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EDITORIAL

Hopes for 2021: Overcoming challenges and building a new normality together

This new year will offer some opportunities to debate and plan actions on the longer term to strengthen alternative care and adoption systems far beyond the global COVID-19 pandemic whilst also learning the lessons from it.

Several fora planned for the year ahead will bring together key actors and offer opportunities to continue strengthening efforts and initiatives in the above-mentioned fields. These opportunities will, obviously, also have to take into account and reflect on some of the lessons learnt, experiences and practices during the pandemic, in terms of child protection issues and work methodologies. What have been the initiatives and actions that have worked? Which ones, in particular those adopted in the initial stages of the pandemic, have not proven efficient for children's protection? Which ones could be considered positive far beyond the current situation? What have been the professionals' experiences in this regard?

Dissemination of promising practices in the context of a 'new normality'

As most governments and organisations have had to adapt their child protection procedures to the new context brought about by COVID-19, 2021 will be a good time to undertake an initial stock-taking of the lessons learnt and promising practices having been developed over the past year. Indeed, many professionals have had to adapt their work methodologies to include increasing remote interventions whilst questioning which elements of child protection cannot be undertaken virtually; others have developed new means of cooperation amongst the various actors involved in protection, care and adoption proceedings (authorities, judiciary, foreign partners, and others). To what extent and which of these initiatives may become long-term practices and which ones should be

carefully reconsidered once we reach some form of new normality? Over the past year, the ISS/IRC has also intended to disseminate many initiatives, reports, operational material developed by governments, civil society and international agencies aimed at ensuring quality child protection and has identified a number of useful contributions to the debates to be undertaken in this regard over the next months and years.

Special Commission on the operation of the 1993 Hague Convention

The Special Commission on the practical operation of the 1993 Hague Commission has been tentatively scheduled for the week of 14-18 June 2021. In addition to offering an opportunity for all contracting States to meet and share their views, experiences and practices in relation to the implementation of the principles and standards enshrined in the Convention and thereby strengthen their cooperation, this year's Special Commission will undoubtedly also be a welcome opportunity to reflect on the challenges linked to intercountry adoptions proceedings in times of COVID-19. Indeed, how have countries adapted their procedures and practices in light of this new global context? In this regard and in preparation of the meeting, the Permanent Bureau of The Hague Conference on Private International Law has been seeking information and responses on the impact of COVID-19 on intercountry adoptions under the 1993 Adoption Convention, in addition to more general information on procedures, statistics and costs.¹ In relation to this forum, the

ISS/IRC is committed to promoting promising practices and to contributing to discussions on countries' needs and to identifying key recommendations in this context: *i.e.* could international standards related to intercountry adoption be upheld during this Covid-19 pandemic? Were the adjustments of procedures in the best interests of children? Some of these elements have also preliminarily been addressed in the recent ISS/IRC's update of its comparative analysis of new technologies in relation to adoption.

Day of General Discussion on Children's Rights and Alternative Care

Initially planned for September 2020 and postponed to 2021, the overall purpose of this Day of General Discussion is to examine broadly the current situation regarding alternative care in its complexity, identify and discuss particular areas of concern with regard to the unnecessary separation of children from their families and appropriate ways to respond to family and child

separation in cases where it is unavoidable. It will also provide an opportunity to review the implementation of relevant international standards as well as the progress made since the previous DGD on this issue (2005), the adoption of the Guidelines for the Alternative Care of Children (2009) and the recent GA Resolution on the Rights of the Child focused on reintegration (2019), amongst others.²

As the COVID-19 pandemic has undoubtedly had an impact on the protection of children (*i.e.* increased poverty and violence within families, additional risks for family separation, overstretched capacity in alternative care, etc.), these issues will have to be addressed and taken into account when issuing recommendations. In addition, as this DGD will take place with the strengthened participation and involvement of children and youth with care experience, may it even be that the remote or partially remote attendance at the DGD could allow for a wider participation of children and youth in the discussions?

As we hope for a brighter and healthier year ahead, these opportunities to get together – albeit perhaps still remotely – will contribute to further strengthening our respective involvement in child protection, alternative care and adoption, despite the additional challenges of the past year and the lessons learnt. The ISS/IRC remains fully committed to participating in these debates and to contributing to the development of key initiatives in the current and future context in line with international principles and standards.

The ISS/IRC team
February 2021

References:

¹ See: <https://www.hcch.net/en/publications-and-studies/details4/?pid=6668&dtid=57>.

² See: <https://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2020.aspx>.