing my biological parents made it challenging to get citizenship. It took me eight months to get my birth certificate and citizenship card, while others usually get theirs in just a day or two. The thought of getting a passport to study abroad makes me anxious because I don't want to deal with government officials. I am sure many young people from care homes have faced mental trauma like I did during the process of getting legal documents, and it unfair to us.

The Constitution of Nepal stipulates that the young people who have a legal custodian, foster parents or orphanage have to vouch for their parentless status are eligible to obtain citizenship. But the authorities are often prejudiced and torment care leavers with needless harassment. It is difficult for care leavers to easily get legal documents such as citizenships unless they are accompanied by care home staff who can convince the official.

Mr Bishnu Prasad Paudel

In the depths of financial struggle in Sindhupalchowk, my family faced hardship. At the tender age of six or seven, I fled from home to Kathmandu, where I became a tempo conductor to survive. The unforgiving streets of Kathmandu became my harsh reality, a place I reluctantly called home. During this trying period, the Child Workers in Nepal Concerned Centre (CWIN-Nepal), a child rights organisation, rescued me and took me to their child-friendly rehabilitation centre. However, having been on my own for a long time, I struggled to adapt to an environment where I was constantly cared for, so I ran away—twice.

On the third attempt, while back on the street, the police van picked me up along with other street children and brought me back to CWIN Nepal. This time, I told Mr Gauri Pradhan, the founder of CWIN Nepal, that if they did not take me to my parents in Sindhupalchowk, I would stay there. He assured me that I could do whatever I wanted, stay as long as I needed, and there were no restrictions. Feeling that I could trust this organisation and the people who wanted to help me, I decided to stay.



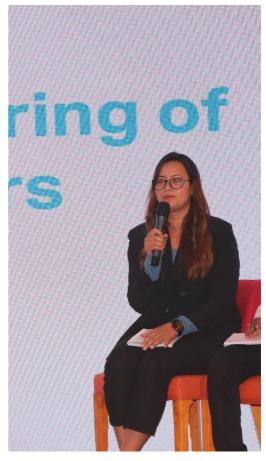
In that moment of vulnerability, I found trust in the embrace of this organisation and the genuine souls who sought to help me. Choosing to stay, I embarked on a journey of healing. Today, as an Assistant Project Manager at CWIN Nepal, I reflect on the winding path that led me here. If it were not for the support from CWIN Nepal and the place to live, I might still be wandering the streets without an education. I am grateful for the second home I found.

Dr Punam Thapa

Every child's right is to grow up in a supportive family environment, surrounded by happiness, love, and understanding. While the ideal is a family setting, various circumstances necessitate alternative care for children without parental support. These situations range from poverty-driven placements to safeguarding against violence, abuse, or neglect.

In the context of Nepal, concerns about safeguarding and challenges in alternative care settings take center stage. One significant issue discussed is the potential lack of regulatory frameworks and oversight in some settings, raising questions about the quality of care and the well-being of children. Although there is a need for improvement, it is important to acknowledge that alternative care plays a vital role in addressing the distinct needs of children, providing a nurturing environment for emotional and psychological well-being.

I hail from a remote hill in Dailekh, Mid-Western Nepal. In 2005, following the untimely loss of my parents, my elder brother and I found solace in SOS Children's Villages Nepal. This became our second home, where we were embraced by a new family of mothers, brothers, and sisters. SOS Children's Villages Nepal not only provided me with a loving home but also ensured I had access to nutritious food, healthcare, and quality education. I got many opportunities such as I represented Asia region in the International Youth Coalition—an esteemed body recognised by the Senate and the President of SOS Children's Villages Internationl. Serving as a panel judge for Generation Unlimited (GenU) further allowed me to assess and contribute to the GenU Youth Challenges. Participating in such influential platforms has been transformative, shaping me into a better person and empowering youth to instigate positive change in society. Today, I am a proud Doctor and it is due to the unwavering support of SOS Children's Villages Nepal.





Reflection sharing and interaction of representatives from local and provincial governments

In a collaborative effort to address and improve alternative care practices, representatives from five provinces—Koshi, Madhesh, Bagmati, Lumbini, and Karnali—declared the recent workshop a resounding success.

Effectiveness acknowledged:

The workshop received unanimous praise from the representatives, who highlighted its efficacy in providing a valuable platform for awareness and insights into alternative care. Mr Chudamani Phuyal, the Secretary of Madhesh Province Ministry for Sports and Social Welfare, underscored the workshop's role as a medium for raising awareness about alternative care practices.

Commitments for policy development:

Mr Basudev Dahal, Secretary of Koshi Province Ministry, made a significant commitment during the workshop, pledging to give serious consideration to issues related to alternative care while developing new policies.

Stakeholder engagement in Karnali Province:

Dr Bhoj Raj Sharma, Secretary of Karnali Province, announced the province's plan to engage stakeholders in discussions focused on improving the quality of alternative care within Karnali.

Collaborative efforts for enhanced care:

Representatives from Bagmati and Lumbini Provinces, Mr Khubiram Adhikari, spokesperson of the Ministry of Social Development in Bagmati Province, and Mr Thaneshwor Gyawali, acting Secretary of the Ministry of Social Development in Lumbini Province, expressed their willingness to collaborate with the National Government and SOS Children's Villages Nepal. Their joint efforts aim to enhance the quality of care in alternative settings, emphasising a collective approach to address this crucial aspect of social welfare.

This collaborative initiative signifies a step forward in prioritising and improving alternative care practices across the nation, fostering a united commitment towards ensuring the well-being of those in alternative care environments.











Recommendations

The workshop comprehensively reviewed the current state of alternative care, considering legal and policy measures, the contemporary operational context, issues and concerns related to quality care, and the experiences of young people who have lived under alternative care. Based on the discussions, debates, suggestions, and reflections, the following recommendations have been formulated for further actions to promote quality alternative care in Nepal.

- There should be functional child safeguarding status monitoring mechanisms at every local level, equipped with capable human resources to monitor and address the safeguarding concerns of children residing in institutional/family-like care service providers or community-based care models (relatives or other families willing to provide alternative care).
- Childcare organisations should establish a dedicated child safeguarding mechanism to ensure effective reporting and responding procedures for every concern related to safeguarding.
- Every alternative care solution must ensure the basic rights (survival, protection, participation, and development) of children and consider adequate access to psychosocial well-being, digital devices, as well as safe online platforms.
- Child care organisations and the state should ensure continuous communication and opportunities for socialisation with the biological families and communities for children residing under any forms of alternative care.
- Child care organisations must prepare a child development plan together with the reintegration plan for every child residing under child care homes or other forms of care solutions. The state should

prepare aftercare arrangements for those children identified without biological parental connections.

- The state should ensure inclusive social protection schemes for children who need to seek alternative care.
- The state should prepare dedicated service providers for children under special care requirements, and child care organisations or agencies should ensure tolerance and a proper response to the need for inclusive living conditions.
- Child Rights Committee, Child Welfare Authority, and Social Workers should be in place at every local level, and laws and mechanisms dedicated to children should be ensured at every province and local level.
- The government should establish training programmes for child care professionals and certify existing caregivers to standardise the child care profession.
- The government should identify, prepare, and allocate adequate resources for community-based care solutions (kinship and families willing to provide alternative care) to ensure quality alternative care.
- Gatekeeping policies must consider the appropriateness, necessity, and best interest of the individual child while deciding the care solution for every child.
- Legal, policy, and status-related awareness for child care providers and government agencies (federal, provincial, and local) should be conducted periodically for an improved understanding and accountability of stakeholders in alternative care.
- Promote a family-like structure, the participation of children in care management, and transparency in every existing child care mechanism, including child care homes.
- Provide adequate rights for children residing under alternative care for associations and assembly (formation of child clubs and their participation in child rights-related issues).
- Ensure that data related to the civil and political identity of every child is maintained and secured by child care providers and institutionalised at relevant government institutions.
- Child care homes or any other forms of alternative care providers must comply with existing government policies and basic human rights principles while running alternative care services.

"

Every child has the right to live free from violence and abuse and to participate.

Annexure

Annexure I

Programme schedule

S.N	Activity	Process	Responsi bility	Time
1	Registration and breakfast	 Registration desk will be managed by SOS Villages Nepal Breakfast will be provided by organisers 	Children's	8 to 8:50 am
2	Opening ceremony	 Workshop chair: NCRC Guests: 1. Honorable Minister Surendra Raj Acharya, Ministry of Women Children and Senior Citizen, 2. Chairperson of the Parliamentary Committee for Women and social affairs, Kiran Kumar Shah, 3. Vice- chairperson of NCRC, 4. Parliament Members, 5. Lily Thapa, NHRC, 6. DDC association, 7. NARMIN Chairperson, 8. Secretary of Ministry of Women Children and Senior Citizen, 9. Dr Jyoti Ratna Dhakhwa, SOS Children's Villages Chairperson, Guests: Parliamentarians, Province Government representatives, MUAN, NARMIN and CSO Network chairperson) National anthem Inauguration of the workshop by Hon'ble Minister, Surendra Raj Acharya, Ministry of Women Children and Senior Citizen Welcome remarks by NCRC Objective highlights by SOS Children's Villages Nepal Inaugural speech from CNET representative 5 minute Secretary Ministry of Women Children and Senior Citizen (7 min) Chairperson of the parliamentary committee for Women and Social Affairs Chief guest (Hon'ble Minister, Surendra Raj Acharya, Ministry of Women Children and Senior Citizen 	Emceein g by SOS Children' s Villages Nepal	9:00 to 10:00 am
3	Paper presentation and follow-up discussion on " <i>quality</i>	 Dr Ganga Bahadur Gurung, National Director, SOS Children's Villages Nepal presents on this topic Presentation of a review paper based on the secondary information and empirical 		10:00 am to 12:20 pm

4	alternative care in Nepal: evolutionary stages, existing status, accountabilit y concerns and prospects" Lunch break	 experiences - by SOS Children's Villages Nepal. Open floor discussion and collection of key comments/inputs from the experts and participants Advocate and child rights expert Chandrika Khatiwada will summarise the discussion and share some key recommendations for quality alternative care. 	12:20 to
5	Paper presentation and follow-up discussion on	 Ram Bahadur Chand from National Child Rights Council Nepal presents on the topic Presentation of legal and policy context 	1:30 pm 1:30 to 2:40 pm
	Quality alternative care, governance and challenges	 and challenges for quality alternative care by NCRC Open floor discussion and collection of key comments/inputs from the experts and participants After the presentation and open floor discussion NCRC will respond the key concerns raised by the floor Gauri Pradhan, ex-member of NHRC and child rights expert, will share some thoughts on quality alternative care for future consideration. 	
6	Experience sharing of care leavers	 A panel discussion of the care leavers to share their experience on (panelists are Dr. Punam Thapa, Ms. Nisha Chauhan and Mr. Bishnu Prasad Paudel) and Panel discussion objective sharing by Mr. Binayak Manandhar, Chairperson of Baikalpik Herchaha Yuwa Samaj 	2:40 to 3:40 pm
7	Tea break	Organisers	3:40 to 4:00 pm
8	Reflection sharing and interaction of representativ es of local and provincial governments	 Key note speeches from province government representatives local government representatives 	4:00 to 4:40 pm
6	Way forward and Closing	 Follow-up actions declaration by NCRC Vote of thanks and closing remarks 	4:40 to 5:00 pm

Annexure II

Attendance

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1) Pranila Nepali	Sponsorship Apsiliatant	NO	Ju?	
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	Organization Name	Email	Phone	Signature
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Glimpses from the programme













Truly **bonding** with a child has the **Power** to change the world



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Government of Nepal Ministry of Women, Children and Senior Citizens National Child Rights Council