



Protecting Children. Providing Solutions.

February 2018

Post-2020 MFF: Supporting deinstitutionalisation of children globally

1. About Lumos

Lumos is an international NGO¹, founded by the author J.K. Rowling, working to end the institutionalisation of children around the world by transforming education, health and social care systems for children and their families. Lumos sits on the EU Civil Society Platform against trafficking in human beings and is a founding member of the European Expert Group on the Transition from Institutional to Community-based Care.

2. Institutionalisation of children

Globally, an estimated eight million children live in institutions because they are poor, have a disability, or belong to a marginalised group.² More than 80 percent are not orphans, and almost all have a relative that could look after them. Whilst most orphanages are established with good intentions, over 80 years of research from across the world has demonstrated the significant harm caused to children in institutions who are deprived of loving parental care and consequently suffer life-long physical and psychological harm.³

The Common European Guidelines on the Transition from Institutional to Community-based Care define institutions for children “as residential settings that are not built around the needs of the child nor close to a family situation, and display the characteristics typical of institutional culture (depersonalisation, rigidity of routine, block treatment, social distance, dependence, lack of accountability, etc.)”.⁴

¹ Lumos Foundation (Lumos) is a company limited by guarantee registered in England and Wales number: 5611912 | Registered charity number: 1112575

² Csaky, C. (2009). Keeping children out of harmful institutions: Why we should be investing in family-based care. London, UK: Save the Children, p 3.
https://www.savethechildren.org.uk/sites/default/files/docs/Keeping_Children_Out_of_Harmful_Institutions_Final_20.11.09_1.pdf [Accessed 16 September 2016].

³ Berens & Nelson (2015). *The science of early adversity: is there a role for large institutions in the care of vulnerable children?* *The Lancet*. [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)61131-4/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)61131-4/abstract) [Accessed on 16 September 2016]

⁴ European Expert Group on the Transition from Institutional to Community-based Care: Common European Guidelines on the Transition from Institutional to Community-based Care (2012), p.26

Studies have highlighted that care leavers are more likely to be involved in criminal activity, and that institutions are ineffective in preventing criminality.⁵ A study by the Ministry of Interior of the Czech Republic, which followed 17,454 children in institutions found that, while 18% of children committed a crime before or during their stay in the institution, 51% committed a crime after discharge.⁶ Additionally, several studies have shown that young people leaving institutions are at increased risk of prostitution.⁷ The risks of becoming homeless have been found to be approximately 50 times higher for those who have lived in institutions, compared to those who were placed in foster care,⁸ and those placed in foster care are more likely to attain higher levels of education and family stability, are less prone to substance abuse and are less likely to be arrested or convicted.⁹

Young adults leaving institutions are especially vulnerable to these risks because often they have not had adequate opportunities to develop the social skills and networks they need to successfully live independently in the community.¹⁰

Research into Early Brain Development (EBD) demonstrates that institutionalisation has a severe impact on EBD and that this impact is even greater than the impact of child abuse.¹¹ Evidence and experience demonstrate that a caring and protective family, immediate and extended, is central to a

⁵ Greenwood, P.W. & Rand, S.T. (1993). Evaluation of the paint creek youth center: a residential program for serious delinquents. *Criminology*, 31.2: 263-279. Slot, N.W., Jagers, H.D., et al. (1992). Cross-cultural replication and evaluation of the Teaching Family Model of community-based residential treatment. *Behavioral Residential Treatment*, 7.5: 341-354. Sunseri, P.A. (2004). Family functioning and residential treatment outcomes. *Residential Treatment for Children & Youth*, 22.1: 33-53. Lindquist, M.J., & Santavirta, T. (2012). Does Placing Children in Out-of-Home Care Increase their Adult Criminality? Swedish Institute for Social Research. Stockholm, Sweden.

⁶ Ministerstvo vnitra české republiky (2007). Hodnocení Systému Péče o Ohrožené Děti [Evaluation of the System of Care for Vulnerable Children]. <http://www.mvcr.cz/soubor/hodnoceni-systemu3-pdf.aspx> [accessed 16 June 2016].

⁷ Cusick, L., Martin, A. & MAY, T. (2003). Vulnerability and Involvement in Drug Use and Sex Work. Home Office, 2003. Coy, M. (2008). Young women, local authority care and selling sex: findings from research. *British Journal of Social Work*, 38.7: 1408-1424. Pashkina, N. (2001). Sotsial'noe obespechenie, 11:42-45. Cited in: Holm-Hansen J, Kristofersen LB, Myrvold TM eds. Orphans in Russia. Oslo, Norwegian Institute for Urban and Regional Research (NIBR-rapport 2003:1). Cusick, L. (2002). Youth prostitution: A literature review. *Child Abuse Review*, 11.4: 230-251.

⁸ Research looking at the histories of clients of a centre for homeless people in Prague, run by the NGO Naděje, revealed that 286 out of the organisation's 3,000 homeless clients (9%) during the period 1993-2004 had lived in children's institutions, while only 6 of them grew up in foster care (Lumos' analysis of data was based on information from Univerzita Karlova. Centrum pro sociální a ekonomické strategie [Charles University. Centre for Social and Economic Strategies] (2010). Klienti organizace Naděje 1993-2004 [Clients of the Organisation Naděje 1993-2004]. Ver. 1.0. Praha: Český Sociálněvědní Datový Archiv, [citováno 21.7.2016]. DOI 10.14473/CSDA00036). Similar numbers of children were growing up in foster care and in children's institutions at that time. On average, 5,774 children lived in foster care between 1989 and 2003, and 4,435 children lived in children's institutions between 1997 and 2003. Calculations are based on data from Education System Statistical Yearbook (2016). www.uiv.cz [accessed 16 June 2016]; and MPSV [MOLSA] (2005). Co Nejvíce Opuštěných a Ohrožených Děti by Mělo Vyrůstat v Rodinách [When Possible, Vulnerable Children Should Grow up in Families]. <http://www.mpsv.cz/files/clanky/104/180205.pdf> [accessed 16 June 2016]. The findings suggest that the risk of becoming homeless is approximately 50 times higher for those who have lived in institutions, compared with those who were placed in foster care. This finding is unsurprising, given that foster families can offer ongoing individualised support for children that can help prepare them for leaving care, while those living in institutions do not benefit from this kind of one-to-one support. See also Prudký, L.A. & Šmídová, M. (2010). Kudy Ke Dnu: Analýza Charakteristik Klientů Naděje, o.s., Středisko Praha, Bolzanova [How to Get to the Bottom: The Characteristics of Clients of Naděje's Centra Prague Bolzanova]. Vyd. 1. Praha: Socioklub, dotisk, 135 s. Sešity pro sociální politiku.

⁹ Every Child (2011). Fostering Better Care. <http://www.everychild.org.uk/sites/default/files/docs/FosteringBetterCare.pdf> [accessed 16 June 2016].

¹⁰ Delap, E. (2011). Scaling Down: Reducing, Reshaping and Improving Residential Care Around the World. Positive Care Choices. London: EveryChild. As cited in: Csaky, C. (2014). Op.cit.

¹¹ Nelson, C. and Koga, S. (2004). Effects of institutionalisation on brain and behavioural development in young children. Findings from the Bucharest early intervention project, paper presented at the International Conference on 'Mapping the number and characteristics of children under three in institutions across Europe at risk of harm', 19 March 2004, EU Daphne Programme 2002/3 and WHO Regional Office for Europe, Copenhagen, Denmark.

child's health, development, and protection. For more information, please see Lumos Factsheet Children in Institutions: The Risks.¹²

EU and international policy and legal instruments

Children's right to family life has been recognised in a number of international and EU policy and legal instruments. The Convention on the Rights of the Child (UNCRC) affirms that, as far as possible, all children have a right to live with their families and that parents or other legal guardians have the primary responsibility to protect and care for the child.¹³ The UNCRC and the UN Guidelines for the Alternative Care of Children (A/RES/64/142)¹⁴ also call on States to ensure that families have access to services which support them in the caregiving role. The Guidelines state that, "[e]very child and young person should live in a supportive, protective and caring environment that promotes his/her full potential. Children with inadequate or no parental care are at special risk of being denied such a nurturing environment". The UN Convention on the Rights of Persons with Disabilities (UNCRPD)¹⁵ to which the EU is a signatory, clearly states that "States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others" (Art 19). For children, this means being in family environment and receiving quality care and protection.

The 2030 Agenda for Sustainable Development (hereafter 2030 Agenda) has committed all UN States to achieving a set of 17 ambitious goals that address many needs, including health care, education, and protection from violence, exploitation and abuse. The 2030 Agenda describes the role of States "to provide children and youth with a nurturing environment for the full realisation of their rights and capabilities, helping our countries to reap the demographic dividend including through safe schools and cohesive communities and families."¹⁶ The 2030 Agenda is committed to *leaving no one behind*, however, many of the eight million children currently in institutions around the world are left off the world's statistical map. Many countries do not currently apply data collection mechanisms that reach and include the children that do not live in traditional households and who are without family care, such as children in institutions and on the streets.¹⁷

Children in alternative care have also been recognised as a particularly vulnerable group by the European Commission in its Recommendation on Investing in Children.¹⁸ The Recommendation

¹² Lumos (2014), Children in Institutions: The Risks.

http://wearelumos.org/sites/default/files/Risks_Factsheets_Lumos_0.pdf [accessed 26 Oct 2016].

¹³ United Nations (1989) Convention on the Rights of the Child (Adopted 20 November 1989, entered into force 2 September 1990) Vol.1577, p.3.

¹⁴ United Nations (2009) Guidelines for the Alternative Care of Children (2009) A/RES/64/142 http://www.unicef.org/protection/alternative_care_Guidelines-English.pdf [accessed 26 Oct 2016].

¹⁵ United Nations (2006) Convention on the Rights of Persons with Disabilities (Adopted 13 December 2006, entered into force 3 May 2008), Art. 19. <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf> [accessed 26 Oct 2016].

¹⁶ United Nations (2015) General Assembly resolution 70/1, Transforming our world: the 2030 Agenda for Sustainable Development, A/RES/70/1 (25 September 2015), (Preamble, para 25) http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E [accessed 18/05/2017]

¹⁷ Carr-Hill, R. (2017). Improving population and poverty estimates with citizen surveys: Evidence from East Africa. World Development. Volume 93, pp 249 -259. <http://dx.doi.org/10.1016/j.worlddev.2016.12.017> [Accessed 30 March 2017].

¹⁸ European Union (2013) Commission Recommendation of 20 February 2013 investing in children: breaking the cycle of disadvantage, OJ L 59, 2.3.2013. http://ec.europa.eu/justice/fundamental-rights/files/c_2013_778_en.pdf [accessed 26 Oct 2016].

declares that “a focus on children who face an increased risk due to multiple disadvantage such as (...) children in alternative care” is necessary.

The EU has recognised the harm that institutionalisation causes to children and has taken a leading role in the efforts to end this form of care. By introducing an ex-ante conditionality on social inclusion (9: 9.1.) with an investment priority on the “transition from institutional to community-based services”¹⁹ in the **Regulation 1303/2013 on the ESIF**, the EU has prohibited the ESIF to be used for the maintenance or renovation of existing, and the construction of new, large residential institutional settings.²⁰

The recently published “EU Guidelines for the Promotion and Protection of the Rights of the Child (2017) Leave no child behind” include institutionalisation among the risks for children in vulnerable situations.²¹ These vulnerable situations also include children living in poverty, living in conflict and fragile situations, with disabilities, children deprived of their liberty or in conflict with the law, migrant and refugee children, unaccompanied children and those without family, face particular risks and are exposed to discrimination, marginalization, and exclusion.

The document highlights the importance of family support and strengthening and the development of alternative care that allows children to participate in community life and preventing family and child separation (see section 5.A)²² and states that the primary consideration for spending should be the best interests of the child (see section 5.D).²³

3. Reflection on the Future of the European Union

In March 2017, the European Commission presented its “*White Paper on the Future of Europe*”.²⁴ In five scenarios, the document describes what the EU could look like by 2025 and what this might mean for the Multiannual Financial Framework post-2020. Between April and June 2017, the European Commission also published Reflection Papers on: 1. The Social Dimension of Europe,²⁵ 2. Deepening the Economic and Monetary Union, 3. Harnessing Globalisation, 4. The Future of Defence, and 5. The Future of EU Finances.²⁶

This paper contributes to the ongoing debate on the future of the European Union, with a special focus on the future of EU finances and the social dimension of the EU, and makes concrete recommendations for the post-2020 Multiannual Financial Framework (MFF).

Lumos welcomes the “*White Paper on the Future of Europe*” and its related Reflection Papers as they set out a strong framework for important discussions on the future of Europe and the post-2020 MFF.

¹⁹ European Union (2013) Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013, OJ L 347, 20.12.2013, p. 320–469, Article 9: 9.1

²⁰ Ibid

²¹ European Union (2017), Guidelines on the Promotion and Protection of the Rights of the Child https://eeas.europa.eu/sites/eeas/files/eu_guidelines_rights_of_child_0.pdf, p. 4

²² Ibid, p.19

²³ Ibid, p. 21

²⁴ European Union (2017), White Paper on the Future of the European Union https://europa.eu/european-union/sites/europaeu/files/whitepaper_en.pdf

²⁵ European Union (2017), Reflection Paper on the Social Dimension of the European Union https://ec.europa.eu/commission/sites/beta-political/files/reflection-paper-social-dimension-europe_en.pdf

²⁶ European Union (2017), Reflection Paper on the Future of EU Finances https://ec.europa.eu/commission/sites/beta-political/files/reflection-paper-eu-finances_en.pdf

Investing in people

Lumos welcomes the EU's overarching priority to invest in people, as stressed in the White Paper on the Future of the EU – this includes investing in education and training, health, equality and social inclusion. These factors will determine how societies develop and the economic future of Europe. It is vital that social expenditure reaches those most in need, in particular those in the most vulnerable situations such as children in institutions. This is also in line with the 2030 Agenda.

Tackling child poverty

According to the Reflection Paper on the Social Dimension of the EU, almost a quarter of the EU-28 population is estimated to be at risk of poverty or social exclusion. Poverty is a significant underlying factor for children being placed in institutions in the European Union and across the world.²⁷ Many families struggle to provide food, housing, medicine and access to education for their children, and are led to believe that placing them in institutions is a positive choice that will provide them with a better future. To address this, care reforms from institutional to community-based care play a key role in ensuring that the most vulnerable families get access to community-based services, inclusive education and social protection/anti-poverty measures, which can subsequently help keep a family together. Additionally, many children in institutions can return to live with their family when the right community-based services have been put in place.²⁸

Lumos notes with concern that “child poverty remains high and is rising in several Member States” as indicated in the Reflection Paper on the Social Dimension of the EU. As noted in the Reflection Paper, “these children have limited access to health care, a higher risk of school drop-out and later, as adults, higher risks of unemployment and poverty”. This is particularly the case for children in institutions, who suffer more ill health than the wider population and, as adults, are more likely than those raised in families to drop out of school, face unemployment, homelessness, or worse, have a criminal record, become involved in prostitution or commit suicide.²⁹

Lumos therefore calls on the EU to choose a future for Europe which protects the rights of the most vulnerable persons and prioritises support for families and child welfare and protection, in line with children's best interest.

We strongly welcome the suggestion in the Reflection Paper on the Future of EU Finances to develop a Child Guarantee supported by EU funds. We propose that this initiative prioritises prevention of institutionalisation by focusing on children at risk of being separated from their families, as well as the transition from institutional to family and community-based care. We also agree that it is important for social spending to reach those most in need. Prioritising reunification of children currently in

²⁷ Williamson, J., and Greenberg, A. (2010), Families, not orphanages, Better Care Network working paper, p. 8.

²⁸ Lumos (2014) *Ending the institutionalisation of children: A summary of progress in changing systems of care and protection for children in Moldova, the Czech Republic and Bulgaria* (for example, p. 7 on Moldova) <https://wearelumos.org/sites/default/files/Ending%20Institutionalisation%20of%20Children.pdf> [accessed 10 August 2017]

²⁹ Pashkina, N. (2001). Sotsial'noe obespechenie, 11: 42-45. As cited in: Fedulova, A.B., Firsov, M.V., Malik, L.S. et al. *Orphans in Russia*. Oslo, Norwegian Institute for Urban and Regional Research (NIBR-rapport 2003:1). <http://www.hioa.no/extension/hioa/design/hioa/images/nibr/files/filer/2003-1.pdf> [accessed 8 May 2017]; Univerzita Karlova. Centrum pro sociální a ekonomické strategie [Charles University. Centre for Social and Economic Strategies] (2010). Klienti organizace Naděje 1993-2004 [Clients of the Organisation Naděje 1993-2004]. Ver. 1.0. Praha: Český Sociálněvědní Datový Archiv, [citováno 21.7.2016]. DOI 10.14473/CSDA00036).

institutions with families or placement in community-based care would mean giving them the opportunities to develop to their potential.

Lumos also welcomes the Commission increasing its guidance to Member States on the integration in the labour market of young and long-term unemployed persons and third-country nationals, on vocational and educational training, on combatting hate speech and radicalisation and on protecting children in migration.

Protecting children in migration

Current migration flows across the world have resulted in some countries receiving unprecedented numbers of unaccompanied and separated children. These children have been exposed to a variety of protection risks during their journey, ranging from family separation, being institutionalised, abuse from smugglers and traffickers and sexual and gender-based violence, while many continue to be exposed to violence, abuse and exploitation even upon their arrival to Europe.³⁰ A total of 98,400 unaccompanied refugee and migrant children³¹ applied for asylum worldwide in 2015. This is compared with 34,300 in 2014 and 25,300 in 2013.³² Eurostat calculates that 88,300 of these children applied for asylum in EU countries in 2015.³³ Institutional care facilities are used predominantly as a response or as the first resort for unaccompanied migrant and refugee children, even by countries who have recently moved away from an institutional model of care for their own citizens.³⁴

On arrival in Europe, many children end up in camps, detention centres, institutions, or are left to fend for themselves on the streets.³⁵ Evidence demonstrates that unaccompanied migrant and refugee children are likely to have suffered abuse and trauma on their journey to, and stay within, Europe and that their needs are not adequately met.³⁶ Furthermore, it has been reported that some EU countries are considering building institutions outside Europe to send unaccompanied minors.³⁷ Placing children in institutions puts children at serious risk of being trafficked and/or becoming victims of violence, self-harm and suicide.³⁸ Family- and community-based care has the potential to better meet

³⁰ UNHCR (October 2016) *This is Who We Are: A study of the profile, experiences, and reasons for flight of unaccompanied or separated children from Afghanistan seeking asylum in Sweden in 2015*, p. 33
<https://data2.unhcr.org/en/documents/download/52081>

³¹ The UN definition of an unaccompanied or separated child is someone under the age of eighteen who is “separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so”. UNHCR (1997) *Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum*
<http://www.unhcr.org/3d4f91cf4.pdf> [Accessed 21 December 2016]

³² UNHCR (2016) *Global Trends Forced Displacement In 2015* <https://s3.amazonaws.com/unhcrsharedmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf> [Accessed 12 January 2017]

³³ Eurostat (2016) *Almost 90 000 unaccompanied minors among asylum seekers registered in the EU in 2015*
<http://ec.europa.eu/eurostat/documents/2995521/7244677/3-02052016-AP-EN.pdf/> [Accessed 12 January 2016]

³⁴ Terre des hommes (2010): *Disappearing, departing, running away A surfeit of children in Europe? Study carried out in Belgium, France, Spain and Switzerland on the disappearances of unaccompanied foreign minors placed in institutions*, p. 8

³⁵ European Commission (24 November 2016 - 10th European Forum on the rights of the child 29-30 November 2016) *The protection of children in migration 24 November 2016 - Background paper – EU funding to protect children in migration*
http://ec.europa.eu/newsroom/document.cfm?doc_id=19748

³⁶ UNHCR (October 2016) *This is Who We Are: A study of the profile, experiences, and reasons for flight of unaccompanied or separated children from Afghanistan seeking asylum in Sweden in 2015*, p. 33
<https://data2.unhcr.org/en/documents/download/52081>

³⁷ Wierup, L. (9 February 2017). *Barnhemsbygge ska få gatubarn att återvända* [Building and orphanage to make street children return]. *Dagens Nyheter*. <http://www.dn.se/arkiv/nyheter/barnhemsbygge-ska-fa-gatubarn-att-atervanda/> [accessed 6 April 2017]

³⁸ Save the Children (17 October 2017) *Keeping Children at the Centre- Time for EU Solidarity in protecting migrant and childrens' rights*, p 14.

unaccompanied migrant and refugee children's needs, to help them integrate into the community and help young people settle, thrive and explore life within and beyond the placement.³⁹ Unaccompanied migrant and refugee children should be treated as children first, with rights protected by the UNCRF. The rights and care standards applied to children in migration should be the same as the response to all European children who live outside families.

Protecting children's rights internationally

It is equally important to work towards ensuring that children's rights are protected and promoted outside of the EU. If the European Union has accepted that institutions are harmful to children and as a consequence has significantly altered its funding and policy priorities for children inside the EU, it follows that wherever the EU has policy and funding influence, the same logic should apply.

4. Lumos Recommendations

Lumos has three key recommendations to the European Union in their preparation of the post-2020 Multiannual Financial Framework (MFF), with a particular focus on the next European Structural and Investment Funds (ESIF) and the External Action Funding Programmes:

1. The criteria concerning the transition from institutional to community-based care in ex-ante conditionality 9.1 should be maintained and strengthened in the next programming period.

It is important that the EU continues to fund and support deinstitutionalisation reforms within the EU, while ensuring that more Member States benefit from its support. Therefore, Lumos recommends that:

1. The European Institutions should ensure that no future EU funding is used for supporting the maintenance of existing institutions for children or the creation of new ones. In order to achieve this, it is crucial that the ex-ante conditionality on social inclusion (9: 9.1.) with an investment priority on the "*transition from institutional to community-based services*" in the Regulation 1303/2013 on the European Structural and Investment Funds (ESIF) is kept and strengthened in the post-2020 MFF. Furthermore, investments under all ESIF thematic objectives should be aligned to this principle. Currently, investments in institutions continue under the thematic objectives on energy efficiency, digitalisation and transport.
2. Effective monitoring and evaluation instruments should be developed in the framework of the post-2020 MFF that ensure a thorough oversight of how EU funds are supporting national deinstitutionalisation strategies at Member State level.
3. The condition "according to identified needs" for the applicability of the investment priority on the "*transition from institutional to community-based services*" should be removed from the text of the post-2020 Regulations. Under the current funding period 2014-2020, only twelve Member States, exclusively Central and Eastern European countries, declared any

https://www.savethechildren.net/sites/default/files/KEEPING%20CHILDREN%20AT%20THE%20CENTRE%202017_%20DEF_%20LOW_%202020_.pdf

³⁹ Nidos, SALAR, CHTB, February 2015, Reception and Living in Families-Overview of family-based reception for unaccompanied minors in EU Member States

<http://www.scepnetwork.org/images/21/276.pdf>

“identified needs” for the implementation of this priority. Evidence⁴⁰ however shows that children are placed in institutions throughout the European region. Therefore, the ex-ante conditionality on social inclusion and the above-mentioned investment priority should be applicable for all the EU Member States.

4. Funds directed towards migrant, separated and unaccompanied children should only be spent on the provision of family- and community-based care and not for the institutionalisation of unaccompanied children.
5. Measures related to ESIF and other funds should be based on a thorough needs analysis of the beneficiaries. Also, the collection of data should be strengthened and should include all children living in institutions and orphanages.
6. Should a European Child Guarantee be established, as proposed in the Reflection Paper on the Future of EU Finances, it must prioritise access to free quality health care, education, childcare, decent housing and adequate nutrition for all children; and support the transition from institutional to family and community-based care and families at risk of separation.
7. Funds should be allocated for training and technical support on the transition from institutional to family and community-based care for both European Commission staff and governments.

2. Prioritise deinstitutionalisation of children in all EU external instruments

The post-2020 framework provides an opportunity for the EU to take a position of global leadership in protecting and promoting children’s rights around the world in line with the *leave no one behind* principle. Prioritising the transition from institutions to family- and community-based care is in line with EU commitments to implement the UNCRPD and Agenda 2030, as well as with its own ambition to secure coherence between its internal and external policy and funding. Therefore, Lumos recommends that:

1. All future EU external assistance initiatives and funding instruments, including those directed at migration and other humanitarian crises, should prioritise actions linked to the transition from institutions to family- and community-based care.
2. The principles enshrined in the ex-ante conditionality on social inclusion with an investment priority on the “transition from institutional to community-based services” (Regulation 1303/2013) should be introduced into all EU external funding instruments.
3. Through external funding instruments and programmes, the EU should provide financial support for targeted actions that focus on deinstitutionalisation, family support, early childhood development, inclusive education, health and social services, quality alternative care and strengthening of child protection systems to protect children from violence, abuse and neglect and ensure they can access their full set of rights within families and communities.
4. The EU should provide financial and technical support to governments in designing, implementing and evaluating national deinstitutionalisation programmes.

⁴⁰ Open Doors for Europe’s Children Campaign <http://www.openingdoors.eu>

5. The EU should provide training and technical support to European Commission staff and governments focused on the transition from institutional to family and community-based care.
6. The EU should support the improvement and expansion of data collection methodologies internationally to ensure all children are represented.

3. Improve the implementation of the European Code of Conduct on Partnership

The involvement of civil society is essential for the planning and implementation of any programmes and measures. Therefore, Lumos recommends that:

1. Monitoring Committees in Member States should be transparent and involve a representative range of social partners, NGOs and other relevant stakeholders. They should involve and consult civil society organisations at all stages of the design, implementation, monitoring and evaluation of future EU funding programmes and have their representatives as members.
2. Civil society organisations should be treated as equal stakeholders in the process of drafting the Operational Programmes (OPs) and Partnership Agreements (PAs).
3. Failure of the Member States to correctly implement the European Code of Conduct on Partnership should be sanctioned with payment suspensions.
4. A Code of Conduct on Partnership should be introduced for EU external instruments, so that the involvement of civil society is secured for the design, implementation, monitoring and evaluation of any action globally, when it is funded by the EU.

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