



# A Resilient Future for Children

## Activating the Kigali Declaration on Child Care and Protection Reform

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

October 2024

# THE KIGALI DECLARATION IN ITS GLOBAL CONTEXT

**The reality of the lives of millions of children in the Commonwealth was recognised in the Kigali Declaration on Child Care and Protection Reform, issued by Heads at the Commonwealth Heads of Government Meeting (CHOGM) in June 2022. The Kigali Declaration represented an historic focus on the issues impacting children in the Commonwealth and the underlying causes that lead to children requiring care and protection, including violence, rights violations, family separation and institutionalisation, vulnerability, multidimensional poverty and inadequate social protection systems. Framing a collective vision and mission for the Commonwealth, Heads commit to ‘positioning the Commonwealth as a leading advocate on child care and protection reform’.**

The Commonwealth is a voluntary Association of 56 countries and home to 936 million children, over a third (39 per cent) of all children aged under 18 years living in the world today (approx. 2.4 billion[i]). Given that such a sizeable proportion of the global child and adolescent population lives in its member states, the Commonwealth has an essential role to play in meeting the global child protection-related development targets.



***39% of the world's children under the age of 18 live in a Commonwealth country.***

Under the United Nations Convention on the Rights of the Child (UNCRC), and regional child rights instruments, every child has the right to survival, health, development and well-being, to grow up in a family environment, and to be protected from all forms of violence, abuse, exploitation, and neglect. Yet each year, up to a billion children around the world experience physical, sexual or emotional violence or neglect in their homes, online, in schools and communities and in workplaces; and, tragically, one child dies from violence every seven minutes (WHO, 2022; WHO, 2020[ii]).

Violence against children is a public health and human rights issue with severe consequences not only for the health and well-being of individual survivors but also for society due to the direct and indirect economic and social costs. Prevention of violence is essential for increasing the human capital of nations, for achieving sustainable development and building resilient, inclusive and peaceful societies where no one is left behind.

The Declaration outlines specific and ambitious commitments by Commonwealth governments, including to implement a policy of zero tolerance for violence, harassment, abuse, stigma, or discrimination; to expand social protection coverage to reduce poverty and tackle the underlying causes that lead to children being separated from their families and communities and requiring care and protection; to reform child care by progressively replacing institutionalisation with quality alternative care arrangements; to put in place the necessary frameworks and resources to safeguard all children, particularly the most marginalised and vulnerable, including the elimination of child labour in all its forms, forced labour, trafficking and sexual exploitation; to strengthen health systems and ensure adequate response to the needs of all children and young people. This can only be achieved if governments and every sector of society work together.

The Kigali Declaration was made at a time when the rapid pace of global change was affecting family life and challenging governments. All families, communities and governments hope to see their children develop into people who make a positive contribution to their family and society, live healthy lives, keep safe, enjoy life and achieve something positive and who are economically secure. Yet everybody knows that life is unpredictable and that children, like adults, need to cope with the unexpected. Whilst many shocks are easily managed, some events can leave lasting trauma and distress, such as family violence, war, environmental disasters and bereavement. The extent to which people can overcome these happenings and find new ways to ‘bounce back’ and thrive is known as resilience.

# RESILIENCE OF YOUNG PEOPLE AND FAMILIES IN THE 'POLYCRISIS'

Resilience has become a widely used concept, referring to individuals, systems and societies. The study of resilience aims to discover why some children survive unexpected trauma and even thrive in the process, whilst others develop negative behaviours, becoming violent, suffering mental ill-health and a range of other negative outcomes for the individual and society. Child care includes supporting children and young people to develop resilience, and protection is about helping them to avoid traumatic shocks.

The COVID-19 pandemic had profound and lasting consequences for children and families; the Kigali Declaration 'recognised the resilience shown by children and young people' during the pandemic, but the impacts on mental and physical health are still being seen. The pandemic put child care and protection systems under immense pressure and highlighted the need for governments to prioritise the provision of a protective environment for children.

COVID-19 is just one crisis in a series of multiple and interacting global shocks and crises that the world is struggling with - termed the 'polycrisis'. For children this is creating new and rising threats to their safety, health, and development. Climate change appears to be having an escalating impact on environments and populations. Regional conflicts continue to affect significant numbers.

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Millions are involved in migrations for a variety of reasons which have destabilising impacts on both sending and receiving countries and on political systems. Economic shocks, including inflation, food insecurity and unemployment continue to undermine development. Technological advances, including artificial intelligence, are changing work and living patterns. Social media is reshaping political environments. Factionalism and nationalism are resulting in increased tensions and civil conflicts. The process of urbanisation continues apace as people move from rural to urban areas to seek work and opportunity and, in the light of these factors, disrupts traditional social structures and creates personal and housing vulnerabilities.

Children growing up in this fast-changing environment face multiple challenges and unfamiliar experiences, exposing them to risks of maltreatment and abuse which need an urgent response from governments and public agencies. Significant new risks to child protection will also arise over the next decade, with far-ranging implications for the provision of child care and protection systems and services and increased need, which governments cannot ignore.



# REFORMING CHILD PROTECTION SYSTEMS

Commonwealth countries are at different stages in their journey to build child protection and care systems. Such systems are complex and rooted in local cultures and norms and must be designed to respond to local needs and be suitable for national contexts as well as being consistent with international standards and good practices.

In much of the Commonwealth, child protection systems are still largely informal with community-based mechanisms playing a central role in how children are raised in the family and community and how child protection issues are responded to. Formal systems may barely be present and may not have sufficient capacity relative to needs. Child protection responses and services have often developed in a highly fragmented way and consequently fail to ensure a complete understanding of risks to a specific child or to provide a comprehensive solution for addressing the whole range of protection issues. Building and strengthening formal systems, including workforce development and increasing cross-sectoral investments in core preventive services such as health and education, and supporting sub-national authorities responsible for child protection, is therefore a long-term process which requires commitment from many stakeholders, including political commitment and government ownership.

Protecting children from harm is universally seen as positive, but the negative history of child protection in the history of colonisation continues to affect attitudes to child protection in some communities and influences professional practice. Forced removal of the children of indigenous communities to residential care homes and boarding schools, aiming to 'protect' them from 'uncivilised parenting', was clearly abusive, as was the forced transnational migration during peacetime of thousands of British children from poorer families and state-run care homes to parts of the Empire. Child exploitation and abuse and the deaths of many children in institutions are now coming to light and several governments have commissioned inquiries and issued formal apologies. These grievous errors must never be repeated.

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As knowledge about and research into parenting and child development increases, all countries are discovering that some traditional child-rearing practices are validated whilst others are being challenged, for example evidence about the negative impacts of corporal punishment. Sensitising populations to constructive and effective parenting is a necessary but hugely challenging task for governments, community leaders and professionals. All face the challenge of decolonising child protection systems and developing support for families and protection for children based on indigenous knowledge and cultures.



# ACTIVATING THE KIGALI DECLARATION

The report on 'A resilient future for children: activating the Kigali Declaration on Child Care and Protection Reform[i]' addresses the key issue at hand: the urgent need for comprehensive and accelerated child care and protection reform within the Commonwealth, recognising the intrinsic link between such reform and overarching societal development and poverty reduction goals. The report provides a foundation for developing a pan-Commonwealth approach to child care and protection reform.

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The interwoven global social and policy contexts link the objectives of the Kigali Declaration to the targets in the Sustainable Development Goals (SDGs). Many of the SDGs embed child protection and have challenged child protection systems to focus more strongly on prevention and the underlying causes of child protection violations in the areas of poverty, health, gender equality, education, safe environments and justice.

The Kigali Declaration and Commonwealth strategy are set within this wider global discourse on the need for reforms to child care and protection in their widest sense, illustrating the multisectoral nature of the child care and protection reform challenge, so evident in the COVID-19 pandemic. Of overarching concern is that progress on children's well-being through the child-related SDGs is off-target, particularly in the area of protection from harm – the world is not becoming a safe place for children. Instead, they face heightened risk of exposure to violence, exploitation and abuse; displacement; limited access to health care and social protection; food insecurity; disrupted education, and other rights violations.

The case is made for better social protection to support families, thereby eliminating family poverty and creating a better environment for meeting the best interests of children, minimising risks and improving child protection. Preventing the unnecessary separation of children from their families is the principal objective of a country's care system followed by ensuring a continuum of quality care alternatives that includes family-based options in the community, such as kinship care, foster care or legal adoption and a plan for permanency. Acknowledgement that the care system is not working because of the significant harm done to children in institutional care – also known as orphanages and children's homes – is a key driver of change in many countries and for the gradual phasing out of institutions and placing every child in a family. However, transformation of the child care system needs to be carefully planned in terms of what should be in place instead of institutions and undertaken in a structured manner to avoid the mistakes of over-rapid deinstitutionalisation. Strengths and weaknesses in child care systems and alternative care of children must be examined in the context of international law, child rights and access to justice, leading to the reform of child care and protection legislation and legal systems in most countries.

Different forms of violence and maltreatment affecting children need more analysis and different responses. Much violence against children and adolescents, particularly sexual violence, remains hidden, undisclosed and unreported, either due to shame and fear or because there are no safe or trusted ways to report. This leads to impunity for abusers and lack of accountability. The gender dimension cannot be avoided: the normalisation of gender-based violence in society, including forced sexual contact for girls, female genital cutting, child marriage, and other practices which are harmful to children, are the result of discriminatory social norms and gender inequality.

People need to be sensitised to the risks to children in some traditional practices and effective strategies implemented to address these. Millions of children are out of school and in child labour, much of it hazardous in the informal economy and the agriculture sector, driven by family poverty and economic uncertainty. Others are in forms of contemporary slavery, including trafficking, commercial sexual exploitation and armed conflict. The necessary laws and regulations must be in place to protect children, backed by enforcement and investment in child protection systems.

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The multi-sectoral nature of child protection means that a range of different agencies are inevitably involved, highlighting the importance of better joint working in this multi-professional context, including police and criminal justice services, social services and social welfare, health services, education and learning and international development and humanitarian agencies.

Health and social services and education have key roles to play in the multi-sectoral response to ill-treatment of children and young people, not only in the identification of children at risk but also in critically reviewing the protection of children in their own systems. Schools have a crucial protective role by acting as a safety net and providing learning for self-protection. However, young people are also at risk of abuse by education professionals and schools can be the location for significant violence between young people. Health and social services are essential for providing early help and intervention to prevent escalating risk. Effective child-focused and sensitive services and mechanisms need to be available for children to seek help and to provide medical care and counselling. Most countries are failing to provide much needed mental health interventions.

One of the most important elements of a well-functioning child protection system is a qualified and confident social service workforce, employed in both government and non-governmental agencies. A well-functioning system will also recognise the best interests and respect the rights of children and facilitate their participation in care and protection decisions that affect them and keep them adequately informed. Parental participation is also the gateway to child participation and working in partnership with the family is at the heart of a restorative/child-centred approach. Children with disabilities share rights with all children but face greater risks and more barriers to exercising discretion, highlighting the importance of advancing their rights and improving protection whilst at the same time enabling their right to a family life.

Some new or ignored aspects of protection require particular attention. Children and young people face specific risks arising from climate change, not least because they will live longer with the consequences, but also because of disrupted access to food and water supplies, to health and education and social protection, and growing risk of displacement. Children on the move as a result of migration and displacement, including from conflict, face increased risks of gender-based violence, economic exploitation, detention and statelessness. A continuity of care for children throughout their migration journey is needed. Strengthening cross-border systems and collaboration with a view to keeping families together or reuniting them should be a core objective. Measures to ensure the health and safety of children in rapidly evolving and under-regulated digital environments need urgent implementation, to protect them from commercial marketing pressures and exposure to harmful content online, cyberbullying, misinformation and disinformation and the threat of online sexual exploitation. A child-specific approach to privacy needs to be developed. 'Unintentional' injury is a major source of disability and death in children and young people, including road accidents, drowning and unsafe working environments; many such injuries may be unintentional, but they are mainly preventable and therefore a protection risk.

The persistent gaps in our knowledge due to lack of data is hindering progress, requiring strengthening of research and global data on child care and protection. Better data enables better child protection systems and more effective interventions and response on the ground; it makes a real difference for children, along with the strengthening of support services for children, families, and communities.

Given all these factors, it is self-evident that child care and protection are greatly under-resourced relative to the scale of the problems they address and require increased national budgetary resources to support development and delivery of co-ordinated interventions. Child protection is crucial to achieving development goals and needs to have more support from major bi-lateral and private funders.

The complexity and multifaceted nature of child care and protection reform present significant challenges for member countries, civil society and other partners across the Commonwealth. While different definitions and concepts regarding child rearing and protection can be found around the Commonwealth, the key definitions and concepts which informed the Kigali Declaration and the Commonwealth's vision for children, underpinned by the UN CRC, lead to the strategic considerations involved in implementing the Declaration.

## ACCELERATING PROGRESS IN IMPLEMENTATION

Each country will have its own framework of child care and protection legislation, guidance and practice to keep children safe. A systems-building and strengthening approach is needed to up-scale existing successful policies and programmes and improve the reach, quality and impact of child protection, prevention and response and align with funding sources. UNICEF provides technical support to governments. Its approach has three priorities: preventing family separation, prioritising family-based alternative care and ending institutionalisation.



Progress has been made by some Commonwealth countries in introducing Child Care and Protection Reform bills and implementing reform efforts. Rwanda, hosts for the 2022 CHOGM and the inspiration for the Kigali Declaration, has made significant achievements around progressive deinstitutionalisation and promoting family-based care. Hope and Homes for Children's Roadmap for Care Reform provided a practical guide and offers adaptable principles to prioritise alternatives to institutions and highlight the important role of family care.

Rwanda's real-world application of child care and protection reform principles provides a practical blueprint for other Commonwealth nations. The similarity between the legal, administrative, parliamentary and academic systems of Commonwealth member countries makes it possible to share solutions and tools and adapt and experiment with models from similar contexts. The Commonwealth also has strong connecting power through the variety of its networks and the many people-to-people links between professionals working in law, social work, health, education and in parliaments and local government, along with the extensive links between civil society organisations. The relative ease of learning and sharing will be key to scaling-up efforts and the effective implementation of the Kigali Declaration.

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There is considerable activity by the Commonwealth Secretariat, accredited organisations and wider civil society in activating the Kigali Declaration. The CommonProtect initiative has made a significant contribution to highlighting gaps in child protection in the Commonwealth and advocating for legal reform against child sexual exploitation and abuse, including extraterritorial jurisdiction over sexual offences against children by travelling offenders. The Commonwealth Children Interest Group (ComCIG) comprises a wide range of accredited organisations that have engaged in advocacy activities to highlight issues around violence against children, resulting in the achievement of significant milestones.

In February 2023, ComCIG, the Commonwealth Secretariat and partners convened an online high-level roundtable, bringing together stakeholders from governments and civil society to deliberate on the first steps towards the effective implementation of the Kigali Declaration across the Commonwealth. There was comprehensive discussion about the issues of child care and protection reform and widespread support for the Kigali Declaration. The keynote address by the representative from UNICEF (NY) positioned the Kigali Declaration on Child Care and Protection Reform as a driver of global child care and protection reform. The contributions of member countries and other stakeholders further reinforced the global commitment to advancing reform in alignment with the Declaration. Commonwealth partners have also been active in the lead-up to and during the 2024 CHOGM in Samoa.

Activating and implementing the Kigali Declaration in a national and local context, aiming to strengthen the resilience of children and young people, presents significant political and cultural challenges for all countries. There are, nevertheless, common elements which make it possible to develop a pan-Commonwealth roadmap, embracing essential multi-sectoral elements, recognising the inter-connected reality of the challenges facing children, families and governments in a turbulent world. The Commonwealth Secretariat and Commonwealth Children Interest Group are engaged to support member states and other partners in this demanding process.

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# RECOMMENDATIONS

An initial roadmap of key recommendations for the Commonwealth family and member countries is proposed, derived from and building on roundtable discussions, wider deliberations and recommendations of international agencies.

The proposed roadmap recognises the comprehensive recommendation for systems reform outlined by the 'World Report on Violence against Children' (Pinheiro, 2006) together with prevention strategies and interventions and identification of the need for leadership by political leaders and other decision-makers. An accelerated shift in legislation, policy solutions and financing decisions is required to prioritise children at the centre of societal commitments and to help governments reach the SDGs (UNICEF, 2024). It specifically recommends that the Commonwealth institutions, member countries, partners and policymakers:

- 1 Evaluate progress on implementing the system reform objectives of the Kigali Declaration on Child Care and Protection Reform alongside the Sustainable Development Goals and relevant targets, noting the impact on children and families;
- 2 Ensure economic and social security for all families across the Commonwealth, leaving no one behind;
- 3 Sensitise populations to the needs of children and the risks of abuse;
- 4 Promote the reform of child care and protection legislation and policy frameworks, including effective multi-agency co-ordination and robust data collection (i.e., the system);
- 5 Consult children and young people in the process of legal and policy reform and in other matters that concern them;
- 6 Work with stakeholder organisations to ensure a skilled and confident workforce; and
- 7 Provide mutual support, assistance and evaluation through the Good Offices of the Commonwealth Secretariat to operationalise the roadmap, including through a series of roundtables and regional workshops at which countries can share their experiences, feeding into a report to the CHOGMs in 2026 and beyond.

This roadmap provides a foundation for developing a pan-Commonwealth approach to child care and protection reform, respecting the different trajectories being chosen by national governments, and placing the Commonwealth in the vanguard of child care and protection reform.

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## RECOMMENDED CITATION

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