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Comunità Papa Giovanni XXIII

associazione internazionale di fedeli di diritto pontificio – www.apg23.org

Ente Ecclesiastico Civilemente Riconosciuto con D.P.R. n. 596/72
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Twentieth anniversary of the Convention on the Rights of the Child Dignity, Development, Dialogue

Joint statement submitted by the Association Comunità Papa Giovanni XXIII, the Association Points Coeur and the International Catholic Child Bureau (Bice), organizations in consultative status with ECOSOC

Theme II: Development

Sub-theme 1: States parties' obligations: realising economic, social and cultural rights.

TITLE: The roots for the full development of the child lie within the family

The Convention on the Rights of the Child (CRC) doesn't affirm explicitly the right of children to a family in a specific article. However, in its preamble it states very clearly that “the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,” and that “the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”. The CRC also says in article 20, paragraph 1, that a child who is temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State. Paragraph 2 of the same above-mentioned article states that “States Parties shall in accordance with their national laws ensure alternative care for such a child”.

The love and care of stable parental figures is crucial for children to develop a sense of belonging, of mastery, self-esteem and reach full autonomy.

The family is the natural place, as ordered by God, to welcome children. The first priority is to support the family of origin and /or extended family to continue caring for its children. When the family of origin and /or extended family is not available, a substitute family or a family-like structure must be found.

Orphanages and institutes, even if they may be well organised and have competent, well motivated and caring staff, are never the real answer to the needs and rights of children because children need a family to belong to.

The above considerations have led for example the Association Comunità Papa Giovanni XXIII, (which opened its first family-home in Italy in 1973 and runs 298 family-homes in five continents of which 254 are in Italy and 45 abroad) to promote and live out the welcoming of children in all countries in which it is present, through ‘open families’ and ‘family-homes’.

The **open family** is the preferential way to help children who otherwise would be abandoned, thus avoiding child institutionalization.

A **family-home** is a residential and educational community where needy people are welcomed for a limited or lasting period of time. It is organised just like a family and characterised by the continual



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and stable presence of parental figures – mother or father or both - that choose freely to share life with the needy. It is a real substitute family where the maternal and paternal figures accept and regenerate with love the children and all the people entrusted to them. They may be a married couple who, apart from their own natural children, are fostering orphans, abandoned children, adolescents in difficulty, disabled and marginalised people or they may also be single, widow/s, consecrated persons with a motherhood and fatherhood heart. These two fundamental figures must be definitive, unique, precise and offer themselves unconditionally. Apart from these parental figures, there may be others volunteers willing to live as older brothers and sisters or “aunts and uncles”.

The fundamental and specific characteristics of this model of care may be summarised as follows:

- a. “parental” figures that are precise, stable, unique and definitive
- b. heterogeneity of the people in the family
- c. an organisation of the daily activities as in a family
- d. an effective and real integration of the people accepted in the home through the active participation to social life in all its aspects.

Many other organisations have been inspired by such a model of care and run similar realities. Hence, the Association Comunità Papa Giovanni XXIII, the Association Points Coeur and the International Catholic Child Bureau (Bice) welcome the draft document “Guidelines for alternative care” recently endorsed at the last session of the Human Right Council and recommended for final approval by the General Assembly. The above Associations renew their commitment to further contribute to assuring the right to a family for all children by also sharing the successful experiences accumulated throughout the years.

Recommendations

- We urge the member States to approve at the General Assembly the Guidelines for Alternative Care.
- Taking into account the fact that the family of origin is the natural place for the growth of children, unless there are serious reasons (e.g. abuse and violence) which justify the removal of minors from this family, and considering that minors are often removed from their families of origin because of problems which can be overcome, we recommend the development of policies of social, economic and psychological support to families which aim at overcoming family difficulties. Other families may play an important part in this, through both giving their support and serving as educational role models.
- With regards to minors who have been removed from or are without a family of origin, we recommend that policies for the safeguard of minors recognise that substitute families or family-like communities are preferential places for the harmonious growth of the child. It is necessary to support this recognition with foster care sensitisation campaigns and the necessary financial help.
- Considering that there are many people and institutional bodies involved in the safeguarding of children without parental care (e.g. social services, juvenile courts, foster families, associations and others), we recommend establishing, following the principle of ‘horizontal subsidiarity’ and in the child’s best interests, a synergic procedure which aims to give value to and harmonise the specific tasks of each.



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- International adoption should be rather tackled as one of the instruments to give a family to a child and **not** as a way to give a child to a family .
- Being aware of the fact that the current legislation on international adoption may not be sufficient to prevent the taking away of children from poor families, we recommend increasing vigilance in countries at risk and strengthening the internal resources of these countries, respecting their customs and culture.