

UN Committee on the Rights of Child

Day of Discussion on

**THE PRIVATE SECTOR AS SERVICE PROVIDER
AND ITS ROLE IN IMPLEMENTING CHILD RIGHTS**

Friday, 20 September 2002

Office of the High Commissioner for Human Rights
Palais Wilson, Geneva

Submission by

SOS Kinderdorf International



**Private child care services working with the state
on quality standards and on implementing
the rights of the child**

- A. Child care service providing NGOs in Venezuela and their role in influencing child care standards and policies in line with the CRC

- B. A joint research study on orphan care in Pakistan as best practise example for State-NGO partnership in monitoring and standard-setting

**Day of General Discussion on
"The private sector as service provider and its role in implementing Child Rights"
UN Committee on the Rights of the Child
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INTRODUCTION: THE CONCEPT AND FACILITIES OF SOS CHILDREN'S VILLAGES

SOS Children's Villages is a private, independent, non-denominational organisation, which is active in 131 different countries and territories. As an NGO in special consultative status with the Economic and Social Council of the UN, it works to improve the situation and rights of the most destitute children.

The SOS Children's Village offers a permanent home in a family-based environment to children who have lost their parents or can no longer live with them. Each SOS Children's Village family comprises an SOS Children's Village mother and four to ten children living together in a house of their own. The village itself is usually made up of between eight to fifteen such families. Each mother is trained and the family is supported by qualified educational and psychological personnel. Biological siblings are admitted together. Every child receives individual support, and an education according to his or her needs and abilities to help them integrate socially and become self-reliant.

A further organisational goal of is to help improve the quality of life and capacity-building in the communities. SOS Children's Villages operate a variety of educational, social and medical programmes, which are targeted above all at local children and youths and their families. Kindergartens focus on the development of social, intellectual and motion skills and the stimulation of individual capacities; primary and secondary schools provide high quality education. Medical centres offer a range of different services and vocational training centres support the professional integration of youth into local labour markets. Social centres aim at the prevention of child abandonment and offer programmes in child care, women empowerment, family strengthening, community development and education programmes.

								TOTAL
SOS Children's Villages	SOS Youth Facilities	SOS Kindergartens	SOS Hermann Gmeiner Schools	SOS Vocational Training Centres	SOS Social Centres	SOS Medical Centres	SOS Emergency Relief Programmes	
439*	300	250	162	133	201	50	5	1.540

Number of countries and territories in which SOS Children's Villages are active	131
Number of children in SOS Children's Villages	42.380
Number of youths in SOS Youth Facilities	9.860
Number of children in SOS Kindergartens	20.000
Children and youths attending SOS Hermann Gmeiner Schools	73.750
Youths attending SOS Vocational Training Centres	18.800
Persons attending SOS Social Centres	50.700
Persons attending SOS Medical Centres	308.680
Persons supported through SOS Emergency Relief Programmes	267.000

* including 24 under construction / planned
(May 2002)

PRIVATE CHILD CARE SERVICES WORKING WITH THE STATE ON QUALITY STANDARDS AND ON IMPLEMENTING THE RIGHTS OF THE CHILD

Introduction

Large private non-profit organisations like SOS Children's Villages have increasingly overtaken traditionally state owned functions in the provision of social services, in the field of child care, education or health. Such large NGOs play a particular role in private sector provision: Their non-profit-making nature, financial and structural autonomy and political impartiality allow them to entirely commit to the benefit of service beneficiaries and to play a role on their behalf which goes beyond mere service provision. This obviously raises questions regarding their role, their monitoring by the public sector and vice versa, their impact on public policies and service provision in line with the UN Convention on the Rights of the Child.

SOS Children's Villages commits to the principles and spirit of the UN Convention on the Rights of the Child (CRC). The child and his/her best interest remain the centre of attention of the organisation's work. SOS Children's Villages considers the child as subject of contemplated rights in the CRC and supports full and integral development of the child and adolescent in all areas, to assure full and effective enjoyment of their rights.

The following contributions deal with the role and responsibility this commitment brings along when it comes to service provision. On the grounds of two different perspectives and contexts (Venezuela and Pakistan), the articles are based on particular examples taken from the concrete work of the organisation, but also introduce general conclusion and observations regarding the role of private service providers in implementing the rights of the child.

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A. Child care service providing NGOs in Venezuela and their role in influencing child care standards and policies in line with the CRC

1. Private and public sector organisations as service providers and their legal framework

Some private organisations go beyond rendering their services, programmes and projects, with the primary goal of fostering integrated social development of children, youths, families, and communities in general. Such organisations adapt to circumstances and new realities to overcome difficulties, and to bring about change and improvement with the target of promoting self-help, sustainable development and alternative opportunities.

Compared to public sector organisations, private sector organisations have always been subjected to a much swifter process of adjustment, adaptation and change, especially in developing countries. NGOs in developing countries have played a leading role in the genuine and legitimate socio-political struggle for participating in the process of change, improvement in the area of human rights, and the exigency of compliance. This is complementary to a public framework in which the signing of (international) conventions and treaties and the modification of laws is aiming at assuring general living conditions. Further, the public sector's role as a service provider and its policy orientation in favour of granting human rights to all people, especially children and youths, is indispensable.

Service providers in the private sector are called to consider and reflect on their role as guarantors of the rights of children and youths, and the challenge of supporting a process of co-existence and interaction between public and private sector to create opportunities for better understanding and improve alternative approaches that would enhance the quality of services.

This implies to consider the subtlety of sharing the role of a guarantor and the risk of misinterpreting the concepts of participation and co-responsibility, pretending to substitute or assume the role of the other sector, clearly differentiated in the respective legal norms. Respective legal provisions in any state or nation precisely establish the role each sector is supposed to play. The Convention on the Rights of the Child (CRC) clearly defines and describes the role and obligations of State Parties that subscribed to the Convention in all matters of Childhood. The Constitution of each country determines a series of obligations to guarantee families, children and adolescents their rights. From further importance are international legal instruments like the UN regulations referring to the Administration of Juvenile Justice, the ILO Agreement 138 and recommendation N° 146 or the UNESCO Charta on Education For All. These and likewise legal and international agreed documents give an orientation and framework to urge countries to better respond to their child and youth population. In Venezuela we specifically refer to the statutory law for the Protection of Children and Adolescents (LOPNA).

2. Private sector service provision and standard-setting as response to a lack of public capacity

Right from the outset, the private sector was forced to come up with answers to situations and cases where no (effective) solution had been offered by the public sector before, or where it simply fell short of satisfying demands. The private sector has undertaken enormous efforts to substitute services that had formerly been subject to the exclusive obligation of the public sector.

A lack of public sector capacity has occurred e.g. in the health and education sector in Venezuela. Despite the fact that the number of children attending school has grown, still, 40% of the children do not finish primary education, for different reasons, mainly due to poverty. The health system does not possess sufficient resources to respond effectively to diseases like diarrhoea, vomits and fevers, worsening children's state of health. The response of organisations in the private sector as SOS Children's Villages concentrates on offering educational opportunities of better quality, e.g. in reinforcing the curricular programs, alternating with extracurricular proposals; and laying emphasis on

psycho-pedagogical support of children with learning difficulties to give them equal chances. In the health sector, awareness raising campaigns lay emphasis more on preventive than curative health, through vaccination campaigns, or information days on nutrition, amongst others. Transversally, such work contributes to uphold and improve overall standards.

Due to adverse conditions (like the lack of resources or specialist personnel, or exoneration of taxes), private sector organisations in many cases were successful in achieving higher quality standards than their public sector counterparts. To give an example: nursery school and pre-school education services offered by SOS Social Centres are of higher quality when compared to what many other education establishments are in position to provide. Thus, primary school children at these facilities show higher learning stimulation and are better prepared in school than their fellow students at other facilities. It is important to support the public sector to implement not only minimum standards, but to establish quality standards that gradually elevate the quality of services. Therefore NGOs must maintain their participation throughout the elaboration and implementation of standards as far as legislation permits.

3. A shift in paradigm: The private sector as guarantor of rights and its control mechanism

All this gives rise to a particular irrevocable interrelation between public and private sector. Both sectors are responsible for a process that tends to be more inclusive and focuses on guaranteeing the rights of children and youths in Venezuela. Equally distributed responsibilities and powers thus allow the private sector to play an active part in working out policies and plans regarding the protection of children and youths. The private sector organisations' former role to call for performance changes towards playing an active part, being a guarantor of rights, and ensuring that legitimate rights of children and youths are taken into account as early as at the stage of policy-making.

Sufficient determination and maturity is required to monitor the process aimed at securing performance and the enjoyment of rights by children and youths. To exert social control, where evaluation of the services, policies, plans, programs and obligations of the state in general takes place, the private sector should contribute information necessary to suggest the fulfilment of these obligations or duties of the State (in Venezuela this mechanism is foreseen in the Constitution of the República Bolivariana de Venezuela).

The main NGO priority is not any more to render services but to be involved, to participate in the elaboration of public policies and to activate the mechanisms necessary to guarantee rights. This is part of the daily concerns as actors also responsible for public interest. It is important to emphasize that the participation of the private sector on public policies considers all rights for all children: the right to life and to survival, to a name, to a nationality, to education, to health, to live and to grow up in a family, to physical moral and psychological integrity, equally important among others.

This new NGO-state relationship calls increasingly for autonomy of private organisations, to be protected by law and internal documents, in case their appear some difference with the public sector interest. This guarantees their freedom of operation within a certain scope of action, while remaining subject to compliance with established legal requirements where action parameters are defined. Compliance with and attachment to those action parameters actually legitimises the organisations work.

4. Impacting on governance: a right-based approach to shaping policies and its requirements

In Venezuela all private and public child care organizations and programs are subject to the same obligations, a new child legislation entered into force in 2000, determining equality of conditions and obligations for the children towards the law. In addition the law anticipates the participation of society (private sector) in national, state and municipal rights councils which are in charge to elaborate policies, plans and programs which guarantee the rights of the children, and this is where direct NGO participation is possible.

Given Convention establishes a series of pre-requisites and standards for authorities in charge of child and youth care as well as private organisations. In some cases, private sector standards are above those established by law, and this is how they can credibly supply the public sector with new instruments to guarantee children's rights. Direct participation is provided for by co-operating in the policy-making process as co-responsible partners when new suggestions are being looked into and transformed into policies and plans that directly affect the way many organisations or institutions perform in the area of child and youth care in Venezuela.

This process is closely and with much care observed by the public sector, especially because it has been a statutory law that permitted the active and influential participation of the private sector. On the other hand the private sector is taking positions in the process, is learning how to influence and impact on public policies on child-related matters directly. This impact of private sector participation has been mainly positive, contributing to educate all the citizens (youth and adult) in general, on several subjects like:

1. The co-responsibility towards the children and adolescents (state, family and society)
2. All Rights are for All Children (Principle of Equality and Non-discrimination)
3. Participation is a right of the child
4. Best and superior interest of the child in all areas of its life
5. Top priority have mechanisms of special preference and attention to children and adolescents in the formulation and execution of all public policies

An impact has been the increasing requests of the population in general to become qualified and to inquire on the Rights of the Child and the mechanisms how to guarantee those rights.

A private service providers credible role in implementing the rights of the child starts with a strict commitment to the CRC in relation to the organisations policies, programs and projects and maintaining the quality of services in accordance. Important cornerstone is the formation of staff in a child rights oriented approach.

Private sector organisations should therefore not be satisfied with offering high quality services but open up in order to share experiences with both public and private sector partners, to get involved in discussions on models and standards. To remain attentive as NGOs that guarantee rights, we need to contribute with constructive critics and interchange, and establish strategic alliances between both sectors that favour the diffusion and guarantee the rights of children. This requires an approach comprising broad vision and openness to criticism and suggestions. Not the projection of a perfect image counts, rather the clear and sufficient monitoring and documentation (also of mistakes and failures) with the aim of mutual enrichment and uplifting standards with due respect to the rights of children and youth.

It requires targeted efforts to further dialogue with public and private sector institutions to jointly work on sober and favourable solutions for achieving specific goals in the field of integrated social development of children, families, and communities. It is important to underline that private sector organisations would not get involved to promote counteraction but to develop, extend, strengthen and guarantee rights in order to share in the power of governing a system to respond effectively. Private sector organisations should not succumb to the temptation of power to embrace political positions and inclinations or extend activities into areas that would be limited to state responsibility. These are challenges ahead to be mastered and the future will show the private sector's commitment to guaranteeing and defending the rights of children and youths.

5. The particular experience of SOS Children's Villages in contributing to the elaboration of child care policies and standards in Venezuela

Participation of private sector organisations and institutions in a collective effort to guarantee children's rights is instrumental. These organisations provide their experience as expertise input to enrich and improve the opportunities of securing children's rights. In the case of SOS Children's Villages, this happens against the background of biological families, family settings in substitute families, or child-caring institutions that provide children with a family and guarantee their rights. SOS Children's Villages defines itself as an organisation that provides children with alternative families to support and care for them, offer them protection and guarantee their rights as citizens.

The influence of the private sector on the development and application of state standards progresses. Little by little it has influenced for example care giving and rendering of services. This has e.g. lead to the modelling of a proposal considering the inclusion of the private sector in the formulation of laws for the Protection of Childhood, allowing the legal creation of models such as family grouping in care services and substitute families. It is one form to emphasize and recognize a work which the private sector carried out over a long period of time.

NGO Collaboration as a key

The elaboration of standards for family grouping or substitute family child care programs is based, among others, on collective workshops jointly organised with other NGO's well-known for their reliability in the area of children's rights, covering direct contributions for policy elaborations and design of these programs at national level. These contributions gather the best practise and experience of the private sector to nurture and strengthen other public policies or public interest. One example is the setting up of the Expert Round Table of the National Council for the Rights of Children and Youths for Border Children and Child Refugees in co-operation with also UNHCR and UNICEF. SOS Children's Villages especially contributes the experiences of families in the SOS Children's Villages and the community and family strengthening in SOS Social Centres. Specific contributions are made in the area of staff recruitment and training of those people who work directly or indirectly with children and adolescents, knowledge- and capacity-building, or elaborating specific quality profiles to best respond to children and adolescents needs. Such private sector experience is even being considered in the design of public child care programs and the State Adoption Office.

It is important to recognise the broader perspective of ones work and to collaborate not just with those NGOs concerned with child care, but all those having as objective the spreading and guaranteeing of child rights. This is for example the case with the "Defensorías del Niño y del Adolescente" (child and youth rights counselling offices) existing in Venezuela which are now established also within SOS Social Centres. To create networks between NGOs in that perspective does contribute to strengthen the management of the private sector, in addition to establishing mechanisms to evaluate and to monitor services rendered by both public and private sector.

Based on a commitment to the CRC, other NGOs and grassroots organisations can be supported in their development and growth, as e.g. SOS Children's Villages is providing technical support through a consultant's office, based on experience, for the implementation of family-based child care programs or facilitating the sharing of experiences in child care.

Active participation and direct presence

In the elaboration of public policies in child care, the private sector can directly impact on policy elaboration, as in some Latin American countries, once it establishes an integrated work with the different instances of protection systems, public bodies or public consultations oriented towards the elaboration of plans and programs in child and youth care. In some countries exclusive authorities concerned with childcare policies are elected permitting private sector organisations a direct presence in policy elaboration. SOS Children's Villages e.g. had the possibility to contribute in such policy processes with its experience on family-based and integral child care and the integration of children and young people in society.

A good example of active and direct participation is the formation of the Council on the Rights of Children and Youths as the main policy-making body on the national level, with SOS Children's Villages co-workers as substitute members on the municipal level. The effort is not only about giving information but also about raising staff member awareness about their instrumental role in spreading the word and defending the rights of children and youths. However, the biggest challenge is not to educate adults - major efforts have to be directed towards informing, preparing and educating the children and youths. They should be in a position to defend their rights and act as multipliers. From early childhood on, children can learn that they have a right to participate, with the aim of giving them the opportunity for integral development as future citizens who can proactively support their country. Participation of SOS co-workers is not just a single experience but also a policy to be adopted and incorporated into the existing organisational structure.

SOS Children's Villages Venezuela was in position to participate in the decision-making process of administrative bodies as part of the System of Protection of the Rights of Children and Youths on a national and municipal level. In other cases, SOS could contribute know-how to improve conditions for children and youths in Venezuela.

Often, such participation is challenging - a tough and cumbersome struggle against small-minded or rather particular interests. The Councils on the Rights of Children and Youths in Venezuela e.g. made its position clear regarding pressing issues and jointly faced repression public sector representatives suggested in case of non-conformity. It remained devoted to the superior interest of children, who deserve ultimate priority - the rights of children and youths can not be subject to negotiation.

Comparing private sector activities with those of the public sector; one would also come across low quality standards, small-minded interests and exploitation of children to achieve certain goals in private sector organisations. Such examples prevent other private sector organisations from offering solutions and block access to resources. It should rather be about participating in a process to unite all major forces in an attempt to achieve joint goals that would guarantee children's rights.

One comes across unfavourable inter-institutional relations or a virtual lack of it; negotiations or agreements with the public sector sometimes came to a halt or failed, legal provisions would in certain cases restrict effective and positive response. Private sector organisations need to remind that many of their activities lie with the responsibility of the public sector, and that they play an instrumental and persistent role in supporting social development.

To become involved and to participate has taught us lessons of both simplicity and utmost significance, such as:

- To value the autonomy and immediacy of the work of the private sector
- To seek positive influence in the shift of paradigm in child care and to contribute to developing a vision on child care with an essentially family-oriented vision
- To defend the rights of the children is a task, a work that belongs to all
- To be present in meetings, encounters, discussions and work related to childhood matters, initiated by both the Public or the Private Sector, is important to be united and to join forces and to work in a team spirit jointly with the Public Sector
- To influence public sector policies preconditions for the private sector to seek being part of the responsible bodies which elaborate policies and plans on child-related matters and to value elaborating public policies from the experience of the private sector

It is about an ongoing process of active participation and mutual respect that leads down the path of creating collective action. The provision of services is never a solemn goal but rather to make a major effort whenever possible to contribute to a country's entire integrated social development. Protecting the rights of children and youths on any grounds is indispensable to begin with.

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B. A joint research study on orphan care in Pakistan as best practise example for State-NGO partnership in monitoring and standard-setting

1. Child welfare service provision: NGO or state business ?

Pakistan has in theory all the necessary legal protection for children and also the concurrence on child rights as stipulated in the UN Convention on the Rights of the Child, which was signed in 1989. However, this does not always lead to good practices, whereby one has to recognise that there is a great deal of effort being put into improving the lot of children.

In most developing countries the State faces constraints to meet all the needs of its citizens and therefore often recognizes NGOs as superior providers (e.g. Japan has a quasi utopian welfare system almost entirely based on the NGO sector, with major financing from the federal government and local governments). A major response for governments lies, also in Pakistan, in privatisation, which often helps to maintain a high standard. There is a universal recognition that civil society must be involved in all aspects of development and the government is systematically handing over management of education and health facilities to private organizations. At the same time, since orphan care was not an issue of priority in formal policies in Pakistan, civil society organisations filled the gap.

The majority of institutions for children in Pakistan are in the NGO sector. The number of state-managed facilities is nominal (e.g., in the Punjab, the most populous province of Pakistan, the state manages 3 institutions and the private sector 23). The contribution of NGOs as SOS Children's Villages has therefore a huge impact. SOS Children's Villages Pakistan belongs to those NGOs which have been overtaken for years traditionally state-owned functions, i.e. in the health and educational sectors and in the provision of child care, by running kindergartens, primary and secondary schools, vocational training centres and SOS Children's Villages, which provide family-based care.

2. Legal monitoring provisions and their practise

One of the legal instruments in Pakistan to assure monitoring of private institutions in the child care sector is the "Supervision and Control of Children's Homes Act". This stipulates that every voluntary Social Welfare Agency running an orphanage will have to be licensed and there are various requirements governing the licensing. Further, there are strict criteria laid down for the functioning of institutions. They are also subject to periodic inspections. In the context of orphans the following are included: Any child under the age of 18 years who has lost his parent or one of the parents and has no adequate source of income; is unclaimed; or has parents who are destitute or who has been deserted by his parents. If this act was enforced there would be proper monitoring of all children's homes which is something very desirable. In fact, however, there is little effort on the part of the State to assess the homes and implement the rules laid down, which means in reality that there is effectively no child care-related NGO-state partnership or monitoring.

While an elaborated network of institutions carrying for orphans, both state and private, exists in the country, little data and documentation is available on observed standards and practise, nor statistics on the situation of orphans themselves. This might be also due to the low recognition of the issue in formal policy so far. Recent moves in the context of implementing the Convention on Child Rights constitute an endeavour for the State to be more involved and more assertive in ensuring the protection of children. Initiatives have been taken, in particular by the National Commission for Child Welfare and Development.

Throughout time, SOS Children's Villages Pakistan has been subject of various studies for evaluation of institutions. Support from state agencies has always been positive and collaboration is fostered in numerous seminars, workshops, etc. SOS Children's Villages Pakistan is also represented on all major committees concerning children and one could say that NGO collaboration in general is excellent.

Amongst others, SOS Children's Villages Pakistan organized a three day Child Rights Festival in April 2001, at which the objectives of the CRC were projected and the Global Movement for Children in Pakistan was launched.

3. A CRC-based analysis on orphan care

Using the momentum of the UN Special Session on Children and as part of the end-decade review – carried out in a participatory process with NGOs -, the Pakistan ministry of Social Welfare, Special Education and Women Development commissioned a research study, supported by UNICEF Pakistan, to analyse the situation of orphan care in the country in conformity with the CRC, which was carried out between May and July 2001.

The main objectives and scope of the Research Study were to:

- a) Raise awareness on orphan care
- b) Share the best practices
- c) Recommend measures for institutional development and capacity building
- d) Evolve a good monitoring mechanism
- e) Identify government role in this sector
- f) Professionals and stake-holders were invited to give recommendations
- g) Prepare an appropriate component on the subject for inclusion in National Policy

The study included a survey of all institutions (nearly 50% of registered orphan care institutions in the country were visited), assessment of social, cultural and religious attitudes and an in-depth qualitative assessment. Children outside institutions were considered through focus group discussions and in-depth interviews.

Major findings regarding the institutional practise included:

- The great cultural importance the society attaches to orphan care and orphans have a particular status due to their vulnerability and need for protection.
- Hence, there is good financial support for institutions entrusted with this task., most institutions had also stable financing and transparent donation and accountability systems.
- Infrastructure varies, a lack of recreational facilities was observed, generally facilities were well-equipped and adequate, with sufficient space and living standards for the children
- Staff training was found to be a weak area, with the exception of SOS Children's Villages Lahore which had started a training course on childcare. Government did not provide any formal training arrangement or support for periodic skill-upgrading.
- Reporting systems and child records are weak developed, and there is little outside access for children to voice their opinions.
- It was found that few institutions had facilities for girls. Children with special needs, e.g. disabilities were cared for in special institutions – also because institutions had not the provisions necessary.
- Education was acclaimed a basic need and right of children given major attention
- Medical care was available in all institutions, psychological care in only a few
- Privacy of children was respected. Decisions of children were often determined by cultural norms or elders.
- In most cases, the issue of child protection is downplayed and not properly addressed. No provision and rules are set. Follow-up of children leaving the institution is only provided by few of them.
- The study also confirmed the superficial, non-supporting and infrequent monitoring of the institutions by state departments.

Four out of 25 organisations visited provide a care similar and comparable to those of a family. All four institutions are SOS Children's Villages. SOS Children's Village is also the only organisation

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practising participation of children in decision-making, HIV/AIDS education, and the only one which holds a formal system for recourse to law in case of abuse of children and which affirmatively rules out corporal punishment. SOS Children's Villages also provide support in social and labour market integration of the children.

Major findings regarding policies included:

- A number of registrations and laws, often differing from region to region, were identified impacting on orphan care. They prescribe mainly minimal standards, where the emphasis is laid on minimal premises and their maintenance, and do not explore the area of child protection and development. Existing laws do not define best standards. There are no uniform standards and criteria for NGOS working in the sector to follow.
- There is little or no best practise sharing among institutions and no best practise recorded.
- Laws provide inspection but do not provide standards for evaluation (so practise focuses on reviewing accounts and general maintenance). No mechanism exist for learning from weaknesses
- Laws do not adequately cover the responsibilities of the state under the Convention on the Rights of the Child. There are no instruments which enable the state to support civil society efforts in attaining the objectives of the CRC.
- Governmental departments had weak capacity and among many social welfare issues orphan care ranked low.
- Governmental support in capacity building and development has not been forthcoming
- Many public sector institutions failed due to inconsistent policies, lack of funding and flexibility.
- Cultural and social norms impact massively on the sector since orphan care is considered a family obligation and in some cases, community meetings still decide on custody for a child. While traditional care systems are unravelling due to poverty, also, property inheritance issues and social rivalry infringe on best care.

4. Commonalties in best practise

Five privately funded institutions were selected for in-depth case studies as best-practise examples caring for children without parental support, among them the SOS Children's Village Lahore. SOS Children's Village Lahore also organised a focus group discussion with children who have been in their care.

The five best practise examples were characterised by:

- A care approach centring more on modern principles and emotional proximity than traditional disciplinarian approaches
- an integral approach to child care including cultural, ethical and physical components and aspects of personality-building
- development of cultural identity and socialisation, creation of self-confidence through a positive self-image, support to dignity and self-esteem of children
- an emphasise on providing quality formal education and vocational training to the children
- emphasise on protecting children's interests and rights
- developed institutional attributes as institutional status and defined regimes
- professionally trained, paid and managed staff; system of staff supervision and job descriptions
- children had access to management for communication on issues of importance
- adequate infrastructure and facilities supporting child development, additional educational facilities also open to the local communities
- continuous learning, sharing of experiences and organisational development
- secure funding and transparent management of funds

Important recommendation evolving from the study included:

- the creation of an independent standard commission composed by civil society representatives to support institutions and evolution of legal and policy regime in this area
- arrangements for mutual learning and sharing of best practise
- law revisions and standard elaboration
- governmental support to staff training
- governmental funding for institutions providing quality care
- increased support to vocational and technical training
- capacity development of governmental departments dealing with orphan care
- re-orientation of disciplinarian approaches towards child protection and family-based care

5. Towards a new NGO-state partnership

Follow-up and recommendations of the study lead amongst others to organise a National Workshop on Orphan Care in January 2002, which brought all stakeholders – state and private - together in order to deepen on best practise and prepare recommendations and appropriate components for related national policies. Major themes treated included capacity building, resource mobilisation, adoption and legislative measures, monitoring and the role of the government.

Major emphasise was given to unified legal codes and the setting of standards and a stronger role of the government, particularly in registration, monitoring and data recording. Review and update of existing laws, e.g. regarding birth registration, adoption etc... were envisaged. Government role was further challenged regarding better information flow, assessments and evaluation, setting standards in health, nutrition, education, child protection etc.. in conformity with the CRC, and training and capacity building.

The workshop further stressed the need for the government to provide better resources for orphan care and to support the services and quality provided by NGOs. Excellent management performance of private institutions in this sector was recognised. The Social Welfare Department of the government should be reoriented towards supportive monitoring of these institutions, with the mandate and capacity to identify weaknesses and help an improvement towards defined quality standards.

Best practise sharing and establishment of high standards should be guaranteed through a multi-stakeholder forum. A core group was to be identified for continued follow-up on the above objectives. This group will play an important role in the monitoring process.

In such spirit of partnership and combining the comparative advantage of both state and civil society organisations, quality of orphan care should be maximised.

Summing up I would like to state that the studies and activities which are currently receiving increased attention in Pakistan are well-focused and centre on the betterment of conditions, improved monitoring and a healthy State-NGO relationship. It is the obligation of the State to set standards in conformity with the CRC and it is important they also assume this responsibility. NGOs have a role to play in this processes. As stated by the Federal Minister in her concluding remarks that the “challenge” is for Government and NGO’s “to stay together and learn to work together”.

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