

Joint Statement

Hope and Homes for Children, Lumos, SOS Children's Villages, Save the Children,
Eurochild, Disability Rights International, Validity Foundation and ENIL

A worrisome U-turn on ending the institutionalisation of children in Ukraine

Despite political commitments, Ukraine remains one of the countries in Europe with the highest rate of child institutionalisation, with an estimated 100,000 children living in various forms of institutions including baby homes for children 0-4 years old.

The harm that institutionalisation inflicts on children's wellbeing and development has been extensively documented over the years, and is widely recognised among the international community as a violation of the rights of the child, as enshrined in the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities and the UN Guidelines for the Alternative Care of Children.

In light of the harrowingly high numbers of children living in institutions across the country, the Ukrainian Government adopted in 2017 the National Strategy of Reforming the System of Institutional Care and Upbringing of Children (2017-2026), an Action Plan for the implementation of its first stage and, in June 2020, an Action Plan for the second stage of the reform.

In December 2020, following concerning messages indicating a potential backtracking of the reform, a coalition of over 20 European and Ukrainian organisations issued a call to action, urging the Ukrainian government to continue upholding its previous commitments to implement the National Strategy and Action Plan and put an end to the institutionalisation of children.

Our call has not been heard. In June 2021, the Ukrainian Government adopted the order of the Cabinet of Ministers of Ukraine "On amendments to the National Strategy for Reforming the System of Institutional Care and Upbringing of Children for 2017-2026".

Most notably, the order is set exclude special boarding schools (24.653 children¹), education and rehabilitation centres (10.294 children²) and sanatorium boarding schools (16.142 children³) from the scope of the reform. This **leaves behind more than 50.000 children and effectively legitimises discrimination based on disability and (their) needs for individualised support.**

Secondly, the indicator on implementing the legal ban on the placement of young children in institutions was also excluded, alongside other meaningful indicators aimed to decrease the number of institutions and the overall number of institutionalised children. In other words, Ukraine will **continue to**

¹ This data is from 1 January 2020 based on the deinstitutionalisation statistical platform: <http://dashboard.diplatform.org.ua/#Indicators>

² Ibid

³ Ibid

institutionalise children younger than 3 years old⁴ and walk back on its previous commitment to reduce the scale of institutionalisation.

The order, in the end, seeks to exclude the most vulnerable children from a legislative framework initially aiming to provide them with the hope of a better future.

We, the undersigned, representing international and Ukrainian civil society organisations, firmly denounce the recent governmental decision and will pursue all possible avenues to challenge this unjust and unjustified exclusion.

We call on the Ukrainian government to:

- Demonstrate strong political will to reform child protection and care systems, to ensure the protection of children's right to family life and work towards ending the institutionalisation of all children;
- Immediately repeal the order 'On amendments to the National Strategy for Reforming the System of Institutional Care and Upbringing of Children for 2017-2026', and ensure the continuation of the care reform, for all groups of children and all types of institutions regardless of their size;
- Prioritise the development of family support and child protection services at community level
- Enforce the legal ban on the placement of young children in baby homes and other institutions and invest resources in early childhood intervention and development.

The above recommendations are in line with the Ukrainian government's recent efforts to align with EU standards, principles, and values.

We appreciate the concerns that this issue has raised among international stakeholders and Ukraine's strategic partners. We call on the international community to continue engaging with the Ukrainian government and urge them to reverse this decision, in the best interest of the children of Ukraine.

⁴ As of 1 January 2020, there were 38 baby homes in Ukraine with 2742 infants.