



International Social Service  
Service Social International  
Servicio Social Internacional

General Secretariat • Secrétariat général • Secretariado General

**International Reference Centre for the  
Rights of Children Deprived of their Family  
(ISS/IRC)**

## Monthly Review N° 5/2009 May 2009

### EDITORIAL

#### **The last stretch for the adoption of the draft UN guidelines: an ongoing need for the involvement of civil society**

*The draft UN guidelines for the appropriate use and conditions of alternative care for children faces a dilemma: advance forward without necessarily achieving a general consensus or, on the contrary, prioritising the latter at the risk of further postponing the adoption of the text.*

**T**he draft guidelines for the appropriate use and conditions of alternative care for children, is at a key moment in the adoption process. Whilst the text is still subject to governmental negotiations (see page 7), its adoption by the UN General Assembly is planned for the end of the year. Therefore time is running out and a dilemma requires a rapid response: Should the draft UN guidelines be submitted to the UN General Assembly at any cost at the end of the year without having a larger governmental consensus on the content? Or, should achieving a general consensus be prioritised at the risk of delaying its adoption or even placing the text at peril?

To date, there is a rather wide consensus on the fundamental principles of the text. A large group of countries representing each region has provided comments on the text and expressed their readiness to adopt the revised text (see page 7). Support for the text is particularly strong in Africa and Latin America. Unfortunately other countries are not yet ready to adopt the current text, such as the United-States, the United Kingdom, Canada and Russia.

#### **The guidelines are already in the field**

Despite everything, the ISS believes it is time to move the adoption process forward.

The draft has already been circulating for five years and has undergone multiple developments. Under these conditions, deferring its adoption again for another year would risk deflating the current enthusiasm. Furthermore, the inevitable rotation of the politicians and administrators responsible for the text could put in danger some of the achievements and complicate the adoption of the draft.

Furthermore in the field, numerous professionals and governments are already applying certain aspects of the guidelines. This implementation illustrates the real need of the text for a better provision of care for children deprived of their family. Brazil as the lead government for the project has already included this instrument in its legislative and political framework on the protection of children. In Eastern Europe, certain UNICEF offices have also taken inspiration by the practical principles and directions of the draft guidelines in their daily activities. If the text is amended too drastically, these same principles and directions could run the risk of being compromised or weakened.

#### **Strengthening of civil society support**

In this context, the ISS encourages civil society to reinforce its lobbying of governments to promote as much as possible

the governmental consensus between now and the end of the year. Among the interesting initiatives, include the campaign by the Latin American Network for foster family placement (RELAF) presenting and adopting the guidelines which was launched in July 2008 and recently concluded. As a result, new supporters for the text were generated and this information has been passed on to the Brazilian government. In the United Kingdom, an initiative of civil society includes an early day motion is underway to present the guidelines to Parliament and to encourage them to support their adoption. The multiplication of such activities in different regions of the world certainly favours

the conclusion of governmental negotiations and facilitates the adoption of the guidelines.

It is important to remember that a favourable outcome of the draft UN Guidelines is fundamental for improving the specific responses to the needs of children deprived of their family in the world. This text helps States direct their policy on child protection in the right direction. It also constitutes a solid basis for encouraging gradual and essential changes such as the prevention of the separation of children from their family, the implementation of long-term family plans for each child and the effective participation of the child.

The ISS/IRC team  
May 2009