Key Drivers Contributing to Child-parents Separation

Kyrgyzstan

March 2024

Key Drivers Contributing to Child-Parent Separation: Kyrgyzstan

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Foreword

Children are separated from their families all over the world due to various reasons – a phenomenon which has been perpetuated over many years. Nowadays, there are millions of children living outside their family environment, separated from their parents, deprived of their basic right to family care. In the Kyrgyz Republic, in particular, there are 33 state child-care institutions with 4700 children separated from their families, as of mid-2023. For a country with a population of 6 million and strong cultural features of extended family care and kinship care, this is a very high number. Besides, there is a high number of privately-owned and religious child-care institutions in the country, and the data on children in those institutions is not available. A sad fact is that Kyrgyzstan is the only country in the world where privately-owned childcare institutions are allowed to operate.

A number of international agencies keep collecting data on quantitative indicators in various countries around the globe. For instance, UNICEF provides data on displaced children around the world, which is about 37 million, but this indicator does not reflect children separated from their families. On the other hand, before this very research started, not a single research was conducted analysing the reasons why children are separated from their parents and families. Therefore, one of the main purposes of this report was to investigate the main causes for parents-children separation.

It is a common knowledge that prevention is a cost-efficient and effective way for many social solutions. To make prevention even more effective it is essential to understand the nature of the issues that need to be addressed. For the Kyrgyz Republic, a country of the third world with a very weak social protection system, the findings of this report could and will serve as a strong advocacy tool and a solid background for the creation and development of a whole package of social services on the national level, aimed at supporting children and families in difficult life situations. Moreover, the results of this report could also be used to strengthen the state monitoring system of privately-owned child-care institutions and further lead to their total closure.

This report also strived to demonstrate how families and children perceive happiness and misery, what worries them and what motivates them. Such qualitative data can be used for improvement of existing social services and the creation of new preventive services. Answering questions related to what kind of services children and families need and want to prevent child abandonment and child-family separation, who are those children already in care, and what are their needs, the governmental social sector in partnership with NGOs and international agencies can fully devote their efforts towards reanimating the implementation of the De-Institutionalization strategy adopted and approved in 2012, which has been at a standstill since 2021.

Taking this opportunity, we would like to express our strong hope that the Kyrgyz society under the leadership of the Kyrgyz Government jointly with the NGO sector will pay special attention to the findings on key drivers contributing to child-parents separation and wisely consider the provided recommendations on steps needed for the improvement of the social sector in the country.

Lira Dzhuraeva, National Director of SOS Children's Villages Kyrgyzstan

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A crucial element of our research has been the partnership with the American University of Central Asia, Kyrgyzstan. The University and SOS Children's Villages Kyrgyzstan entered into an agreement that allowed for the full participation of a national researcher, Ms Mehrigiul Ablezova. The team were also joined by two research assistants, Ms Aigerim Batyrbrek Kyzy and Ms. Bermet Derbishova. We would like to thank them for their facilitation of the participatory research workshops with children and young people and an initial assessment of the proposed research methodology to ensure it would be appropriate for the setting of Kyrgyzstan. SOS Children's Villages International and SOS Children's Villages Kyrgyzstan would like to thank the American University of Central Asia, Kyrgyzstan for all the support it has offered in making this research possible.

Our gratitude specifically goes to the professional stakeholders who kindly participated in interviews as well as the adult family members who gave their time to attend our research workshops and share with us their knowledge and ideas.

Most importantly, we want to offer our thanks to all the children and young people who shared with us their ideas about, and understanding of, family life. This was instrumental in making our research findings so rich and informative. Their voices, and their recommendations for change that will positively impact the lives of other children, young people and their families, have been a primary contribution to the conclusions in this report.

Definitions

The following definitions are based on international norms and standards.

Abandonment	A situation in which children are anonymously left in a 'public' place by persons unknown e.g., a child is left on the steps of a mosque or in front of a hospital. or on the street.
Adoption	A child who is officially placed in the legal custody of the person adopting them 'pursuant to a final adoption order, as of which moment, for the purposes of the UN Guidelines for the Alternative Care of Children, the child is considered to be in parental care'.[1]
Ageing out of Care	The time at which a child or young person living in formal alternative care reaches a legally determined age (usually the age of majority) above which they are no longer entitled to live in a care placement. In most cases, they need to leave care and start their lives as independent adults.
Alternative care	Children who are not living with parents are considered to be in alternative care. According to the UN Guidelines, this is care that is formally arranged foster care, kinship care and residential care. Furthermore, even if not formally arranged, all children in institutions are considered to be in alternative care.
Care Leavers	Children and young people who have left alternative care
Child	A child is any person under the age of 18 years unless the law of a particular country sets the legal age for adulthood younger, as provided for under Article 1 of the United Nations Convention on the Child. [2]
Children without parental care	the purposed of this report, this is children not in the care of both parents. It is noted however, that the UN Guidelines for the Alternative Care of Children denote this to be 'All children not in the overnight care of at least one of their parents, for whatever reason and under whatever circumstances.'[3]
Family based alternative care	Refers to a short- or long-term care arrangement whereby a child is placed in the domestic environment of a family, as opposed to institutional or residential care.[4] This includes kinship care and foster care.
Formal care	'All care provided in a family environment that has been ordered by a competent administrative body or judicial authority, and all care provided in a residential environment, including in private facilities, whether or not the result of administrative or judicial measures[5]
Foster care	'Situations whereby children are placed by a competent authority for the purposes of alternative care in the domestic environment of a family, other than children's own family, that has been selected, qualified, approved, and supervised for providing such care.'[6] (note: in some countries this now also applies to a formally arranged placement with another family member – kinship foster care). This form of care should be temporary in nature.
Gatekeeping	A process by which the situation of a child is carefully assessed, and decisions are made regarding their protection and care that is in their best interests. This requires adherence to the 'necessity' principle meaning no child should be separated from parental care and placed in alternative care unless necessary for their protection. It also means children should be placed in the most suitable alternative care (which should not include residential institutions) that meets their needs only as a temporary measure and all efforts made to reunite a child with their parents, or extended family, as quickly as possible.

1 United Nations General Assembly (2009) Guidelines for the Alternative Care of Children
2 based on Article 1 of the UN Convention on the Rights of the Child (CRC) (UN, 1989).
3 United Nations General Assembly (2009) Guidelines for the Alternative Care of Children Article III, 29a.
4 European Expert Group on the Transition from Institutional to Community-based Care (EEG) 'The Common European Guidelines on the Transition from Institutional to Community-based Care', November 2012, available under: www.deinstituionalisation.com; hereinafter quoted as: "EEG (November 2012) op. cit."
5 United Nations General Assembly (2009) Guidelines for the Alternative Care of Children
6 ibid.

Informal care	Any private arrangement provided in a family environment, whereby the child is looked after on an ongoing or indefinite basis by relatives or friends ('informal kinship care'), or by others in their individual capacity. The arrangement is at the initiative of the child, his/her parents, or other person without this arrangement having been ordered by an administrative or judicial authority or a duly accredited body.[7]
Institutional care	'Large residential care facilities,'[8] where children are looked after in any public or private facility, staffed by salaried carers or volunteers working predetermined hours/shifts, and based on collective living arrangements, with a large capacity.[9] Internationally considered indicators relating to the definition of an 'institution' include such factors as large ratios of children to carers, poorly skilled staff, the lack of opportunity for children to build a caring, loving and trusting one to one relationship, lack of freedom to live amongst and be part of their local community, inability to uniformly reunify children with their families, poor protection, and provision of only basic services etc. And of course, there is the issue of size for which there is no 'official' internationally agreed standard as yet. There is the nominal indicator of 'large' provided in the UN Guidelines for the Alternative Care of Children, and the new definition of small-scale residential centres that has been agreed as having no more than 6 children outlined in a recent White Paper published by UNICEF ECARO office in 2020. European Commission reports also recommend that residential care should be community-based with small numbers - perhaps 8 or so, residents as the norm.
Internat	A Russian word for 'Boarding' School that is widely used in English-language speech and literature. It continues to be applied to a range of institutions for school age children - including children with disabilities - where social care and education is provided on the premises.
Kafala	A means of providing care for vulnerable children, recognised under Islamic law and in article 20 of the Convention on the Rights of the Child and in 2.a and 161 of the UN Guidelines for the Alternative Care of Children. In practice, this may include providing financial and material support to a child in parental or alternative care, or as referenced in the UN Convention on the Rights of the Child, may be an arrangement closer to adoption or fostering where a child is taken to live with another family[10] *Kafil* is generally defined as a person's commitment to voluntarily take care of the specific needs, maintenance, education, and protection of a child deprived of his/her family (*makfoul*). However, its legal and practical effects differ from country to country, ranging from financial support for children in a residential facility to full-time care by the *kafil* in their family environment
Kinship care	'Family-based care within the child's extended family or with close friends of the family known to the child, whether formal or informal in nature.'[11] Kinship care can be both a form of permanent family-based care and a form of temporary alternative care. There are two types of kinship care. Informal kinship care is: 'any private arrangement provided in a family environment, whereby the child is looked after on an ongoing or indefinite basis by relatives or friends … at the initiative of the child, his/her parents or other person without this arrangement having been ordered by an administrative or judicial authority or a duly accredited body.'[12] Formal kinship care is care by extended family or close friends, which has been ordered by an administrative or judicial authority or duly accredited body.[13] This may in some settings include guardianship or foster-care.
Orphan	For this report the term orphan will refer to a child whose both parents have died

7 ibid.
8 ibid.
9 NGO Working Group on Children Without Parental Care 2013
10 Cantwell and Jacomy-Vite 2011
11 United Nations General Assembly 2009
12 ibid. Article 29b.i.
13 ibid.

Reintegration	The process of a separated child making the transition back into his or her family[14]
Relinquishment	Is a process where a mother and/or father or others with or without parental authority decide not to raise their child and hand over the child to another 'carer' e.g., a child left behind in a maternity ward of a hospital or voluntarily taken to a residential care facility. Relinquishment unlike abandonment is when the identity of the mother or father, or other family members, are known
Residential care	'Care provided in any non-family based group setting, such as places of safety for emergency care, transit centres in emergency situations, and all other short- and long-term residential care facilities, including group homes.'[15] A distinction is often made between different forms of residential care. For example: • *Institutional care*: large-scale facilities where children are cared for in large groups, usually involving shift-systems, a common set of rules, children sleeping in dormitories, and isolation from wider communities. • *Small group homes:* children cared for in small groups, usually with one or two consistent carers, in specially designed and designated facilities.[16]
Separated children	Children who have been separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.[17]
Small residential care settings	A 'public or private, registered, non-family-based arrangement, providing temporary care to a group of 4 to 6 children, staffed by highly trained, salaried carers, applying a key-worker system, with a high caregiver-to-child ratio that allows for individualized attention for each child, based on the professionally developed case plan, which takes into account the voice of the child.'[18]
Street connected children	Children living and/or working on the streets
Violence against children	For this report the term 'violence against children' will be used to denote all forms of abuse and exploitation including serious neglect and physical, sexual, and emotional abuse. For the purposes of this report, it will also include serious neglect and deprivation.[19]
Young person	There is no legal or internationally agreed definition of 'young person'. The United Nations for statistical purposes, has defined 'youth', as persons between the ages of 15 and 24 years.[20] In some countries, a young person is someone up to the age of 34 years (as for example, in Cote d'Ivoire). For the purposes of this report, recognising children are up to the age of 17 years, a young person is defined as persons aged 18 to 25 years.

14 Inter-agency group on Children's Reintegration 2016
15 ibid. Article III, 29c. iv.
16 United Nations General Assembly 2019
17 Please see: United Nations Committee on the Rights of the Child 2005
18 UNICEF 2020a
19 Please see: https://data.unicef.org/topic/child-protection/violence/
20 Please see: United Nations Secretary General 1981

Glossary of terms

Adverse Childhood Experiences	ACEs
Child Rehabilitation and Family Support Centres	CR&FSC
Commissions on Children's Affairs	CCA
Department of Adult and Children's Disability	MLSDM
Ministry of Labour, Social Welfare and Migration[21]	MLSWM
Multiple Indicator Cluster Survey	MICS
Mandatory Health Insurance Fund	MHIF
Monthly Benefit for Poor Families	MBPF
Non-Governmental Organisations	NGOs
Organisation for Economic Co-operation and Development	OECD
Trauma Informed Practice	TIP
UN Guidelines for the Alternative Care of Children	UN Guidelines
The United Nations Children's Fund	UNICEF
United Nations Economic Commission for Europe	UNECE
United Nations Convention on the Rights of the Child	UNCRC
World Health Organisation	WHO

1. Background to the study of drivers of child-parents separation and placement in alternative care

Clearly enshrined in the United Nations Convention on the Rights of the Child (UNCRC) is the right of a child, 'for the full and harmonious development of his or her personality', to 'grow up in a family environment, in an atmosphere of happiness, love and understanding.'[22] This is further endorsed in the 2019 UNGA Resolution, Promotion and Protection of the Rights of Children[23] and the UN Guidelines for the Alternative Care of Children (UN Guidelines)[24]. In relation to alternative care, the handbook written to accompany the UN Guidelines, 'Moving Forward',[25] refers to the important principles of 'necessity' and 'suitability'. These principles recognise the primacy of preventing separation and removal of a child from the care of their parents. A further important premise is no actions should deprive a child of parental care unless it has been rigorously assessed as a necessary safeguarding measure. All decisions and actions must always be in a child's best interest. The UN Guidelines echo the UNCRC in highlighting the importance of efforts being primarily 'directed to enabling the child to remain in or return to the care of his/her parents, or when appropriate, other close family members.'[26] To this end, the 'State should ensure that families have access to forms of support in the caregiving role.'[27]

[21] The Ministry for Labour, Social Welfare and Migration is described in English in official documents and reports variously as the Ministry for Labour, Social Development/Security/Welfare and Migration. These terms therefore mean exactly the same thing. In this report we will use the 'Social Development' translation unless quoting from other sources.
[22] United Nations General Assembly 1989
[23] United National General Assembly 2019
[24] United Nations General Assembly 2009
[25] Cantwell et al. 2012
[26] ibid.
[27] ibid.

Over recent years, researchers have made efforts to gather information about children living in 'vulnerable'[28] situations and risk of separation from parental care, as well as on the efficacy of family strengthening.[29] However, these studies often highlight a lack of information, due in part, to inadequate child protection data management systems that fail to gather information on the reasons why children are in alternative care, or at risk of being so.[30] As a result, there are perceived gaps in evidence that would help inform the development of effective universal and specialist programmes and services to address the underlying drivers of child-parents separation.

Studies have also examined the detrimental impact of adverse experiences in childhood, including separation of a child from parents, and extended family, as well as the impact of placement in alternative care.[31] Such studies illustrate the way these events can have harmful life-long consequences for children. However, despite efforts to develop national child protection systems that encompass the principles of 'gatekeeping'[32] and prevention of child-parents separation, children across the world continue to lose parental care. Furthermore, studies suggest many children experience separation from their parents that could have been prevented.[33] It is such findings that highlight the need for urgent action to prevent all unnecessary placement of children in alternative care.

Drivers of separation are thought to be complex and varied with studies placing emphasis on differing antecedents.[34] To develop effective and relevant strategies and programmes of service delivery that help prevent the unnecessary placement of children in alternative care in different parts of the world, it is essential to have a clearer understanding of which drivers are contributing to child-parents separation in differing contexts. And it is particularly important to collate such evidence by listening to the views of children, young people, and adult family members. This study has been prompted therefore, by a recognition that 'more research is needed to understand the effective approaches to antecedents to placement'[35] in alternative care. This is coupled with an understanding that the most detailed information that currently exists overwhelmingly originates in high income countries and the need for further primary evidence of risk factors as relevant to different countries, contexts, and socio-ecological systems. [36] It is with this understanding, that the research was undertaken in Kyrgyzstan.

[28] Nankervis et al. 2011
[29] Delap 2013; EveryChild 2009; Laumann 2015; Lodder et al. 2021; Namey & Brown 2018; Ortea et al. 2022; Wilke et al. 2022
30 Martin & Zulaika 2016; Petrowski et al. 2017; Willi et al. 2020
31 Bruskas & Tessin 2013; De Swart et al. 2012; Gale 2018; Howard et al. 2023; Simkiss 2019; Stein 2005; Stein 2012
[32] Casky, and Gale 2015
[33] Chaitkin et al. 2017
[34] Bryson et al. 2017; Family for Every Child 2014; Laumann 2015
[35] Wilke et al. 2022
[36] Gale 2018; Martin & Zulaika 2016; Petrowski et al. 2017

2. Aim and Scope of the Study

The primary aim of the research was to address gaps in evidence relating to the key drivers that contribute to the separation of children from their parents and placement in alternative care.

To collate this evidence primary and secondary research taken in Kyrgyzstan in August and September 2023, during which the following questions were considered:

- What are the key challenges facing families that create conditions in which child-parents separation and placement in alternative care is more likely to occur?
- Who are the children already in alternative care?
- What are some of the gaps in multi-level and multi-sectoral approaches and service delivery that could help prevent child-parents separation?
- What are the ideas of children, young people, family members, and other key stakeholders, about the current support to families and how it could be improved?

Alternative care is recognised in the UN Guidelines as both informal and formal care.[37] The difference being the former is a private arrangement that has not been ordered by an administrative or judicial authority or other accredited body. Traditionally, alternative care includes a variety of settings including kinship care, foster care, other forms of family-based placements, as well as residential care, either in a small group setting or in large institutions, and supervised independent living arrangements.

We realise that around the world, interchangeable definitions are being used in relation to children in alternative care. Some of the literature refers to separation of a child from parents or another primary caregiver or legal guardian. Some refers to the process of separating children from their parents as 'child-family' separation. Indeed references to separation from parents and from family are both used in the UNCRC. Furthermore, it is acknowledged that the cultural construct and concept of 'family' can denote different household arrangements including the norm of different members of the extended family being considered a child's primary caregiver through informal or formal arrangements. As Kendrick highlighted, over 'recent years, there have been significant developments in sociological and anthropological thinking in terms of the nature of family and intimate relationships'[38] with growing acceptance of differing concepts of what form a 'family' takes in different geographical and cultural contexts.

The UN Guidelines do however, clearly define children in alternative care as those being no longer in the care of a parent/s.[39] In this regard, Article 9 of the UNCRC also notes how 'States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine…that such separation is necessary for the best interests of the child'.[40] In addition, Article 3 of the UN Guidelines require efforts to be primarily

[37] United Nations General Assembly 2009
[38] Kendrick 2012
[39] The UN Guidelines define children without parental care are all children not in the overnight care of at least one of their parents, for whatever reason and under whatever circumstances
[40] United Nations General Assembly 1989

directed toward 'enabling the child to remain in or return to the care of his/her parents'. Furthermore, Article 32 of the Guidelines clearly states how 'preventing the need for alternative care' should first and foremost be through 'promoting parental care'. This includes policies to 'promote the right to have a relationship with both parents', and to, 'strengthen parents' ability to care for their children' (Article 33). Most importantly, we are aware of research that reflects the voices of children and their clearly articulated wish to remain with, or to return to, their 'parents'.[41]

Taking the differing guidance and terminology into consideration, it was decided to use the term 'child-parents separation' in this report in reference to situations where children lose parental care i.e., being separated from both parents and are placed in alternative care.

While discourse on the prevention of placing children in alternative care has been explored in previous research and reports,[42] our preliminary desk review found very little evidence that this topic had been directly informed by the voices and perspectives of children, young people, parents, and other primary caregivers themselves. Neither has the available research sufficiently provided for these voices to be jointly heard from different countries and contexts across the world. It was considered important therefore, that the scope of this study included efforts to address these gaps by collating information from different stakeholders across diverse socio-economic locations, and most especially, from children and young people. To this end, participatory research methodology has been developed with the support of children and young people in El Salvador and Lebanon. This allowed the opportunity for children, young people, and adult family members, living in different socio-political and cultural environments in a further six low, medium and high income countries, including Kyrgyzstan, to participate in exploring the drivers that contribute to child-parents separation and placement of children in alternative care. The knowledge of professionals with a responsibility to protect and support children and families in these countries has also been an important contribution to the collated evidence.

The research was not intended to comment on the situation of children whilst in alternative care. Neither was it expected to provide an evaluation of the services provided by SOS Children's Villages in Kyrgyzstan. Other topics not covered by the research include the situation of migrant, asylum seeker, refugee unaccompanied and separated children, or children who are trafficked. We do recognise their plight however and draw attention to some of the existing documentation on the reasons children affected by migration become separated from parental care.[43] Furthermore, although important, as the focus of our study has been prevention of separation, issues related to reintegration and adoption are not considered. The situation of children deprived of liberty through placement in detention was also not included in the research.

[41] SOS Children's Villages 2020
[42] Casky & Gale. 2015; Family for Every Child 2014
[43] International Organization for Migration 2015; International Social Services 2017; Marcus et al. 2020

3. Executive summary

3.1. Background

Clearly enshrined in the United Nations Convention on the Rights of the Child (UNCRC) is the right of a child, 'for the full and harmonious development of his or her personality', to 'grow up in a family environment, in an atmosphere of happiness, love and understanding.'[44] This is further endorsed in the 2019 UNGA Resolution, Promotion and Protection of the Rights of Children[45] and the UN Guidelines for the Alternative Care of Children (UN Guidelines)[46]. Furthermore, the handbook written to accompany the UN Guidelines, 'Moving Forward',[47] refers to the important principles of 'necessity' and 'suitability' which recognise the importance of preventing unnecessary separation and removal of a child from the care of their parents. No actions should deprive a child of parental care unless rigorously assessed as being a necessary safeguarding measure and all decisions and actions must always be in a child's best interest. Furthermore it is the responsibility of the State to 'ensure that families have access to forms of support in the caregiving role.'[48]

Over recent years, researchers have made efforts to gather information about children living in 'vulnerable'[49] situations and at risk of being separated from parental care. However, there remain perceived gaps in the information needed to inform the development of effective universal and specialist programmes and services when addressing the underlying drivers of child-parents separation. With this in mind, and in recognition that the most detailed information that currently exists on this topic overwhelmingly originates in high income countries, our study hopes to contribute further research that will help 'understand the effective approaches to antecedents to placement'[50] in alternative care as relevant to different contexts, and socio-ecological systems.[51] To this end, the research undertaken in Kyrgyzstan had the aim of collating evidence in consideration of the following questions:

- What are the key challenges facing families that create conditions in which child-parents separation and placement in alternative care is more likely to occur?
- Who are the children already in alternative care?
- What are some of the gaps in multi-level and multi-sectoral approaches and service delivery that could help prevent child-parents separation?
- What are the ideas of children, young people, family members, and other key stakeholders, about the current support to families and how it could be improved?

We realise that around the world, interchangeable definitions are being used in relation to children in alternative care and their separation from parents and family. We have noted however, that the UN Guidelines clearly defines children in alternative care as those being no longer in the care of a

[44] United Nations General Assembly 1989
[45] United National General Assembly 2019
[46] United Nations General Assembly 2009
[47] Cantwell et al. 2012
[48] ibid.
[49] Nankervis et al. 2011; OECD 2017
[50] Wilke et al. 2022
[51] Gale 2018; Martin & Zulaika 2016; Petrowski et al. 2017

parent/s.[52] Article 9 of the UNCRC also notes how 'States Parties shall ensure that a child shall not be separated from his or her parents…except when competent authorities subject to judicial review determine…that such separation is necessary for the best interests of the child'.[53] Furthermore, Article 32 of the Guidelines clearly states how 'preventing the need for alternative care' should first and foremost be through 'promoting parental care'. Most importantly, we are aware of research that reflects the voices of children and their clearly articulated wish to remain with, or to return to, their 'parents'.[54] With the differing guidance and terminology being taken into consideration, it was decided to use the term 'child-parents separation' in this research report in reference to situations where children lose parental care i.e., being separated from both parents and are placed in alternative care.

The research was not intended to comment on the situation of children whilst in alternative care. Furthermore, additional topics that have not been covered by the research include the situation of migrant, asylum seeker, refugee unaccompanied and separated children, or children who are trafficked although we recognise the challenges they face.[55] Furthermore, issues related to reintegration and adoption were not considered along with the situation of children deprived of liberty through placement in detention.

3.2. Research methodology

It was considered important that the research methodology and scope of this study included steps to collate information from different stakeholders across diverse socio-economic locations, and most especially, from children and young people. To this end, the research framework has been informed by socio-ecological models such as that of Bronfenbrenner.[56] The framework was also guided by the understanding that children should not be separated from parental care unless there are protection risks. Consideration has been given therefore to the functioning of different elements of the national child protection system in Kyrgyzstan.

Our preliminary desk review found very little evidence that the topic of prevention of child-parents separation had been directly informed by the voices and perspectives of children, young people, parents, and other primary caregivers themselves. Neither has the available research sufficiently provided for these voices to be jointly heard from different countries and contexts across the world. In recognition of the absolute importance of children and young people having a say in decisions affecting their lives, our participatory research methodology was initially developed with the support of children and young people in El Salvador and Lebanon.[57] The results of their work informed the development of the research questions along with the methodology for a series of participatory research workshops. This also culminated in the writing of a series of research workshop handbooks that were then used to guide the participatory research with children, young people, and adult family

[52] The UN Guidelines define children without parental care are all children not in the overnight care of at least one of their parents, for whatever reason and under whatever circumstances
53 United Nations General Assembly 1989
[54] SOS Children's Villages 2020
[55] International Organization for Migration 2015; International Social Services 2017; Marcus et al. 2020
[56] Bronfenbrenner 1977 See also: Bronfenbrenner 1986; Bronfenbrenner 1994
[57] African Committee of Experts on the Rights & Welfare of the Child 2022; Clark and Statham 2005

members living in differing socio-political and cultural environments in different countries, including Kyrgyzstan. The methodology allowed for the exploration of drivers that contribute to child-parents separation and placement of children in alternative care.

In total 124 participants took part in research workshops in two locations in Kyrgyzstan, one urban and one rural. This included:

- 55 children aged 13 – 15 years old living with their own families (in vulnerable circumstances[58]) (31 girls and 24 boys). This included 5 children with special needs.
- 38 young people aged 17-21 years old who have left alternative care (care leavers). (19 girls and 19 boys).
- 31 adult members of families living in vulnerable situations (28 female and 3 male).

A total of 12 semi-structured interviews allowed for the gathering of information from professionals stakeholders including social workers, child protection workers, alternative care providers, lawyers, and providers of family support programmes. The information they provided has formed an important contribution to the research findings. Furthermore, an online survey was sent out to professionals seeking their understanding of reasons children are placed in alternative care. In total information from 58 responses has been used in the evidence and conclusions reached in our study.

3.3. Research findings, conclusions and recommendations

Research findings, conclusions and recommendations have been informed by the information children, young people, and adult family members provided during research workshops. These findings have been triangulated with the knowledge and understanding provided by professionals holding responsibility to protect children and support families, as well as information gathered during a desk review.

The research framework, analysis of findings, and development of recommendations have been guided by the UNCRC and the 2019 United Nations General Assembly Resolution, 'The promotion and protection of the rights of children' as well as the UN Guidelines for the Alternative Care of Children. Recommendations are therefore addressed in reference to children's rights. Although these rights are indivisible, and all are essential to the well-being of children, we have chosen to develop recommendations based on a certain number of rights thought most applicable to the findings of the research and prevention of child-parents separation.

We recognise that the responsibility to address drivers of child-parents separation and prevention of placement of children in alternative care is primarily that of the Government of Kyrgyzstan through the provision of national, regional and local services. To this end, our research has taken steps to consider some of the gaps in such provision. We also recognise that UN and other international bodies play a significant role in service provision alongside national and international NGO, CBOs and

[58] For the purposes of the research, a definition of 'vulnerable' was extracted from: Bauer & Wiezorek (2016) Vulnerable Families: Reflections on a Difficult Category. *Center for Educational Policy Studies Journal*, Vol 4, pp.11-28.

private enterprises, and these differing roles and responsibilities should be a consideration when reading the conclusions below.

A summary of findings indicates issues related to poverty and violence against children are two of the prime factors leading to placement of children in alternative care in Kyrgyzstan. Violence against children is described by UNICEF as taking many forms, 'including physical, sexual, and emotional abuse, and may involve neglect or deprivation.'[59] Further causes, of family separation and possible placement in alternative care include issues related to disability (of child and/or parent) and absence of one or both parents for varying reasons including labour migration and divorce/separation. Many of these drivers of child-parents separation may be directly or indirectly caused by issues related to poverty and are inextricably linked to poor access to basic and specialist services. We consider an important finding is the need to address the inter-generational aspect of violence, and of poor parenting ability, that are contributing to the perpetuation of family breakdown and separation.

It is also our understanding that there is a need to improve the different elements of the national child protection system. Although the Government of Kyrgyzstan has, and continues to, take steps to improve the normative framework, it is believed current legislation is not being fully implemented. In addition, it is also noted how the social services workforce along with other professionals working to support families would benefit from improved understanding of, and training on, various topics including those of attachment and ACEs.[60] There is also a perceived need to improve capacity in the use and understanding of child protection case management/gatekeeping tools allowing for more accurate child protection assessments and informed decision making. Insufficient numbers of social workers has also been noted along with the lack of resources necessary for professionals to effectively undertake their roles and responsibilities.

3.4. Conclusions and recommendations

Overall our findings highlight two distinct influences related to placement of children in alternative care. The first is the impact of the wider society that families live in and how this influences outcomes and circumstances within a family that can subsequently lead to children being placed in alternative care. The second is the functioning of the national child protection system in which gatekeeping decisions are made. Further conclusions and recommendations are detailed below.

Adequate standard of living and well-being

Article 27 of the UNCRC requires States Parties to recognise the right of every child to a 'standard of living adequate for the child's physical, mental, spiritual, moral and social development.' The Article also calls on States Parties to take appropriate measures to support and assist parents with their responsibility toward children and 'shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.'

[59] Please see: https://data.unicef.org/topic/child-protection/violence/
[60] SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022

The 2019 United Nations General Assembly resolution[61] on the 'Promotion and Protection of the Rights of the Child' calls on States to 'improve the situation of children living in poverty, in particular extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection' (Article 1). Furthermore, the resolution clearly says that 'financial and material poverty, or conditions directly and uniquely imputable to such poverty, never should be the only justification for the removal of a child from the care of his or her parents or primary caregivers and legal guardians…'

We have observed how issues related to poverty are a driver contributing to children's placement in alternative care in Kyrgyzstan. Poverty is an inter-generational as well as a multi-dimensional issue with measurements of poverty taking into account not only financial means, but other factors that contribute to well-being.[62] Concerns raised by children, young people and adult family members in our research signalled many areas of their lives in which they are struggling with issues related to poverty that can lead to child-parents separation. This includes parents who use residential institutions that offer 'social care' in the form of shelter, food, clothing, medical care etc. as well as placement in 'boarding schools' for purposes of accessing education for their children. An example being the use of these facilities by parents who migrate for purposes of labour migration. According to international standards, this would suggest unnecessary use of alternative care as poverty should never be the sole reason for use of such placements.

Parents are also leaving children behind in informal care when they migrate for purposes of finding employment both within and outside the country. Children are usually left with members of the extended family, most often grandparents. Previous research has drawn attention to the risks that children living in informal kinship care can face.[63] Concerns that can ultimately result in children being moved into formal alternative care.

The information gathered during the research indicates a correlation between the ability of families to face daily challenges as a result of poverty and the stress and tension within households that can ultimately result in family breakdown. For example, some parents are resorting to the use of excessive alcohol exacerbated by, and contributing to, the effects of poverty, which ultimately contribute to problems within families. The research also shows there is an association between the use of alcohol and domestic violence that is ultimately leading to family breakdown, violence and separation.

Although not always directly related to issues of poverty, violence and neglect, children are also living in alternative care because they are orphans or abandoned. The Government has acknowledged this issue and initiated such programmes as regular social work visits to hospitals to speak with mothers who are thinking about relinquishing their baby. Furthermore, former 'Baby Homes', now renamed as

[61] United Nations General Assembly Resolution 'Promotion and Protection of the Rights of the Child', December 2019 'A/74/395
[62] Please see: https://www.worldbank.org/en/topic/poverty/brief/multidimensional-poverty-measure#:~:text=The%20Multidimensional%20Poverty%20Measure%20(MPM,the%20%242.15%20international%20poverty%20line; https://ophi.org.uk/video-poverty-in-el-salvador-from-the-perspective-of-the-protagonists/
[63] Delap and Mann 2019; Roby 2011

Child Development and Family Support Centres are offering a range of services, including day care and the possibility of mother and baby temporary care in the hope of maintaining the mother-child bond.

We must also note how some families living in very difficult circumstances remain supportive and caring of one another and create a safe environment for children. This illustrates how strong loving relationships are an important factor in helping families stand up to the impact of poverty and other shocks experienced by households. This in turn can contribute to a violence free household.

Recommendations

- Addressing issues related to poverty is a structural issue that is primarily the responsibility of the government. It is beyond the remit of this report to provide detailed recommendations as to government efforts to strengthen the country economically. However, what should be possible is ongoing advocacy with, and on behalf of, vulnerable households for the development of relevant economic policies and programmes. Consideration should be given to providing government policy makers with a clearer understanding of the multi-dimensional aspects of poverty affecting families and a multi-sectoral, family-centred approach to the design, development and delivery of support to families through access to basic and specialist services and a relevant social protection system.

- Support to families in upholding their responsibility to provide for their children might include training and support in establishing income generation schemes as well as accessing stable, well remunerated employment. This should include additional support for women in particular, whose lack of education, training, and literacy is precluding them from the job market.

- Article 18 of the UNCRC requires States to 'take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.' Affordable, or preferably free, day care for children would help women in particular find their way into the work force. It could also provide respite for those struggling with household responsibilities, are overwhelmed by challenges of everyday life, and would benefit from help in alleviating any pressure building up within families. This includes day care for infants as well as after-school provision.

- Overcoming the multi-dimensional aspects of poverty requires support for families through closer multi-sectoral cooperation and improved coordination between Government and non-governmental bodies and agencies, UN entities, academics, faith-based leaders, the private sector, and donors, including those responsible for education, health, security, social protection and social welfare, justice, and child protection. There should be a concerted effort together, and within each organisation, body, or department, to assesses and recognise where each can most effectively contribute: whether it be direct service provision, advocacy to effect change, signposting so that families know how and where to receive the support they need, fundraising, or even leading/supporting such coordinated response. Organisations should also look at the

breadth of their outreach to ensure they are reaching vulnerable families including those residing in hard to reach areas of the country.

- Families need informed and coordinated access to service provision in a way that will address all the inter-related challenges they face. This should be available universally to address the concern that support often comes too late and so that vulnerability within families might be prevented. To this end consideration should be given to providing families with signposting to basic and specialist services as well as ensuring joined-up provision in a way that overcomes barriers of access e.g. access to all support coordinated in one location rather that family members having to move from agency to agency to agency to resolve their problems. In some countries for example, this is sometimes called a 'one-stop shop'. [64]

- Children should not be placed in alternative care solely for the reason of poverty. Furthermore, alternative care should only be used when absolutely necessary for children in need of protection. Therefore, even greater efforts should be made to end the placement of children in all forms of residential institutions including those offering 'social care' and education and 'special' services to children with disabilities. We suggest there is a need for further in-depth investigation as to the use of residential institutions (including boarding schools) and the application of such evidence applied to developing legislation, policies and strategies that refocuses the funds currently used to run these facilities toward programmes that allow children to remain safely within their own homes.

Protection

Articles of the UNCRC that afford children the right to protection include, safeguarding from violence, abuse and neglect (Article 19 and Article 37(a)), from sexual exploitation and abuse (Article 34) and, from sale, trafficking and abduction (Article 11, Article 35, Article 36, Article 39).

In particular, Article 19 requires:

> States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

A conclusion of our research is violence is a driver related to children's placement in alternative care in Kyrgyzstan. Children and young people said they want to be protected, loved, and cared for, and to live in a violence free and stable home environment. They particularly emphasised the responsibility of their parents to keep them safe from harm. However, children and young people, along with other research participants identified violence within families. Children are also facing other risky situations

[64] Please see: https://www.undp.org/botswana/news/undp-supports-establishment-one-stop-shop-public-services-botswana And: https://www.undp.org/kazakhstan/stories/one-stop-shop-window-problem-solver-people-difficult-life-situations

which then brings them to the attention of police and child protection services. For example, when they run away from home due to violence or family breakdown, and become street connected or, children involved in child labour, whether on their own or working alongside parents.

Violence against girls and women is a concern including those experiencing domestic and gender-based violence. A phenomenon that can also contribute to the risk of children being separated from parents and placed in alternative care. Cultural norms in Kyrgyzstan mean an acceptance by some in terms of accepted practice of males abusing their wife/partner. Research participants identified the fact that women who are victims of domestic violence are facing difficult situations and need more support from government and from within their communities

While divorce is one solution for women in Kyrgyzstan to escape domestic violence, this can also render them economically vulnerable and open to different stresses this might entail. Meanwhile for the children who are victims of divorce, there is an additional concern that they may be sent into alternative care if not accepted when parents remarry. Furthermore, children who are living in situations of domestic violence are also at risk of becoming victims themselves thus prompting child protection authorities to respond and remove children from parental-care.

It important to recognise that some men will also struggle with societal expectations that place responsibility on them to adequately provide for their families. This, as with women and children, may also be affecting their mental health which we recognise may be a situation contributing to violence against children and partners.

The Government of Kyrgyzstan has taken a number of steps to condemn domestic violence and to increase pressure on the police to take it seriously as a criminal issue. In recent years the Government has also supported the creation of a multi-agency Commission for the Prevention of Domestic Violence, which operates at the level of local authorities. However cultural attitudes lead to a high level of normalisation of violence and more needs to be done to address this situation.

Recommendations

- There is a need for investment in violence prevention programmes for adults and for children to help break the inter-generational cycle of violent behaviour. These programmes should be systematically applied in an ongoing and sustainable manner. To this end, provision of violence prevention programmes that reach children at an early age could be built into the school curriculum and comprise not just one-off 'civic' lessons, but continuous learning that promotes positive messages and behaviour throughout a child's school life. Violence prevention could also be built into family strengthening programmes and that work should be undertaken with all members of the family.

- Article 2 of the UNCRC guarantees children protection from discrimination. Violence prevention programmes should include efforts to combat factors that contribute to the presence of abuse and exploitation including discrimination, stigmatisation, and lack of equality. They should incorporate clear messages that promote tolerance and understanding. Issues of gender equity,

discrimination against persons with disabilities or from different religious, ethnic, or other specific backgrounds, and acceptance of those identifying as LGBTQI+ are examples of topics such programmes should include.

- To help inform policies and programmes that promote safe and united families, professionals would benefit from gathering and dissemination of evidence and understanding of the factors that are contributing to violence in the home in Kyrgyzstan.

- In order to help break any cycle of inter-generational aspect of violence and poor parenting ability, professionals would benefit from a better understanding of such topics as attachment theory, including the impact of separation from loved ones that children face when placed in alternative care, the negative impact of adverse childhood experiences (ACEs),[65] and trauma-informed practice.[66] These topics should also be incorporated into programmes for parents and other caregivers as prevention of violence also requires sustained actions working closely with families to bring about an understanding of the harm being created when they use violence and finding ways to address such abusive situations.

- Those living in situations of domestic violence and gender-based violence, most especially girls and women, need someone to turn as for example, access to counselling and psychosocial services provided within a caring and safe environment. When rejected by extended family and the wider community, and with no-where else to go, crisis shelter centres, and other support services, for women and their children could offer immediate protection and help prevent situations from deteriorating to the stage where children may be separated and placed in alternative care. Access to child day care and after school clubs would also provide some respite for women. The building of stronger supportive social networks is also important.

- Men should be actively involved in family strengthening and other programmes that help them understand the importance of, and how to maintain, strong and caring family relationships. This should include awareness on issues of gender parity and prevention of domestic violence.

- Professional mediation services should be made easily available to families in case of divorce and separation, including individual representation for children themselves, to prevent the placement of children in alternative care when proceedings fail to secure permanent custody with one or other parent. This might also include counselling for parents who are considering re-marriage to ensure their children's care and well-being are not jeopardised.

[65] Please see: https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next.See also: SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022
[66] SOS Children's Villages International 2022

Support with parenting

The preamble to the UNCRC states 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'. This requires States to provide parents, and other primary caregivers, with the support needed so that children have the best upbringing, protection and opportunities in life.

Children and young people feel happy when they have parents that love, respect and understand them. They wrote about the importance of parents being good role models. When asked why families reach a situation where placement of children in care is a consideration, interviewees drew attention to disharmony and dysfunction in the family due to what they consider as poor parenting skills. They see poor parenting skills as a factor related to deterioration of child-parents relationships which in turn, may ultimately lead to violence against, or serious neglect of, children.

Recommendations

- As with previous recommendations, actions are needed that will break any inter-generational cycle of poor parenting. This requires consideration of parenting programmes that take a holistic and family-centred approach and incorporate such topics as attachment theory, the negative impact of adverse childhood experiences (ACEs),[67] and trauma-informed practice.

- Specialised services are required when supporting parents at risk of experiencing such adverse behaviour as alcohol addiction. This might include for example, the provision of counselling as opposed to the current medical model applied to addiction, and support in establishing self-help groups.

- Free and locally available access to psychosocial and counselling services is needed.

Disability

Children with disabilities have the right to enjoy 'a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community (Article 23 of the UNCRC). Also contained within Article 23 of the UNCRC is provision of special care and assistance to ensure children with disabilities have, 'access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities'.

All the issues covered in this conclusions section of the research report apply equally to children, and parents or other primary caregivers, with disabilities. There are, however, some risks that are heightened in the case of children with disabilities, including those of abandonment or placement in special residential institutions. One such situation is when parents are unable, or do not want to, provide the care they need. Stigma and discrimination against children with disabilities also plays a

[67] Please see: https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next.See also: SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022

role in their inability to fully participate in all aspects of society, including education. and as a result, can lead to their placement in alternative care.

We understand efforts have been made in recent years to try and improve the situation facing families of children with disabilities in Kyrgyzstan. This has included the creation of two different forms of social protection cash benefits; one for the family caring for a child with disabilities and a second payment in the form of a carers allowance that can be paid to a parent or someone employed to assist a child with disabilities. There are also positive moves heralded within the new (2023) Education Measure including provisions for inclusive education. However, whilst these moves are undoubtedly welcome, we recognise that the level of these benefits, as with other social protection financial payments, are very low and in themselves not enough to lift people out of poverty.

The 2023 Education Act suggests that the many internats providing boarding-type education for children with disabilities will be subject to an 'optimisation' process to turn them largely into day schools or non-residential centres of support services. Such changes are very necessary as Kyrgyzstan continues to place a large number of children with disabilities in residential facilities, 'internats', often with some, sometimes reluctant, acceptance of parents who fear their children will not receive an education if they stay at home. This indicates a need for continued education and advocacy programmes aimed at the general public, especially teachers, regarding the rights of children with disabilities to access education. In addition, the placement of children with disabilities through decisions based on a medical model should cease.

Recommendations

- Family support programmes should ensure the inclusion of families that have members with disabilities.

- Violence prevention programmes, as previously mentioned, should inherently incorporate protection of children with disabilities.

- Advocacy and awareness raising programmes should promote an understanding and acceptance of disability, both within families and amongst the general public. Public information campaigns should speak about fair and respectful treatment of people with disabilities, the harm of stigmatisation, and topics that would help prevent violence and exclusion. Advocacy programmes by and with people with disabilities are important and help bring a specific focus to improving services, opportunities, and support.

- Inclusion in schools should not just offer children with disabilities an equal opportunity to receive an education, but they should also be a place of security.

- Children with disabilities, as with other children, should not be placed in residential institutions. Consideration should be given to any specialist support necessary to prevent the placement of children with disabilities in alternative care.

Education

Article 28 of the UNCRC requires States Parties to 'recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity'. States Parties must also 'take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.' Furthermore, Article 23(3) recognises education should be provided free of charge in a manner that responds to the special needs of a disabled child. Article 24 of the United Nations Convention on the Rights of Persons with Disabilities[68] calls on States Parties to 'recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning'.

Access to education is a pull factor in Kyrgyzstan that leads to children being placed in alternative care. This is the result of various factors including a perception by some parents that education is of higher quality and/or free in some residential boarding schools coupled with the fact that many of these schools are also offering free or subsidized social care. Children are also leaving education to take up work, and many children with disabilities are unable to access education in local schools.

As noted above, it is hoped that developments to legislation issued in 2023 will lead to increased access to inclusive education for children with disabilities and less reliance on residential schooling. However, until education for all children is fully inclusive, of the highest quality possible, is not coupled with access to free 'social care' and is totally free of charge in all local communities, there is a concern that parents will continue to seek the use of residential boarding schools.

Recommendations

- Public education should be free from all costs including fees, materials and uniforms and other associated expenses.
- No child should be placed in a residential institution for reasons of gaining access to education.
- There may be a need for increased awareness raising that will help prevent placement of children in alternative care for purposes of education, including into boarding schools.

Play and leisure

UNCRC Article 31 of the UNCRC directs States to the right of children to rest and leisure and encourages access to cultural, artistic, recreational and leisure activity. This right is highlighted in this report, not just because of the importance to children's development, but also the opportunity joint recreational and other pursuits can play in strengthening family life.

Children most emphatically wrote about the importance of time being spent together with parents, other family members, and friends. A sentiment repeated by young people and family members who

[68] United Nations Convention on the Rights of Persons with Disabilities 2006

highlighted the importance of spending time together as a family, including the eating of meals and undertaking of recreational activities.

Time spent together is seen as being particularly important in the way it contributes to family unity and can help provide a respite from the stresses they may be facing. There might be parents who are doing their utmost to provide for the family by working hard and long hours but do not realise the benefits of spending time pursuing joint activities with their children and how this can help forge closer bonds.

Recommendations

- Activities that address important aspects of family unity and spending time together would add value to parenting and family strengthening programmes. This would include raising awareness amongst parents and professionals as to the important benefits of time spent as a family and how this can help forge closer bonds.

Addressing harmful social norms, attitudes and practices

Article 42 of the UNCRC requires States to make the principles and provisions in the Convention 'widely known, by appropriate and active means, to adults and children alike.'

Children and young people in Kyrgyzstan want violence to end. For example, they do not want to flee their homes because of violence. They want parents to understand they need love and kindness and for beating and other forms of negative disciplining to stop. We also note the ongoing discrimination against girls and the risks to their safety this can cause.

Recommendations

- Advocacy and awareness raising campaigns are needed to help eradicate harmful social and cultural norms and beliefs that place children at risk of harm. Such campaigns would greatly benefit from meaningful participation of children, young people and other primary stakeholders.

The child protection system and capacity of professional decision makers

Article 1 of the 2019 UNGA resolution on the 'Promotion and the protection of children's rights', calls on States Parties to ensure, adequate and systematic training in the rights of the child, including by encouraging States to take the Guidelines for the Alternative Care of Children into account for professional groups working with and for children, including with children without parental care, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, care professionals, health professionals and teachers, and coordination among various governmental bodies involved in the promotion and protection of the rights of the child.

International guidance relating to decision making and 'gatekeeping'[69] is outlined in a number of international documents including the UN Guidelines for the Alternative Care[70] and accompanying

[69] For further explanation of the term 'gatekeeping' please see: Csaky & Gale 2015
[70] United Nations General Assembly 2009

Handbook[71]. This guidance includes the use of case management tools that allow for rigorous multi-sectoral and participatory assessments upon which careful and well considered decisions can be taken. These decisions should always in the best interest of the child.

The Government of Kyrgyzstan has been investing in the promotion and passing of legislation to affirm the rights of children, especially girls, and improve the provision of services, including those for children with disabilities. However, legislation and policy for child protection, family strengthening, and gatekeeping would benefit from further revision.

Allocation of financial and other resources for the implementation and delivery of child protection or other social services remains inadequate. Although there are social workers in positions across the country, our research indicates these are insufficient in number. Furthermore, their roles and duties frequently involve offering support to large numbers of actual or potential service users that do not just include children.
Research findings indicate the quality of assessments to determine whether a child is in need of protection and/or alternative care are not always rigorous. This suggests there may be children for whom placement in alternative care was not necessary even though subject to such an assessment. In this respect some interviewees highlighted a number of factors contributing to this situation including once again the insufficient numbers of staff and lack of resources necessary to effectively undertake child protection roles and responsibilities.

An assessment of the quality of social work training in higher education institutions is missing from our research. Evaluation of the quality of ad-hoc and in-service training was also not possible within the remit of this research.

Overall, although different interviewees spoke about the commitment of the Government to promote the principle of gatekeeping that should include all steps to prevent the use the use of large-scale residential institutions, this is still a much used option when separating children from parental care.

Recommendations

- Legislation should guarantee the gradual elimination of all forms of children's residential institutions.

- To inform the development of future training and capacity building, it is recommended that an assessment of the quality of social work training in higher education institutions is undertaken along with a review of provision and standards of in-service capacity building. This should be coupled with a study of current skills, knowledge and capacities of all those responsible for making decisions about protection and care of children including social workers, police, judiciary, health and education workers etc. This should consider their understanding of risk thresholds in relation to protection and how to apply the principle of the best interests of the child.

[71] Cantwell et al. 2012

- Steps should be taken to address the lack of sufficient numbers of social workers. This should include the provision of social workers whose sole responsibility and specialism is that of child protection. Consideration should also be given to the necessary resources needed by social workers to carry out their role as for example, provision of any relevant equipment and transportation.

- Training of those working in residential institutions may not only help alleviate some of the opposition to those employed in such settings, but also contribute to re-skilling. If sufficiently trained, they could be offered new roles in family strengthening programmes and, if family based care settings are developed, they might become providers.

- Advocacy and actions that will help re-focus the use of funds towards family strengthening rather than expenditure on residential facilities will be important. This might begin with the undertaking of cost benefit analysis studies that could also help with a political argument for the elimination of residential institutions.

Data management systems

Legislation, policy, statutory guidance, planning and programme delivery, should be informed by evidence. The 2019 UNGA Resolution, highlights this by calling on States to,

> 'improve data collection, information management and reporting systems relating to children in Improving data collection, information management and reporting systems related to children without parental care in all settings and situations in order to close existing data gaps and develop global and national baselines.'

In the first instance, the Resolution is referring to data related to children in alternative care, including the reasons for placement. It is further necessary to continue to collate evidence that includes consideration of the following:

- What are the main drivers that lead to placement of children in alternative care, and how are these influenced by various factors, e.g. gender, age, ethnicity, socio-economic circumstances, and access to services etc.
- How are children at risk of separation officially identified and recognised (e.g. in official data).
- Which child protection, social protection, and other services are available to the families of children at risk of placement in alternative care and what are the gaps.
- What are the ideas and proposals of children, young people, adult family members, and other key stakeholders, about responses to the issue of child-parents separation and how they could be improved.

Our research findings suggest a lack of sufficient and rigorous systematic data collection in Kyrgyzstan that is being made available that could inform future developments in legislation, policy and service delivery to prevent unnecessary separation of children from parental care.

Recommendations

- Ongoing development of local, regional and national child protection data management systems that provide clearer definitions and understanding of all the issues impacting children's protection and well-being including a more comprehensive explanation as to the reasons children are separated from parental care.

Participation

Article 12 (1) of the UNCRC requires,

> States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

In recognition of the importance of children's right to participate in decisions affecting their lives, and indeed for anyone to play an integral role in deciding on things that impact their life, it is necessary to facilitate a careful and supportive process that allows for full and meaningful participation in different decision-making situations.

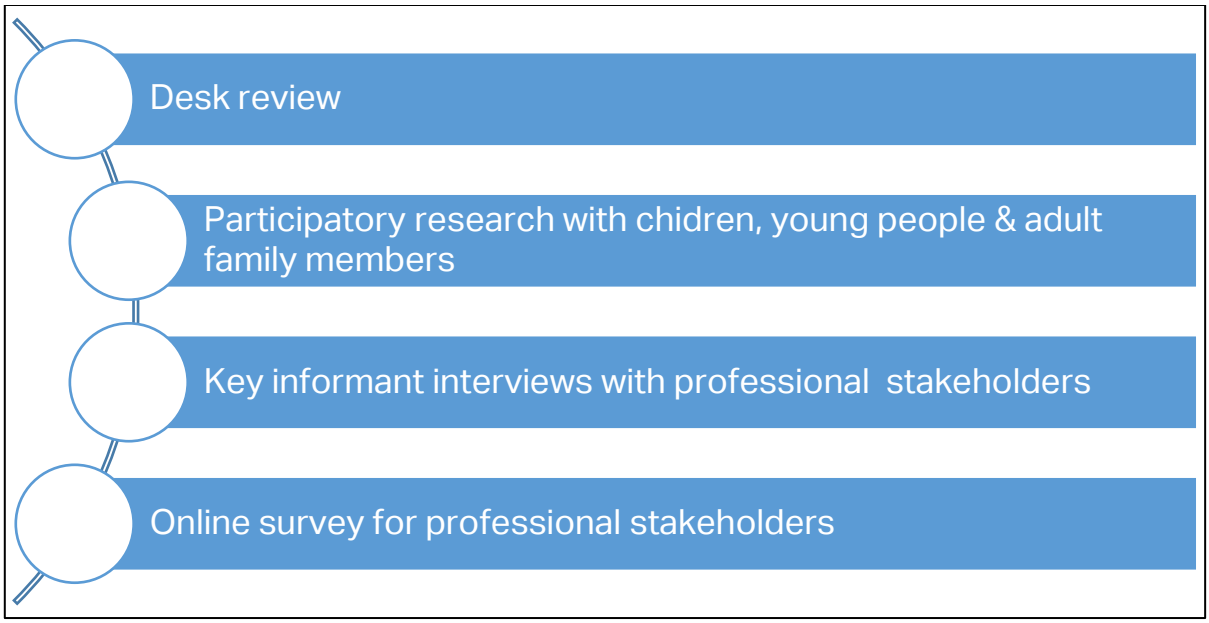
Our research suggests the vast majority of children in Kyrgyzstan are not participating in any way during the process of completing protection or other assessments of their situation or in decisions being made about their lives, including placement in alternative care.

Recommendations

- Children should be supported in a way that allows their full and meaningful participation in any decision making processes that will affect them, including their placement in alternative care.

- All children should be acknowledged as active citizens and afforded equal opportunity to contribute to their society. In this respect, policy makers and programme designers and implementers may need help understanding that children are experts in their own lives. This will require challenging any negative assumptions regarding children's capacities to engage and participate and providing them with opportunities that allow them to build and demonstrate such capability.

4. The Research Framework

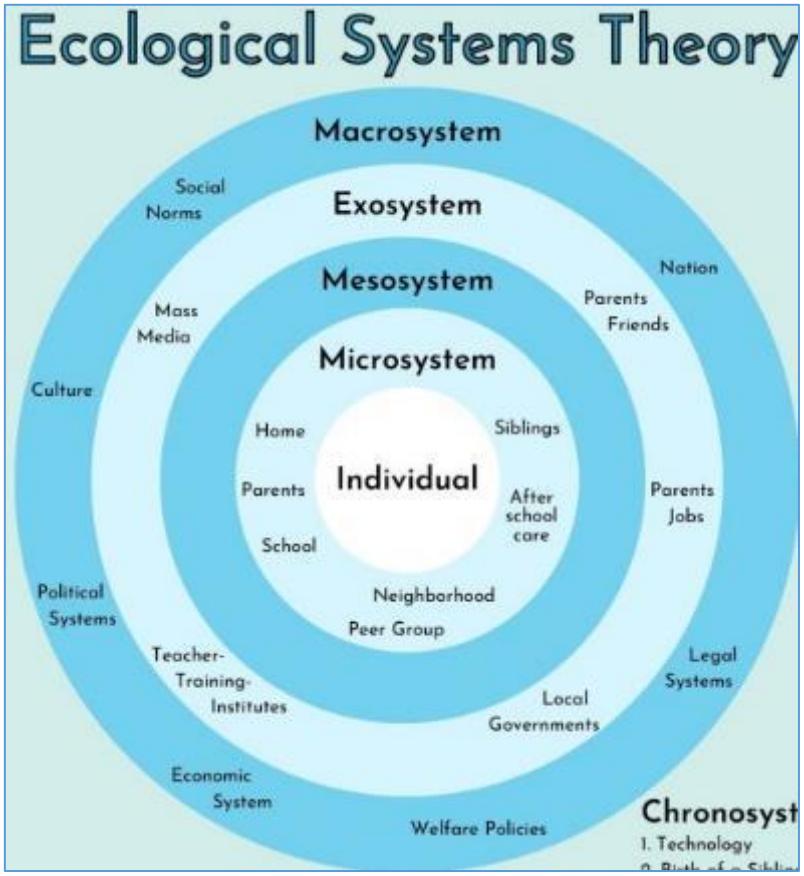


The research framework was informed by international child rights conventions, most especially the UNCRC and the 2019 United Nations General Assembly Resolution: 'Promotion and the protection of the rights of children' (A/RES/74/133).[72] Every child in the world has rights. These rights, including those of protection and participation, are universal and indivisible. The role of States Parties in upholding and realising the rights of children has also been taken into account when developing this research including the responsibility to 'develop and implement comprehensive child welfare and protection policies within the framework of their overall social and human development policy'.[73]

The research framework has also been informed by socio-ecological models such as that of Bronfenbrenner.[74] An adaptation of his model can be seen in Figure 1. This considers the impact of inter-relating factors affecting children and families at an individual interpersonal level (microsystem), structural level, including family and community level, (meso and exo systems), and institutional level (macrosystem). We have added an additional consideration to our research which is the influence of international normative frameworks and other global influences within the macrosystem.

[72] Please see: https://digitallibrary.un.org/record/3837858?ln=en
[73] United Nations General Assembly 2009
[74] Bronfenbrenner 1977 See also: Bronfenbrenner 1986; Bronfenbrenner 1994

Figure 1. An adapted graphic illustration of Bronfenbrenner's socio-ecological systems theory



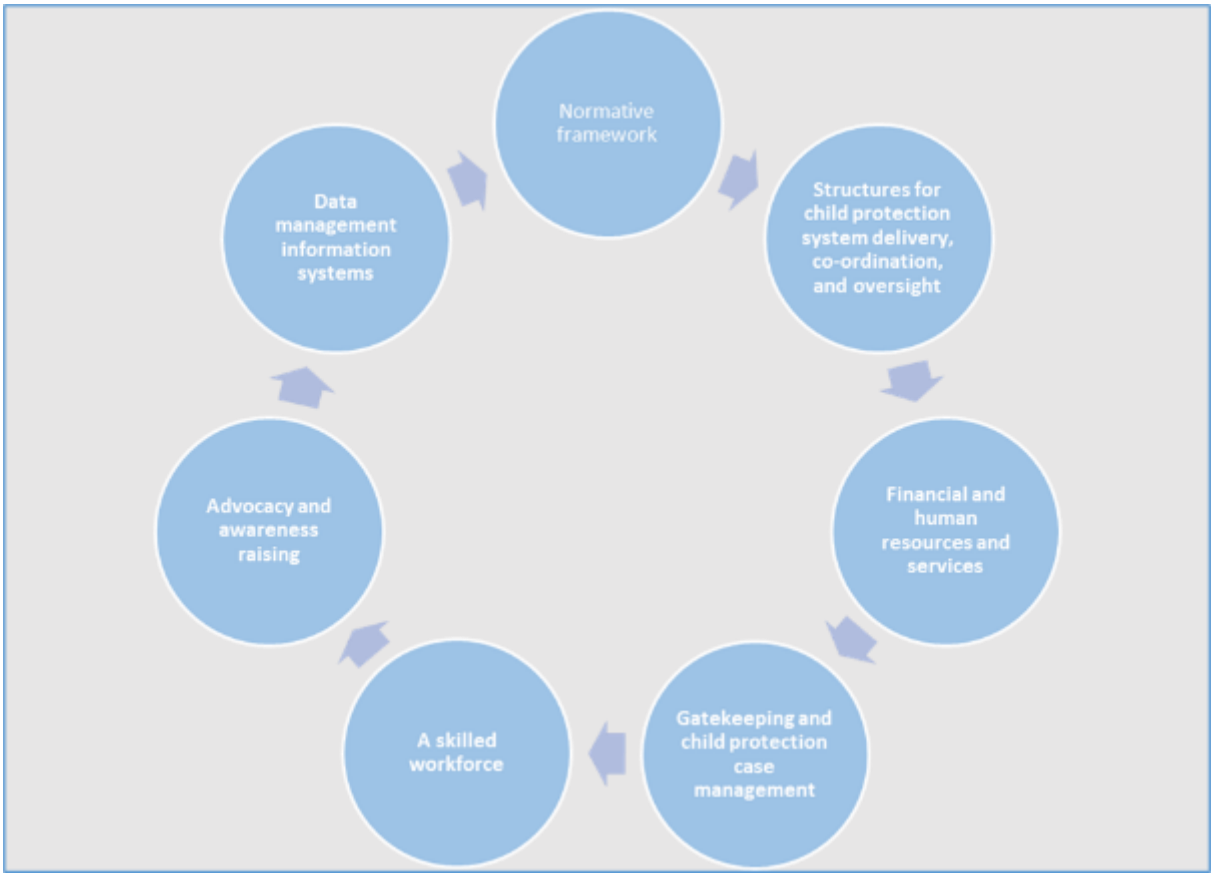
(Source: Drew 2023)

Based on this model, research questions used with respondents remained broad in order to extract information about the range of factors positively and negatively influencing and impacting family life.

The research framework also considered the functioning of different components of the national child protection system (Figure 2). This should include a suitable normative framework and programmes informed by rigorous data collection and analysis, as well as structures for the delivery of child protection services and those that help mitigate and respond to the multi-sectoral factors placing children at risk and families in difficulty. It requires efforts to ensure public awareness of child rights and child protection as well as a well-resourced and skilled work force and coordinated, inter-sectoral partnership working between the State, families, communities, NGOs, and the private sector. Utilising such examination of national child protection systems, we also adopted a research focus that sought evidence and understanding of how 'gatekeeping'[75] works in Kyrgyzstan.

[75] Csaky and Gale 2015

Figure 2. Components of a national child protection system



5. The engagement of the American University of Central Asia and national researchers

Creating a caring, safe and trusting atmosphere when conducting research with children and young people is essential. To this end, rather than the International Lead Researcher facilitating the workshops with children and young people in Kyrgyzstan, the services of a national researcher were sought. This helped with easier communication between researchers and participants thus avoiding disjointed communication (as for instance if we had been working through a translator). It also removed any distrust or suspicion that being asked questions by a 'foreigner' might incur and meant the person directly interfacing with children and young people had a much more informed understanding of the socio-cultural background of participants. Care was taken to ensure national researchers not only had professional research skills but also the right aptitude and understanding to facilitate the workshops in a caring and careful manner. To this end a vital element of the research programme has been a partnership with the American University of Central Asia, Kyrgyzstan and the support and work of the national researcher, Ms Mehrigiul Ablezova. The team were also joined by two research assistants, Ms Aigerim Batyrbrek Kyzy and Ms. Bermet Derbishova. The partnership also allowed for a research ethics application to be made to the university. Full ethical approval was awarded.

6. Research methodology

6.1. Research participants

Invitations were issued to research participants involved in different government and NGO family strengthening and child protection programmes. Research participants in Kyrgyzsrtan included:

- 55 children aged 13 – 15 years old living with their own families (in vulnerable circumstances[76]) (31 girls and 24 boys). This included 5 children with special needs
- 38 young people aged 17-21 years old who have left alternative care (care leavers). (19 girls and 19 boys)
- 31 adult members of families living in vulnerable situations (28 female and 3 male)
- 12 professional stakeholders including social workers, child protection workers, lawyers and providers of alternative care and family support services.
- 58 key stakeholders who responded to an online survey requesting information on reasons children are placed in alternative care and access to support services.

6.2. The research process

Fieldwork was undertaken in Kyrgyzstan in August 2023. Great importance was placed on the development and use of participatory research methodology to highlight the voices of children, young people and adult family members. Methods were also used that sought the views and understanding of professionals. All findings have been correlated with information drawn from relevant literature. The following methods were used to gather qualitative and quantitative data:

- **Desk review**

A series of desk reviews were conducted by means of a systematic exploration of academic and other web-based databases as well as hand sourcing additional reports and written materials. This included a review of the socio-economic and cultural environment, the functioning of the national child protection system, and provision of alternative care in Kyrgyzstan. Further desk reviews sought information on topics that included participatory research methodology, prevention of family separation, gatekeeping, and family strengthening.

- **Co-design research workshops with children and young people in El Salvador and Lebanon**

In recognition of the importance of children's right to participate in decisions affecting their lives, and understanding that they are 'competent social actors'[77] who should be 'actively involved in shaping

[76] For the purposes of the research, a definition of 'vulnerable' was extracted from: Bauer & Wiezorek (2016) Vulnerable Families: Reflections on a Difficult Category. *Center for Educational Policy Studies Journal*, Vol 4, pp.11-28.
[77] Gilchrist et al. 2013:577

their own social worlds',[78] steps were taken to achieve as high a degree of participation as possible during the research.[79] To this end, in order to highlight their voices, and seek their knowledge and ideas, children and young people, were not only invited to join qualitative participatory research workshops, but efforts were made to engage them in the design of the research questions and qualitative participatory methodology. This included a series of co-design of workshops with a group of children and care-experienced young people in both EL Salvador and Lebanon. The resultant research questions for children and young people were:

Question 1: What makes children/young people in this family happy when they are at home? (based on a drawing of a house and a family that had been drawn by participants)
Question 2: What makes children/young in this family worried or unhappy when they are at home?
Question 3: What makes the adults in the family feel happy, strong and united when they are at home?
Question 4: What makes the adults in the family feel worried or unhappy when they are at home?
Question 5: What is needed to help families be happy, strong and united?

The questions and methods developed in the co-design workshops were then piloted in El Salvador and Lebanon. The results informed the development of qualitative research participatory workshops implemented in Kyrgyzstan.

It is important to note that the research questions did not ask research participants to answer questions about their personal experience but to provide information that is representative of what happens to children, young people and other adult family members within their communities and country. These questions also informed those used in workshops with adult family members.

- **Participatory research workshops with children and young people in Kyrgyzstan**

One group of children aged 13-15 years old living with their families and one group of care experienced young people aged 17-21 years old were invited to help evaluate the research methods to be used in Kyrgyzstan. These children and young people were invited to an Introduction Meeting during which they received information on the aims and objectives of the research and what their participation would involve. They subsequently agreed to participate in a series of research consultation workshops. During these workshops they undertook a brief evaluation of each participatory research exercise that had been co-designed with children and young people in El Salvador and Lebanon. They were asked whether or not they thought the research exercises were suitable to use with other children and young people in Kyrgyzstan. The children and young people unanimously agreed the methodology was appropriate.

This process was followed by the implementation of workshops with other children and young people. To allow for comparative research, a series of participatory research workshops with 7 groups of children and 5 groups of young people were conducted in two locations in Kyrgyzstan, one urban and one rural. The first location was Bishkek and the second was Cholpon Ata, including Ananyevo village.

[78] Gilchrist et al. 2013:577
[79] Arnstein 1959; Beebeejaun et al. 2013; Blanco et al.2022; Bradbury-Jones and Taylor 2015; Bromark et al. 2023; Chevalier and Buckles 2019; Cossar et al. 2014; Cuevas-Parra and Tisdall 2019; Fouché and Light 2011; Garcia-Quiroga and Salvo Agoglia 2020; Grant 2017; Helm 2013; Holland et al. 2008; Jamieson et al. 2021; Lake and Wendland 2018; Sabo 2000; Shamji 2007; Stuart et al. 2021

The research workshops included different activities including ice breakers and energisers, a reminder of the aims and objectives of the research; reading of Information Sheets, signing of consent forms; and joint creation of workshop 'ground rules'.

Participants were split into two groups and invited to take part in a number of exercises that involved the drawing of imaginary houses and families and the writing down of answers to the five research questions (on pink and green post-its) (Figure 3). Children were able to privately answer questions 1 and 2 by placing their post-its into bags placed on the drawings. They placed their answers to the questions 3 and 4 on their drawings and were invited to present them to the whole group. In the workshops with young people, they placed all their answers on their drawings and were also invited to present what they had written. If appropriate, short discussions about what had been written were facilitated.

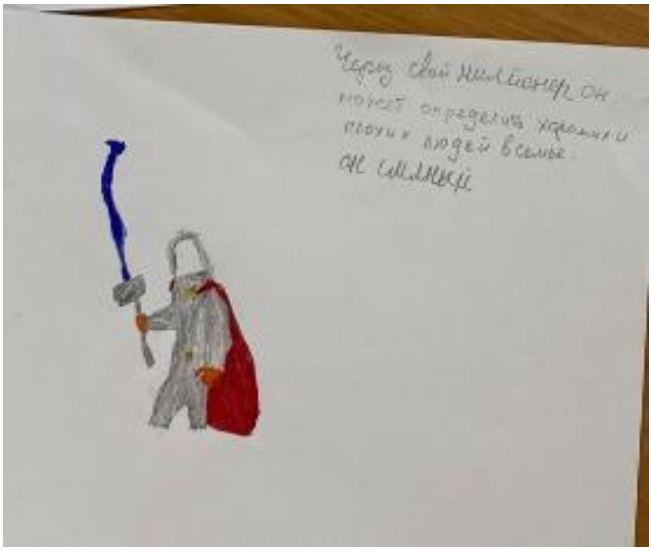
Figure 3. Examples of drawings produced by children and young people

Five children with special needs (including children with autism, learning disabilities, cerebral palsy and physical disabilities) formed the participants in one of the workshops. The methodology during this workshop was adapted slightly by shortening some of the introduction session. Below is the drawing the children produced of a house with a family (Figure 4).

Figure 4. A drawing created during the workshop with children with special needs: what makes children people happy and what makes them worried and happy when they are at home

In order to seek children's ideas for solutions to the challenges families are facing, they were asked to think of themselves as a superhero and to depict this in drawings (Figure 5). They then wrote three things they would do with their superpowers to help families.

Figure 5. Examples of children's superhero drawings



A problem and solution tree exercise was used with young people in order to gain and rank their ideas for solutions. Young people considered the post-its containing their answers regarding what made young people and adult family members worried or unhappy. Their solutions were written on the 'leaves' of the tree (Figure 6).

Figure 6. Example of a problem and solution tree

Young people were asked to group their solutions into different categories e.g., money, health, education and then to rank them in order of importance. Participants presented their 'trees' to the full group and were offered the opportunity to briefly discuss their solutions.

At the end of each workshop, participants were invited to ask questions or asked if they wanted to discuss topics that had arisen during their time together. Workshops always finished with thanks and an energiser.

- **Family workshops**

It was also important to elevate the voices and ideas of adult family members. To this end, adult family members living in vulnerable circumstances were also invited to participate in research workshops. The research questions used with adult family members were:

Question 1: What makes families feel happy, strong and united when they are at home?
Question 2: What makes families feel worried or unhappy when they are at home?
Question 3. What is needed to help families remain happy, strong and united?

A total of 4 workshops were held with adult family members in two locations: the urban setting of Bishkek and the more rural location of Cholpon Ata, including Ananyevo village.

Similar participatory research exercises were used to those developed by, and for, children and young people including drawings of homes containing a family and problem and solution trees

At the end of the workshops, participants were invited to ask questions or to discuss topics that had arisen during their time together.

- **Semi-structured interviews**

A total of 12 semi-structured interviewees were conducted with professional stakeholders. The principle research questions focussed on the reasons children lost parental care and are placed in alternative care. Interviewees were selected through a purposive sampling methodology and included professionals working in child protection, family strengthening and provision of alternative care. Purposive sampling methodology was chosen as it allows for intentional selection of knowledgeable participants that will generate theory and understanding of a specific social process and context.[80] Criteria for the selection of interviewees was prepared and based on this information, members of SOS Children's Villages Kyrgyzstan team selected interviewees based on their knowledge of different key professional stakeholders in the country working for government and non-governmental agencies.

- **Online survey**

An online survey for professionals working in the support, care and protection of children was designed and disseminated utilising the Qualtrics[81] data software programme. The questions sought information regarding the reasons children are being separated from their family and placed in alternative care, different types of services and support available to families. After cleaning the data a total of 58 responses were included in the final analysis.

6.3. Research ethics

Informed participation and consent

It was important that participation in the research was fully informed and voluntary. All prospective participants were provided with language, age, and respondent appropriate Information Sheets were provided to prospective participants when they were first invited to be part of the research. Age and language appropriate consent forms were also prepared. At the start of each research workshop, the content of the Information Sheets were discussed. Participants were given the opportunity to ask questions before being asked to sign the consent form. A strong emphasis was placed on participants understanding that they were free to withdraw their participation at any time. This process was also repeated at the start of each semi-structured interview.

For the online survey, participants were provided with an Information Sheet in advance of their participation. The consent process was built into the survey and respondents could not move on to complete the questionnaire without first giving their consent.

[80] Arber 2006; Flick 2006; Ritchie et al. 2006; Robson 2002
[81] Please see: https://www.qualtrics.com/uk/

Confidentiality and data protection

Research participants were assured confidentially and anonymity, unless providing information that suggested risk of harm to a child was revealed. All data used in reporting has been anonymised, and care taken not to reveal the identity of participants. Workshop participants were asked not to share personal stories, name anyone in any discussions, or share participant's information outside of the workshops. National researchers and the translator accompanying the international researcher signed third party confidentiality agreements.

Recordings of interviews were made using an encrypted recording device and uploaded to secure password protected folders now held by the International Lead Researcher. All collated data has been stored in an electronic format and held securely in password protected computer files.

Facilitation of participation and remuneration

Care was taken to balance the available time researchers had to complete the field work with efforts not to disrupt the lives of participants. This included consideration of the times and length of workshops. All out of pocket expenses for participants such as transportation were covered.

Ethics and child safeguarding

All elements of the research process have been designed and conducted in a manner guided by professional standards and ethical principles.[82] Ethical clearance to conduct the research was sought and granted by the American University of Central Asia, Kyrgyzstan.

All efforts were made to ensure participation in the research did not lead to harm, stigma, re-victimisation or discrimination. Careful consideration was given to the sensitive nature of the topic under consideration i.e., events that may cause distress in the lives of participants. In this regard, the study was designed in a way that did not ask workshop participants about personal experience. Through careful observation, researchers did their best to pick up on cues indicating any distress. Ground rules developed by the participants themselves at the start of each workshop also highlighted issues such as respect, trust, the importance of being able to talk freely and being listened to. All efforts were made to ensure the workshops were safe and welcoming. No other adults except the national and international researchers and a translator were present in the workshops.

The issue of child safeguarding was taken with the utmost seriousness and informed the design of an ethical research process that took all steps possible to ensure the rights and dignity of participants. An SOS Children's Villages social worker, or equivalent, (a 'responsible adult') was present at the same location as the research workshops with children and young people. They were available if any participant wanted to speak with them. If a researcher had a concern about the safety or wellbeing of a child or young person during the workshop or, something was revealed that suggested a child or young person was at risk of harm, the 'responsible adult' was informed. In the event of such disclosure, SOS child safeguarding procedures were to be followed. Children and young people were informed of this process. A room was made available on the same premises as the workshops and

[82] See for example, Social Research Association 2021

designated a quiet and safe space children and young could use if they needed time alone.

Research analysis

All interviews have been transcribed and collated into a word document of which, in-depth reading was completed by the International Lead Researcher. All the information provided on post-it notes by children, young people and adult family members during the research workshops have been transposed into digital word documents These document have been imported into the NVIVO 11 data analysis programme[83] and through a text query process, used to extract and collate 'instances' of similarities (and variances) and inform emerging and core themes. Linkages were identified in highlighted text and illustrated in word clouds and tree maps.

The software programme, Qualtrics, allowed for the analysis of responses to the online survey.

6.4. Limitations of the research

Limitations of the research include the time available to researchers to conduct field work in part due to available budgets. With particular reference to the process of co-designing research questions and methods with children and young people, it is recognised that additional time would have allowed for an even greater degree of participation in the very initial research conceptualisation and methodology design.

A focus was placed on creative activities and writing exercises to gather information rather than discussion groups. Engagement in discussions was therefore, only a very small element of the research. It is recognised this may have limited the opportunity to seek clarification and/or conduct a deeper exploration of the issues raised. Furthermore, research workshops utilised group work methodology that obscured individual voices whilst providing collaborative answers. As a result the data does not allow for the capturing of individual participant's responses. In addition, as almost all research workshops, groups of children and young people comprised both girls and boys working closely together, an in-depth analysis of similarities and differences in their answers in terms of sex has not been possible.

We recognise that many children are living in informal alternative care with members of their extended family or other members of the community. The research methodology did not allow for the study of the situation of these children. Other children not included in the research include unaccompanied and separated children affected by migration or children in conflict with the law. Furthermore, we are aware of many studies that have focussed on the impact of the COVID-19 epidemic. This topic was raised occasionally by interviewees but was not a specific focus in our search.

Our research was limited to two locations in each country which may not have fully reflected the situation throughout. This includes information analysed in relation to national ethnicities or other specific socio-cultural influences is absent in the research findings.

[83] Please see: https://lumivero.com/products/nvivo/

Finally, and importantly, the notable lack of published quantitative and qualitative data on children in alternative care means it has not been possible to quantify placements according to the different reasons that led to such action.

7. Context

Understanding the socio-economic context in which children and families live in Kyrgyzstan was especially important to our study as these circumstances have a significant impact on the well-being and stability of life within a household.

Figure 7. Map of Kyrgyzstan

(Source: nationsonline[84])

The Republic of Kyrgyzstan is a land-locked country in central Asia bordered by Kazakhstan, Uzbekistan, Tajikistan and China. It was formerly one of the Republics of the USSR and declared its independence in 1991. It is a very mountainous country with estimates suggesting that 70%+ of the land area is covered by the Tian Sian and Pamir ranges[85]. Kyrgyz is the state language and Russian is widely spoken and recognised as an official language.

Kyrgyzstan is vulnerable to the effects of climate change in a number of directions. Over 60% of the population live in rural areas and the country as a whole is subject to climate-related disasters such as landslides and flooding in the lower areas and avalanches and glacial lake outburst floods in the higher areas[86]. The rural population is subject to vulnerable water supplies, some of which originate

[84] Please see: https://www.nationsonline.org/oneworld/map/kyrgyzstan-administrative-map.htm
[85] Please see: https://en.wikipedia.org/wiki/Kyrgyzstan
[86] Please see: https://www.unicef.org/kyrgyzstan/media/1526/file/Kyrgyzstan%20Climate%20Landscape%20Analysis%20for%20Children.pdf%20.pdf

in the glaciers and snowfall found at high levels which accumulate in the winters and are then released in the spring and summer to provide for irrigation of crops and production of hydro-electric power – providing 90% of the country's supply. All of this is at risk due to climate change[87].

Population

As of 1st January 2023, the population of Kyrgyzstan was reportedly 7,037,600 in 2023.[88] The population is steadily increasing by approximately 100,000 per year.[89] In 2023 the population was comprised of approximately 50.4% female and 49.6% males.[90] According to the National Statistical Committee of Kyrgyzstan there were over 2.7 million children in 2023.[91]

Kyrgyzstan is a multi-ethnic state although native Kyrgyz provide the majority at 75%, while Uzbeks constitute 15% and are found concentrated in the south of the country and in Osh. Meanwhile Russians constitute approximately 5% of the population, mainly in the north, in and around Bishkek. There are a large number of other minority ethic groups with small populations across the country[92].

Gender Parity

UNDP[93] regularly reports on gender parity across the world. In 2023, Kyrgyzstan was marked as a 'medium' ranking country in terms of achieving gender parity taking into consideration such measurements as fraction of life expectancy at birth spent in good health; population with completed secondary education or higher; youth not in education; employment or training; labour force participation; holding an account in a financial institution (e.g. a bank); share of women holding managerial positions and seats held (e.g. parliamentary seats).

Since independence successive governments have supported the aim of achieving gender equity as part of Kyrgyzstan's development strategy. However achieving progress is seen to be very challenging due to continuing male dominance associated with deep-seated cultural norms[94]. According to a 2021 UNICEF report, 'in spite of political will, women are still largely excluded from decision-making processes and violence against women and girls manifests itself in many ways, including domestic violence, kidnapping, trafficking and early marriage.'[95]

The Asian Development Bank, in its 2019 Gender Assessment report notes that the rates for gender parity place Kyrgyzstan significantly below neighbouring (former Soviet) countries such as Kazakhstan and Uzbekistan[96]. The Bank's report goes on to speak about violence against girls and women, and said there had been,

[87] Ibid
[88] Please see: https://www.stat.kg/en/statistics/naselenie/
[89] Please see: https://www.worldometers.info/world-population/kyrgyzstan-population/
[90] ibid
[91] UNICEF Kyrgyzstan 2021a
[92] Please see: https://www.britannica.com/place/Kyrgyzstan/People
[93] UNDP 2023
[94] Muldoon and Casabonne 2017
[95] Please see https://w3.unece.org/sdg2022/story-7.html
[96] Asian Development Bank 2019

a steep increase in incidences of bride kidnapping (ala kachu) in the 2 decades after independence—despite this practice being officially made illegal in 1994. There is also a growing trend of early marriage, which is partly linked to the practice of bride kidnapping. In 2014, 12.7% of female respondents aged 20–49 who participated in a national statistical survey said they married, or entered into an unregistered marriage, when they were below the age of 18.[97]

Governance

Kyrgyzstan gained independence from the USSR in 1991 and since then the country has had several Constitutions, resulting in its being a presidential, presidential-parliamentary, and, again, presidential republic.[98] The President of Kyrgyzstan is head of State, the supreme official and head of the executive branch of the Government, as well as the commander-in-chief of the armed forces.[99] Presidents are elected for a term of five years.

The country is divided into seven administrative provinces (oblasts) and two cities of national significance (Bishkek and Osh). Below this are 40 districts (rayons), 12 cities of provincial (oblast) significance, and 17 cities of district significance. Districts (rayons) are headed by a centrally appointed leader called an Akim. Key Ministries have departments at the rayon level. There are 484 local self-governing units known as Aiyl Okmotu which were added to the governance structure in 1996.[100]

Religion

According to its constitution Kyrgyzstan is a country with no official religion. Under the communist system religion was largely suppressed. Since independence in 1991 there has been much more freedom of religious expression, and a considerable number of new mosques have been built[101]. In terms of numbers, a 2019 survey reported that 85% of the population is Sunni Islam, while 5% are Christian. Christians are largely drawn from the Russian ethnic minority and divided between the Russian Orthodox Church and a number of protestant and Baptist groups

Economy and social protection

The Kyrgyz Republic is ranked by the World Bank as a lower-middle-income country.[102] It is also ranked at 118 out of 191 countries in the Human Development Index (an alternative measure to GDP created by the UNDP), putting it at the top of the Medium group of countries.[103]

Kyrgyzstan was one of the major cotton growing regions of the USSR, and a substantial clothing industry developed, which gained a reputation for good quality clothing which sold well in regional markets. Nevertheless Kyrgyzstan was one of the poorest republics within the former Soviet Union,

[97] Asian Development Bank 2019: II,xi
[98] UNICEF Kyrgyzstan 2021a
[99] Please see: https://unece.org/DAM/hlm/prgm/cph/countries/kyrgyzstan/cp.kyrgyzstan.chapter1.pdf
[100] UNICEF Kyrgyzstan 2021a
[101] Please see: https://www.isdp.se/publication/religion-and-the-secular-state-in-kyrgyzstan/#:~:text=By%20its%20fifth%20anniversary%20of,officially%20registered%20mosques%20by%202016.
[102] Please see: https://www.worldbank.org/en/country/kyrgyzrepublic/overview
[103] Please see: https://en.wikipedia.org/wiki/List_of_countries_by_Human_Development_Index#Regions_and_groups

and after the collapse of the Soviet Union it lost most of its markets for its factories and agriculture sector, and subsidies which supported living standards in the rural areas. It is currently the second poorest country in Central Asia after Tajikistan[104].

Beyond agriculture the economy of Kyrgyzstan is heavily dependent on remittances, gold production and foreign aid[105]. The World Bank[106] reports on the considerable natural resources including minerals, forests, arable land, pastures in Kyrgyzstan and the significant potential for the expansion of its hydroelectricity production, agriculture sector, and tourism industry.

Rates of poverty had been declining steadily prior to the COVID-19 pandemic. However, since the pandemic poverty rates have increased, a situation made worse by increases in prices for food and fuel exacerbated by the war in Ukraine. According to the IMF in October 2022 a million people were 'food insecure'.[107] People with disabilities are typically among the groups most vulnerable to poverty.[108] Data provided by the National Statistical Committee of the Kyrgyz Republic, [109] illustrates how 33.2% of the population lived below the national poverty line in 2022, while 6.0.% were considered to be in 'extreme poverty', as measured by daily earnings of less than $1.90 purchasing power parity. According to the results of an integrated household sample survey, 40.3 % of the total number of children aged 0-17 years old were living in poverty in 2022, of whom 8.0 % were in the extreme poverty category.[110] The child poverty rate in rural areas was 37.8 %, which is 7.6% lower than in urban settlements.[111]

Researchers have acknowledged that some statistics must be treated with caution as they are based on relatively small samples and many workers are part of the informal economy[112]. According to the National Statistics Commission, in 2019, almost 71.8% of workers were undeclared and therefore, a portion of the revenue circulating in Kyrgyzstan was not counted in official economic statistics'[113]

Remittances make a very large contribution to the GDP of Kyrgyzstan, currently estimated just below 30% by the World Bank.[114] They also may make a very significant positive difference to the receiving households. However the impacts on children, not least the loss of parental nurture and the severe disruption to the development of parent-child bonding, can be very damaging to children's growth and development, and this point will be returned to later in this report.[115] A detailed study by the Asian Development Bank released in 2021 reported on how remittances were being spent and found the impact was negative for human capital investment and educational achievement. Such 'negative

[104] https://www.oecd-ilibrary.org/docserver/9789264302273-en.pdf?expires=1700846008&id=id&accname=guest&checksum=0882CE7B9BE23715D41BBBCFEEC1574F
[105] Please see: https://www.worldbank.org/en/country/kyrgyzrepublic/overview
[106] Please see: https://www.worldbank.org/en/country/kyrgyzrepublic/overview
[107] See https://www.elibrary.imf.org/view/journals/002/2023/092/article-A003-en.xml
[108] UNICEF Kyrgyzstan 2021a
[109] National Statistical Committee of the Kyrgyz Republic 2023
[110] National Statistical Committee of the Kyrgyz Republic 2023
[111] ibid.
[112] https://library.fes.de/pdf-files/bueros/bischkek/18023.pdf
[113] https://novastan.org/en/kyrgyzstan/in-kyrgyzstan-one-in-four-families-lives-below-the-poverty-line/
[114] https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=KG
[115] See https://cabar.asia/en/kyrgyzstan-how-to-resolve-issues-of-violence-against-children-of-migrant-workers

effects were attributed in part to 'extended hours of child labor on farm work as a compensation for missing adult labor.'[116]

OECD reporting on cash benefits for low-income families and people with disabilities noted how,

> Social protection has played a key role in Kyrgyzstan's transition [from a centralised command economy to a market economy]. The Government of Kyrgyzstan (GoK) has not only maintained the sizeable social insurance system that existed prior to independence but has also introduced several new social assistance and labour market policies. Social protection is the largest component of public spending, accounting for more than expenditure on health and education combined.[117]

Also commenting on social protection, UNICEF wrote,[118]

> Employment and decent wages are always the preferred strategy to ensure an adequate standard of living for families with children. A social protection system acts as a complement to that and should protect individuals from shocks and risks they may experience over a lifetime. Social protection falls within the remit of the Ministry of Labour, Social Welfare and Migration. The Government of Kyrgyzstan has maintained the sizeable social insurance system that existed prior to independence and has also introduced several new social assistance and labour market policies as part of the social protection system. Social protection spending, including old-age pensions, constitutes the largest component of public spending. However, without the old-age pensions, the budget of social protection in 2019 constituted only 2.2 per cent of GDP. [119]

As seen in the information above, a significant proportion of the social assistance budget is taken up by the almost universal pension system for older people with some cash benefits for very poor families[120]. Recognising there are children living in poverty, the Monthly Benefit for Poor Families (MBPF) is an important part of the social protection system. However, even though levels of benefits has been raised over time, the number of families covered by such schemes has been reduced (now mainly in the rural areas) and the amounts still remain too low.[121] Another principle cash benefit is the Monthly Social Benefit (MSB) for certain categories of people, the largest group being children and adults with disabilities. This accounts for almost 80% of the beneficiaries. Again the value is low and receipt of either of these benefits is not lifting families out of poverty.[122] Both of these benefits received significant increases in 2022 to compensate for the sharp rise in food prices associated with

[116] Asian Development Bank 2021
[117] ibid.
[118] UNICEF Kyrgyzstan 2021a:26
[119] UNICEF Kyrgyzstan 2021a:26
[120] OECD 2018
[121] OECD 2018
[122] OECD 2018:3

the war in Ukraine. According to the more recent IMF report, spending on social safety nets is high by international comparison, but the effectiveness is low.[123]

The Aiyl Okmotu[124] can also make small emergency cash payments to poor families in crisis situations. According to one informant, there is a Committee on Social Issues based at community level that predominantly works with families in difficult life situation and has a focus on would prevention work. The social worker's job is both to identify the poorest families and those children/families in 'difficult life situations' and to intervene and aid, notably through the recently developed Commission for the Prevention of Domestic Violence which brings together different departments and NGOs to support interventions where women and children are being abused.

Noting that residential services continue to consume a large proportion of social service budgets a 2018 OECD report[125] emphasises a need to develop social service capacity in order to make the most of the overall social protection system,

> The extremely low provision of social services represents a major gap in the social protection system and severely constrains the impact of other social protection interventions. For instance, it will not be possible to enhance the impact of state benefits without enhancing the capacity of social workers at local government level, since they are responsible for identifying poor households.[126]

Employment

The unemployment rate has been declining in recent years and the latest figure for 2022 stood at 4.9%.[127] Whilst 20% of those in employment were working fewer hours than they would have liked, over 40% were thought to have been working excessive hours.[128] An unemployment benefit exists but the value is extremely low and strict eligibility criteria is applied. This means this allowance is paid to only a very small number of the unemployed. [129]

According to the OECD, and as previously external labour migration 'plays a key role in the economy.'[130] Labour migration can be considered under two categories: *internal* migration to the major cities, especially Bishkek, and *external* migration to neighbouring countries, principally Russia and to a lesser extent Kazakhstan, and further afield. It is the latter category that features heavily in this report as it commonly involves separation of children from one and sometimes both parents. Two-thirds of the population live in rural areas, where farming has been the main source of livelihood, and it is rural poverty that is particularly challenging in Kyrgyzstan and thus driving migration for work[131].

[123] Please see: https://www.elibrary.imf.org/view/journals/002/2023/092/article-A003-en.xml C10.
[124] Aiyl Okmotu are rural sub-Districts, centred around a village or group of villages. In Kyrgyz this is also described as 'Self-Government' and often translated into English as 'local government'.
[125] OECD 2018:83
[126] OECD 2018L83
[127] See: https://www.stat.kg/en/opendata/category/113/
[128] OECD 2018
[129] ibid.
[130] OECD 2018:52
[131] United Nations Kyrgyz Republic & University of Central Asia 2019

According to the UNICEF Kyrgyzstan website there are an estimated 650,000-750,000 Kyrgyz citizens working abroad.[132] UNICEF also reports there to be approximately 1 million internal migrants that have moved from rural areas, particularly in the south of the country, to bigger cities.[133] Here they 'often live in hazardous houses in the outskirts of Bishkek with limited water, gas, electricity, sanitation and communications, and have restricted health care, education and social benefits.[134]

Health

In 2019 life expectancy in Kyrgyzstan was 74.2 years.[135] As of 2021, the under-5 mortality rate was 17.4 deaths per 1,000 live births and the neonatal mortality rates was 11.2 deaths per 1,000 live births.[136] According to UNICEF neonatal mortality remains almost twice as high as in other parts of the CEE/CIS region average.[137] Although moderate and severe stunting rates decreased slightly from 12.9% in 2014, the Sustainable Development Goal target of 40% reduction in number of stunted children under the age of 5 years is still to be achieved.[138] The top ten causes of death in 2019 in Kyrgyzstan can be seen in Table 1.[139]

Table 1. The ten top cause of death in Kyrgyzstan (2019)

Top 10 causes of deaths per 10000 of the population in 2019: Female	Top 10 causes of deaths per 10000 of the population in 2019: Male
Ischaemic heart disease	Ischaemic heart disease
Stroke	Stroke
Neonatal conditions	Cirrhosis of the liver
Cirrhosis of the liver	Neonatal conditions
Chronic obstructive pulmonary disease	Chronic obstructive pulmonary disease
Alzheimer disease and other dementias	Road injury
Cervix uteri cancer	Stomach cancer
Lower respiratory infections	Trachea, bronchus, lung cancers
Breast cancer	Lower respiratory infections
Congenital anomalies	Self-harm

Coverage of the health system across the country is believed to be high according to UNICEF, with government efforts in health care focused on child survival. A UNICEF report of 2021 said an estimated 99.8% of antenatal care had taken place in a health facility and 100% of births had taken place in a hospital or health centre with the support of a skilled birth attendant. Overall, children's health is thought to be gradually improving in terms of many measures, especially around infant health, but very serious issues remain across the age range as this snap-shot from UNICEF reveals,

[132] Please see: https://www.unicef.org/kyrgyzstan/children-migrants
[133] Please see: https://www.unicef.org/kyrgyzstan/children-migrants
[134] Please see: https://www.unicef.org/kyrgyzstan/children-migrants
[135] Please see: https://data.who.int/countries/417
[136] Please see: https://data.unicef.org/country/kgz/
[137] UNICEF Kyrgyzstan 2021a
[138] UNICEF Kyrgyzstan 2021a
[139] Please see: https://data.who.int/countries/417

> More children from mothers living with HIV are born HIV-free: the mother-to-child transmission rate has fallen from 13.3 per cent in 2011 to 2.9 per cent in 2013. In spite of this, the maternal mortality ratio remains high. Stunting, or chronic malnutrition, affects 21 per cent of children under five years in the rural and poorest areas, and 9 per cent in urban areas. Iron deficiency anaemia affects 43 per cent of children under five.[140]

Currently, mother and child health, nutrition and immunization policy falls under the jurisdiction of the Ministry of Health. A State Guarantee covers all primary and emergency care, which is provided free of charge at the point of use. However it is understood access to the district-level family medical centres requires certain residence and identity documents including at least a temporary residence permit and basic identification documents. This has been reported by OECD as posing a potential barrier 'to access for migrants who might lack such documentation.'[141] National hospitals serve all the population and do not require users to provide identification. Co-payments (cash contributions) are required for hospital treatment and specialist outpatient services. However there are also a large number of co-payment exemption categories which altogether cover around 50% of the population. A Mandatory Health Insurance Fund (MHIF), collected through payroll deductions, also plays an important role in reducing co-payments. However workers in the informal sector and the self-employed can in effect opt-out, thus losing such assistance when ill.[142]

Data on 'out-of-pocket' expenditure on health by households was collected in the OECD 2018 report which notes how such expenses for those who actually used health services, i.e., on costs borne by families which are not covered by the State and MHIF, can take around 25% of household income.[143] This report also noted research identifying a significant group of people with a health problem who did not pursue any treatment. This included 61% of people referred to hospital who did not in fact follow up on the referral but chose 'self-treatment' citing costs as a factor in their decision.[144]

A household study of 2015 published by OECD found 0.9% of the total population had a disability. Poverty was more prevalent amongst those households that included people with disabilities.[145] In 2014, whilst the average rate of households below the consumption poverty line was 21.9%, the rate was 26.9% of households with at least one member with a disability.[146] Gaining employment was a specific and significant challenge.

There was a 36.9% increase in the number of children who were registered as having a disability between 2005 and 2012 with figures rising from 18,519 to 25,346, respectively.[147] It is understood a further challenge for people with disabilities is the cost of health care. OECD, quoting figures from a

[140] Please see: https://www.unicef.org/kyrgyzstan/children-kyrgyzstan
[141] OECD 2018:116
[142] OECD 2018
[143] ibid.
[144] OECD 2018:118
[145] OECD 2018
[146] ibid.
[147] ibid.

2015 survey, found 5,080 people had borrowed money to pay for health care and 23,120 had had to use savings.[148] Although there are some social assistance allowances for people with disabilities, these are thought to vary in both amount and challenges in accessing them.[149] A new cash benefit for carers (including parents) of children with disabilities has been established in recent years, and is discussed later in this report.

Education

Pre-school enrolment has risen significantly in recent years, to around 25%, and it is concentrated in urban areas.[150] An OECD report suggests the sector has been gradually improving, and since 2013, the Ministry of Education and Science has made a major push in this area, involving privatisation, making Government buildings available for kindergartens, and opening new community services. Nevertheless coverage in rural areas has remained much lower than in cities.[151]

Kyrgyzstan has long had high rates of literacy, with statistics from 2018 revealing that 100 per cent of the adult population over 15 years old were literate.[152] School enrolment rates into primary and lower secondary are high. However, it was estimated that in the last decade, approximately 4,000 children each year do not start school, and the most significant group of out-of-school children are children with disabilities.[153] A need to adapt schools so that children with disabilities can attend has been acknowledged.[154] Furthermore, the quality of education is thought to be relatively poor. One national educational survey from 2017 showed that 65% of pupils were below basic levels in maths, and 51% were below basic levels in reading and comprehension.[155]

While enrolment in primary and lower secondary education is reportedly close to universal, it is substantially lower for upper secondary school, at around 53%.[156] In urban areas, upper secondary enrolment rose from 47% in 2009/10 to 59% in 2013/14 while enrolment in rural areas declined over the same period.[157]

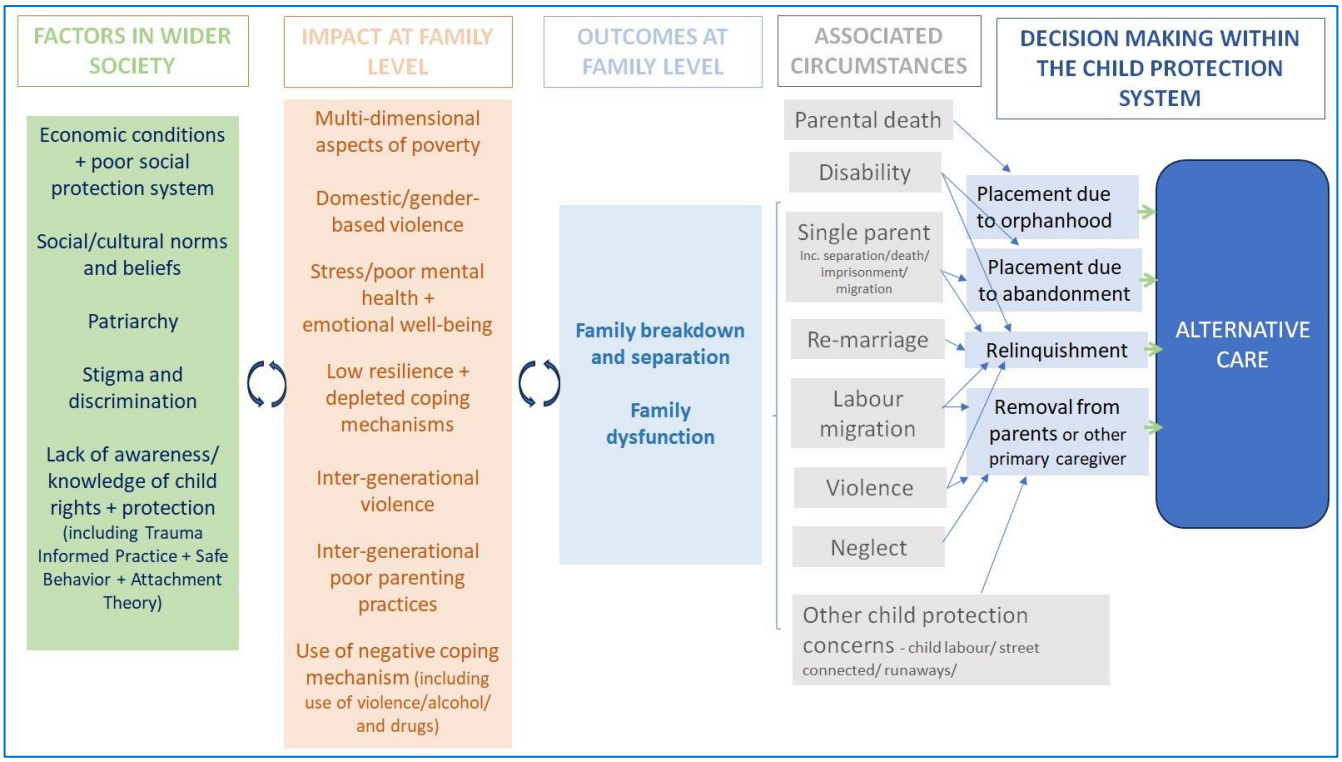
[148] ibid.
[149] ibid.
[150] ibid.
[151] OECD 2018:42
[152] Please see:https://www.macrotrends.net/countries/KGZ/kyrgyz-republic/literacy-rate
[153] UNICEF Kyrgyzstan 2021a
[154] OECD 2018
[155] UNICEF Kyrgyzstan 2021a:32
[156] OECD 2018
[157] OECD 2018

8. Research Findings

Our research had the primary aim of determining reasons children are placed in alternative care in Kyrgyzstan. Following an analysis of the research data, a strong correlation has been identified between all the information provided by the different participants: children, young people, family members, and professional key informants.

Overall our findings highlight two distinct influences related to placement of children in alternative care. The first is the impact of the wider society that families live in and how this influences outcomes and circumstances within a family that can subsequently lead to children being placed in alternative care (Figure 8). The second is the functioning of the national child protection system in which gatekeeping decisions are made.

Figure 8. Drivers associated with placement of children in alternative care



A brief summary of findings suggest placement in care is due to a number of factors including violence against children. UNICEF describe violence against children as taking many forms, 'including physical, sexual, and emotional abuse, and may involve neglect or deprivation.'[158] All respondents noted the violence children are experiencing and witnessing in Kyrgyzstan. Interviewees also spoke about living in a patriarchal society and of domestic and gender-based violence. If domestic violence does lead to the separation of parents, women in particular, can be left struggling to raise their children alone thus heightening the risk placing them in alternative care, and especially into institutions offering 'social care'. Family breakdown and marital/partner separation is also a cause of

[158] Please see: https://data.unicef.org/topic/child-protection/violence/

children being relinquished into care, especially when children are not accepted by new partners in instances of re-marriage.

A further and significant cause of placement in alternative care relates to issues of poverty. We observe how this is a contributing factor to many children being relinquished into residential institutions that offer 'social care' i.e. establishments that provide food, clothing, medical services etc. Furthermore, the pull of subsidised education in different types of 'boarding schools' is resulting in the use of residential institutions. Some parents truly believe the best place for their children is in a residential institution where they will be fed, clothed and educated etc. We believe however, there is a lack of awareness as to the detrimental impact of separation and lack of attachment and bonding such placements can bring.

Research findings also suggest a correlation between facing daily challenge as providing food, education, health care, paying bills etc. coupled with poor or not access to services and support, with stress and tension within households. As a result, ongoing challenges may exacerbate feelings of distress, anger, and for some, an inability to cope. A situation that can also escalate into family breakdown, dysfunction, and violence.

We have particularly noted how labour migration is an influencing factor in parent-child separation. Parents who migrate within and out of the country for purposes of finding work are particularly relying on the use of residential facilities for their children. Thousands of children are also being left behind in the informal alternative care of extended family, often grandparents. If this form of care then breaks down, children may ultimately be sent into formal residential care settings. Furthermore, children who accompany their parents in internal labour migration have also been shown to be placed at risk as for example, when they drop out of school or become involved in child labour.

Children are also living in alternative care because they have been abandoned or they are orphans. Children with disabilities are being placed in care when parents are unable, or do not want to, provide the care they need. Children are also being sent towards, or are placing themselves in, risky situations which then brings them to the attention of police and child protection services. For example, children who run away from home due to violence or family breakdown, and become street connected.

9. Circumstances at a family level that result in children being placed in alternative care

This section of the report provides a summary of the research findings in relation to circumstances within the family home that are leading to the placement of children in alternative care. This is followed by an exploration of some of the factors within wider society, including social, economic and cultural issues, that are directly and indirectly impacting the lives of families and contributing to family dysfunction, breakdown, and separation.

9.1. Orphans

For the purposes of our research, we define an orphan as someone whose both parents have died. However, in Kyrgyzstan the term 'orphan' is used interchangeably for children who have lost one or both parents and not just due to death but also for economic reasons. One interviewee referred to these children as 'social orphans' although others said that term is not officially used in Kyrgyzstan.

> *"For example, if you take statistics for example residential care if 50 children out of these 3 children are orphans and the rest are like social orphans."*

When asked about reasons children are placed in alternative care a small number of interviewees spoke of 'orphanages'. Some said they believe these institutions are only for true orphans i.e. children whose both parents have died, whilst others believe they also take in other children. For example, interviewees said,

> *"It means that other, not full orphans, are included also staying in these orphanages, they are included from children in difficult life situations. But the title is called for orphans and because of this funding is more because these are orphans.. "*

> *"I have studied many decisions of the court. Even were some cases when parents themselves applied to the court. Their parents put [them] in this schools for orphans.*

> *"Actually, we have three types of internats. The first type of internat for full orphans and they are enrolled in this internats based on the decision of the court for full orphans."*

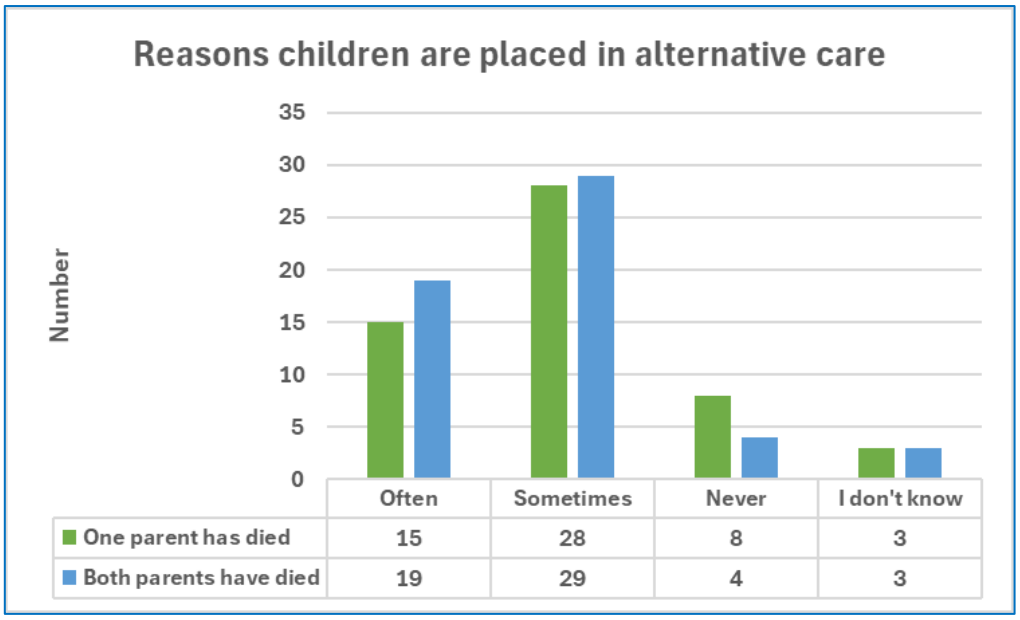
It has not been possible to find recent disaggregated data that would confirm the reasons children are placed in care, including those who are true orphans. Back in 2012 UNICEF did publish a report indicating 22% of all children in care were there because both parents had died and 6% because of the death of one parent.[159] However, according to the current UNICEF website,[160] of 11,000 children living in 117 residential institutions, 94% of children in residential institutions have at least one living parent. UNICEF does not provide the year in which this data was collected.

[159] UNICEF 2012.

[160] Please see: https://www.unicef.org/kyrgyzstan/keeping-families-together#:~:text=In%20Kyrgyzstan%2C%2094%20percent%20of,of%20children%20in%20the%20country

In our online survey, approximately 19 of 55 respondents think the death of both parents is a reason children are 'often' placed in alternative care and 29 believe this is a reason children are 'sometimes' placed in care (Figure 9). It is noted that a small number think death of one or both parents is 'never' a reason for placement and 3 'don't know'

Figure 9.Reasons children are placed in alternative care: death of a parent/s



9.2. Abandonment and relinquishment

For the purposes of this report, abandonment is a situation in which children are left anonymously in a 'public' or other place by persons unknown e.g., a baby is left in a park or in front of a hospital. It is clear that the terms abandonment and relinquishment are used interchangeably in Kyrgyzstan. For example, one interviewee spoke about children who are 'abandoned' but on closer examination it would appear they were speaking of children who are relinquished.

> *"But there are some cases, for example some parents bringing their children here, leaving and just going out. Abandoning them"*

> *"They have three main reasons; those that do not have care of parents, here I would like to give some explanation, it means those who were left without parental [care], those that the parents refused and abandoned their children.*

Due to this mixed use of definitions (also in some of the literature we sourced from Kyrgyzstan), it has often been difficult during our research to distinguish between children who have been abandoned and those who have been relinquished. Neither has it been possible to obtain accurate data on children who are abandoned, or relinquished, each year, or the number of children in alternative care attributed to these reasons.

One interviewee also spoke about children of Kyrgyz women who are abandoned (or relinquished) in countries they have migrated to for purposes of seeking work and how these children are then returned to Kyrgyzstan and placed in the alternative care of another family member.

> *"…for example this young lady is in another country, and she gives birth to this child and then abandons this child in the maternity hospital. They think that this child will be raised in some residential or institution care and they think it is ok they think. The attitude is that's she thinks that it is a good enough care. Yes, that the child will be taken care of. And these children are brought to Kyrgyzstan and of course the majority of these children are taken by their parents of these mothers."*

With regards relinquishment, we do believe parents are placing children in informal alternative care, as for example, informal kinship care, as well as formal care in State run residential institutions who accept children on the 'application by parents and relatives.'[161]

9.3. Violence against children

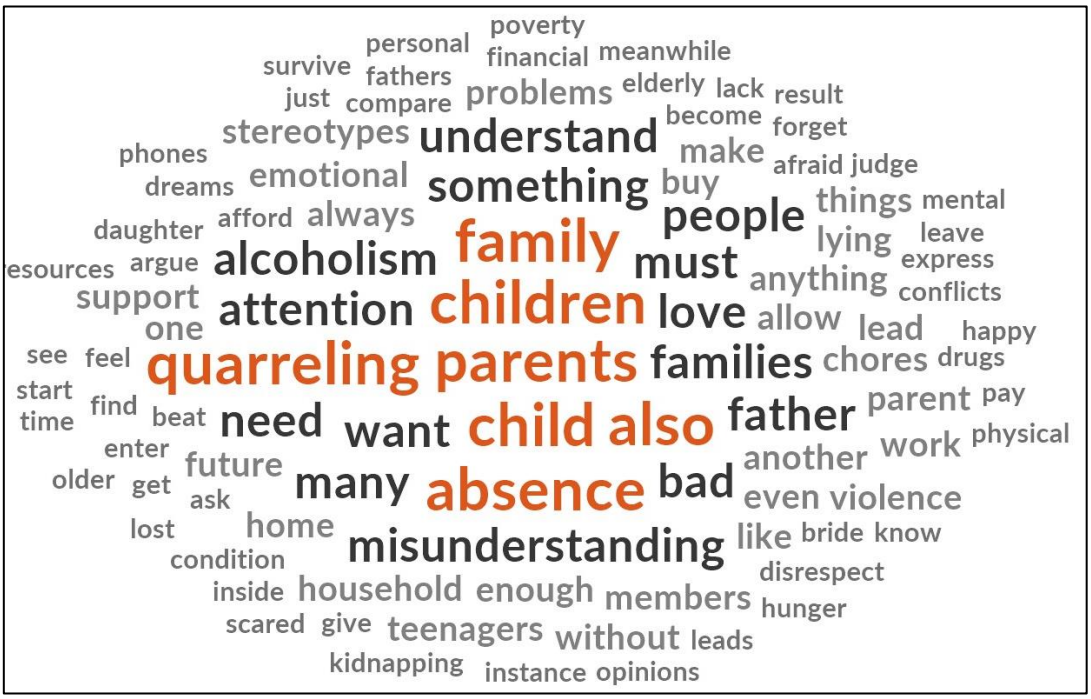
Violence is a driver related to children being placed into alternative care in Kyrgyzstan. Violence manifests itself in all forms of physical, sexual, and emotional harm inflicted on children as well as between parents and other adults in the family. Violence is an issue that can prompt involvement of the child protection authorities and a possible decision to move children into alternative care.

As seen in Figures 10 and 11, when children and young people answered the question, what makes children or young people unhappy or worried at home, words such as *'beating', 'arguments' 'quarrelling', 'being shouted at', 'bullying', 'hits', 'force',* and *'conflicts'* were used. This along with other words found in the figure below indicates there is conflict within families, physical violence, and issues related to emotional wellbeing. Sexual abuse was not explicitly mentioned in the written answers provided by children and young people (or adult family members). Two young people mentioned '*bride kidnapping'*.

[161] UNICEF 2012

Figure 10. Results of workshops with children: What makes children feel unhappy and worried when at home?

Figure 11. Results of workshops with young people: What makes young people feel unhappy and worried when at home?



Children and young people's answers include being both recipients and witnesses of violence. Instances of the words *'parents', 'father'* and *'mother'* mostly referred to emotional harm experienced by children and young people as well as witnessing fighting between parents.

There were almost twice as many answers provided by children related to violence than those from young people. Overall references to violence comprised approximately a third of all the answers provided by children. Below are some examples of responses relating to violence in the home provided by children and young people (Figure 12).

Figure 12. What makes children and young people worried or unhappy when they are at home (as answered by children and young people)

What makes children worried or unhappy when they are at home? (as answered by children)

violence
shouting
threatening
quarrelling
fighting
someone from my family hits me
arguments, pain
bullying
when mom beats
bad attitude
bad words
one of the parent scolds a child a child starts thinking that parents don't like him or her
quarrelling and misunderstanding between a child and a parent
rude words
parents do not love their children and scold them
parents shamelessly curse their children
mother cries when parents quarrel
when parents argue with each other
misunderstandings between parents,
there are scandals between parents they offend each other
when a mother and a father quarrel
conflicts in family

What makes young people worried or unhappy when they are at home? (as answered by young people)

emotional and physical violence from parents,
violence
bride kidnapping
quarrelling with parents
when parents beat, use drugs
a parent scolds a child because he had a fight
violence is very common, then children go to orphanages, they don't have parent love, then they can even forget about parents
a parent will have a bad attitude to her child and this leads to quarrelling and misunderstanding conflicts

children make mistake and parents started to scold their offspring
drug addiction
alcoholism
when parents quarrel
parents argue with each other which might lead to divorce which is very bad for their children
when the father leaves his family because he fell in love with another woman
when parents are high with alcoholism and drugs and beat their wives
alcoholism of parents
cheating

Conversely, when asked what makes children and young people happy when they are at home, the most frequently used words related to having parents that loved them and trusted them as well as protection, and respect. They wrote about, "*parents love children, protect them*," and *"people are not quarrelling".* Young people wrote, "*parents and children in a family must protect each other*" and, "partners *love each other and support".*

Figure 13 contains some of the answers provided by children and young people when asked 'what makes adults in the family feel worried or unhappy when they are at home?'

Figure 13. What makes adults in the family feel worried or unhappy when they are at home (as answered by children and young people)

What makes adults in the family feel worried or unhappy when they are at home? (as answered by children and young people)
the father is 50 years old, and he can rape his daughter who is 2 years old
financial, physical, emotional violence
when they quarrel
crisis in relationship
conflicts between partners
when my parents are fighting with each other
no love
a father comes home being drunk he can start beating not only his wife but also children, even if he was in a bad mood at work or had quarrelling
alcoholism
drug addiction
gambling
when there are car accidents because the father driver was drunk
different religious views - father practices Islam and he will force his wife to do as well dark past
suicide
lose to the opposite gender for instance husband is no more interested in his wife
past mistakes - when one of the partners had a marriage or committed a crime
jealousy
in most families they have cheating

divorce makes parents unhappy
misunderstandings between parents lead to divorces parents get married they don't understand each other
when they divorce and destroy family and children end up in orphanages
lack of sex
manipulation often husband
misunderstanding - one listens but does not want to change or act as partner wishes
quarrelling with partners and children
when parents impose their own opinion to each other
overthinking leads to unnecessary jealous and over control of partner
jealous, because of jealous partners do not understand each other, they stop listening to each other
there are a lot of scandals and conflict in the family
when parents are mocking between themselves

From these results it is apparent that not only are children and young people witnessing violence in the home, but they are very aware of the impact violence is having on relationships within the family. Children and young people also wrote about issues related to poverty, emotional distress and other concerns and these are discussed in another section of this chapter.

Figure 14 depicts information shared by adult family members when asked, 'what makes families unhappy or worried when they are at home'. The word *'violence'* is particularly dominant. In addition, adult family members wrote about issues related to poverty and other concerns that discussed later in this report.

Figure 14. What makes families worried or unhappy when they are at home (as answered by adult family members)

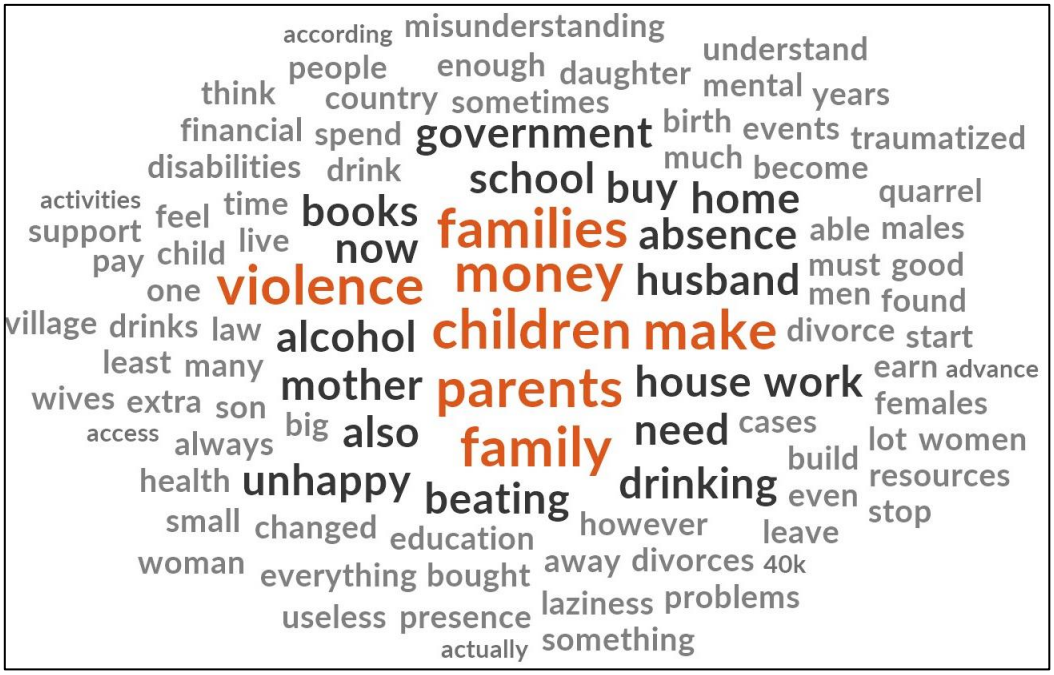


Figure 15 provides some of the words written by adult family members when asked, 'what makes families worried or unhappy when they are at home' that specifically relate to violence and abusive behaviour. This information includes both written answers and information from discussion amongst groups of participants.

Figure 15. What makes families worried or unhappy when they are at home (as answered by adult family members)

What makes families worried or unhappy when they are at home? (as answered by adult family members)
physical violence *financial violence* *presence of violence* *psychological traumas* *we need to stop this violence*
we need to improve the situation, at least the next generation can see all the problems in a family and rethink and stop the violence
a lot of things depend on the mother, because females spend more time with children than males. however sometimes I scold my offspring, then I feel sorry about that
there are many cases when men beat their wives, and all men do this. when we are having dinner, we quarrel but we are afraid to fight in the presence of children. If a husband is beating me, it would be a negative side on a child's mental health.
our ancestors say that beating women is okay. We are a mirror to our children. we need to stop this violence. we need to improve the situation, at least the next generation can see all the problems in a family and rethink and stop the violence.
we are divorcing now, and it is nothing to us. however, children are getting very much traumatized
sometimes it is not alcohol, for 5 years my husband was beating me. My parents bought me a house, and now my husband has changed. I think the birth of a daughter helped my husband to change

In contrast, the words most frequently used in relation to what makes families happy when they are at home, as told by adults, related to love, respect, harmony, patience, honesty, and understanding. Participants wrote about *"no quarreling", "no fighting", "*and *"prohibition of drinking alcohol".*

When asked why children are placed in alternative care, some interviewees cited violence, or the risk to possible violence, as a reason.

> *"Yes, it can be the reasons, if there is violence at home then the child can be admitted into the residential care institution."*

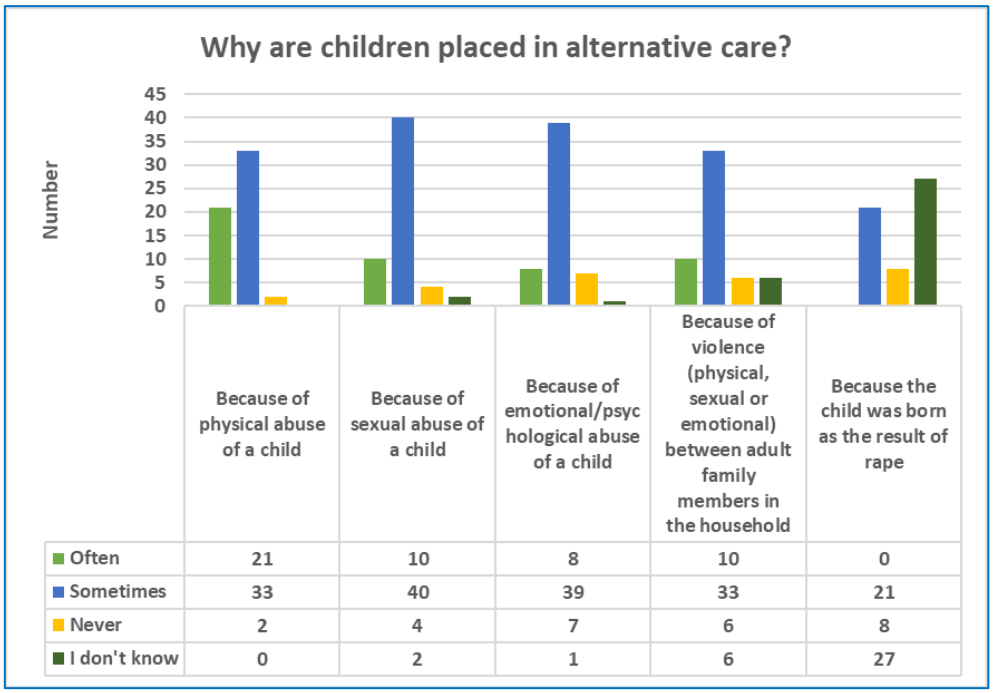
"…and then sometimes when there is physical or other types of violence at home we have what we call temporary residential centres and we place for certain periods of time."

"One of the reasons as according to my mind that children are at risk. Because a mother is drinking alcohol, she does not take good care of her children her children are hungry they do not eat a proper meal. Or something it can be family or domestic violence."

"But now children are removed only in the cases where there is a threat for the child, child protection cases, like violence, abuse. Removal of children usually happens in social where families in difficult life situations, like addiction families like alcohol drugs etc."

In an online survey disseminated for our research, respondents were asked about reasons children are separated from parents and placed in alternative care in Kyrgyzstan. In relation to different forms of violence, physical abuse of children received the highest ranking as a reason children are 'often' placed in care (21 of 56 respondents who answered this question) (Figure 16). It is noted that a number of respondents answered 'I don't know' to several questions and most particularly if placement in care is due to being born as the result of rape.

Figure 16. Reasons children are placed in alternative care



	Because of physical abuse of a child	Because of sexual abuse of a child	Because of emotional/psychological abuse of a child	Because of violence (physical, sexual or emotional) between adult family members in the household	Because the child was born as the result of rape
Often	21	10	8	10	0
Sometimes	33	40	39	33	21
Never	2	4	7	6	8
I don't know	0	2	1	6	27

The most recent published Multiple Indicator Cluster Surveys (MICS) was carried out by the National Statistical Committee of Kyrgyzstan in 2018.[162] Findings show 70% of children covered by the survey had experienced psychological aggression, 47.5%, has been exposed to physical punishment, and 5.4% had experienced severe physical punishment.[163] Furthermore, almost three quarters of children (74.3%) had experienced violent methods of discipline. The *Situation of Children Report,*[164] drawing on information from the General Prosecutor's Office from 2019, reported the following data about crimes of violence against children,

> In relation to cases of children experiencing violent methods of discipline, the first five months of 2019, saw 1,103 cases, an increase of 70.4 per cent over the same period in 2018 (647). In 2018 only about 50 per cent of the cases of offences committed against children that were heard in court resulted in convictions, indicating prominent levels of impunity for crimes against children. [165]

According to a study on violence against children published by the Office of the Ombudsman of the Kyrgyz Republic, in 43% of cases, violent acts were most often committed by family members and relatives of the child, with whom the child was accommodated[166].

Children and young people (and adult family members) who participated in our research workshops made very little mention of sexual violence against children. However, this form of abuse was raised by some interviewees when asked about reasons children were placed in alternative care.

> *"It is not only domestic violence but also raping of children, suicide and early marriage".*

There are also published accounts of sexual abuse against children. For example, the UNICEF Kyrgyzstan website states that 'Sexual violence is a major cause of concern for children in Kyrgyzstan. Children are often lacking protection. If they have concerns or complaints, there are no procedures or places to give voice to them.'[167] UNICEF also recognises that the 'growing number of reported cases of sexual abuse of children requires urgent attention.'[168]

In June 2020 the UNICEF Office Kyrgyzstan replied to questions that had been posed by the Questions by the Special Rapporteur on the Sale and Sexual Exploitation of Children. [169] Replies included the following statement:

[162] National Statistical Committee, United Nations Children's Fund in the Kyrgyz Republic, and United Nations Population Fund 2018
[163] UNICEF Kyrgyzstan 2021a
[164] UNICEF Kyrgyzstan 2021a:38
[165] UNICEF Kyrgyzstan 2021a:38
[166] Please see: https://cabar.asia/en/kyrgyzstan-how-to-resolve-issues-of-violence-against-children-of-migrant-workers#_ftn7
[167] Please see: https://www.unicef.org/kyrgyzstan/child-protection#:~:text=Sexual%20violence%20is%20a%20major,to%20give%20voice%20to%20them.
[168] Please see: https://www.unicef.org/kyrgyzstan/ending-violence-against-children
[169] Please see: https://www.ohchr.org/sites/default/files/UNICEF_Kyrgyzstan.docx

Sexual violence against children is a sensitive issue in Kyrgyzstan. Thousands of girls suffer from gender-based violence, child marriage and the practice of "bride kidnapping", meaning forcing of girls into marriage. Taboos and culture of covering up problems of sexual violence, combined with inadequate mechanisms to identify, detect and protect children who are victims of such violence; the inaction - or complicity - of law enforcement agencies; the lack of direct complaint and protection mechanisms for child victims, all leads to the deprivation of the right of a child to protection. Indeed, as the statistics show, very few cases of such violence are reported.

9.4. Emotional and psychological violence and neglect

The World Health Organization (WHO) defines emotional or psychological violence' as including, 'restricting a child's movements, denigration, ridicule, threats and intimidation, discrimination, rejection and other non-physical forms of hostile treatment.'[170] Emotional abuse can have a negative impact on feelings sense of self-worth and emotional well-being as well as other life-long effects.[171]

During our research, in answer to the question, what makes children and young people unhappy or worried at home, answers indicated their emotional well-being and/or sense of self-worth is being affected. This includes parents not treating their children equally and/or comparing them to other children. This makes children feel discriminated against, and as one young person wrote, *'parents divide their children into favourite and unwanted ones'.* Another wrote, *'children feel that they are burden for parents'* and feelings such as those of *'rejection'*, '*humiliation*', '*misunderstanding*' were described. Some wrote about not being listened to, not being able to talk to their parents, and lacking any opportunity to express how they are feeling. Some of the answers provided by children and young people can be found in Figure 17.

Figure 17. What makes children and young people worried or unhappy when they are at home (as answered by children and young people)

What makes children worried or unhappy when they are at home? (as answered by children)
parents don't love them
humiliation
do not say any kind words
disrespect
parents do not pay attention to children
parents do not listen to children
parents do not understand children
misunderstandings
parents do not pay attention to their children
when parents compare their children to other children
parents compare their children, and scold for futile reasons

[170] Please see: https://www.who.int/news-room/fact-sheets/detail/violence-against-children

[171] SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022

if parents do not stand up for you
when promise something and don't do it
mom left her own child
rejection
parents leave their own families to find job opportunities
if parents do not let you do anything
parents do not permit to go with them somewhere

What makes young people worried or unhappy when they are at home? (as answered by young people)

when parents destroy children's dreams
absence of emotional connection between parents and children
parents are getting far emotionally from children, and children become lost and do not know anything.
children do not like when parents cannot understand them when they do not like to be hugged or kissed
parents divide their children into favourite and unwanted ones
when parents love one child more than another one
parents judge and compare their children with others
when you are being compared to other children
parents are embarrassed about the existence of their children
when parents do not pay any attention to their children
even though children try to make their parents happy they do not pay attention to it
children feel that they are burden for parents
there is no trust
misunderstandings
lack of trust ruins a child
disrespect
unhappiness
untruthfulness
you feel the pressure that you must always do something
can rudely say something to their children without any particular reason
misunderstanding of parents when they don't want to listen
parents could understand children because they were also children but they do not
children are afraid not to be listened to meanwhile parents are surprised why children cannot reveal their inner self
parents do not allow their children to express their opinions
children lie because they are scared to disappoint
parents do not see their small success as something worthy
fathers leave their families
many parents do not devote much time to their children

parents are also traumatized and they also raise their children as their parents were raised themselves
elderly son sees everything and he does not want to grow up
there are cases, when father don't give enough attention to his daughter, in the future most probably girl will try to find father's love to compensate that absence of love
parents waste money to buy alcohol drinks instead of contributing to family's growth, as the result children can leave their own families
feeling alone

Conversely, when asked what makes children and young people happy, they wrote about the importance of '*love', 'care', 'mutual understanding' 'stability'* and *'harmony'* in the home. They don't want to witness quarrels and fighting in the house and they would like parents to have good relationships between themselves and with their children. They indicated children and young people feel happy when parents take notice of them and give them attention and support. These answers signify the importance children and young people place on closeness and good caring relationships between themselves and their parents. Many wrote about the importance of spending time together as a family and one child wrote, *'when parents are near, this is the only thing a child needs'*. Children in particular, provided answers relating to material things, recreational pursuits, and friends.

Only one interviewee explicitly mentioned emotional violence,

"Because alcoholics there is a psychological and sometimes physical violation…"

In 2010, research conducted by UNICEF found that, of 155 parents surveyed, 78.1% had used harsh verbal abuse to discipline their children for doing something wrong, disobeying, or making them angry[172]. More specifically, 74.8% of parents reported shouting, yelling or screaming at their children for doing something wrong, disobeying or making them angry and 46.5% reported swearing at, cursing and calling their children derogatory names. Furthermore, 11.0% of parents told their children they didn't want them anymore and threatened to throw them out of the house or send them away.[173] According to the 2018 MICs, of the children surveyed, 70% had experienced psychological aggression.[174]

In summary, being victims or witnesses of different forms of violence creates the possibility that children will become separated from parents and placed in alternative care. It is also important to note how such adverse childhood experiences (ACEs),[175] can have a serious and long lasting impact on a child's mental health and well-being[176] as well as contributing to their use of harmful behaviour throughout their lifetime.[177] As recognised by UNICEF in Kyrgyzstan, 'violence, has a devastating

[172] UNICEF 2010
[173] ibid.
[174] National Statistical Committee, United Nations Children's Fund in the Kyrgyz Republic, and United Nations Population Fund 2018
[175] SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022
[176] Kim et al, 2022
[177] Asmundson and Afifi 2019; Dube et al. 2001; Dube et al. 2002; Felitti et al. 1998; Kim et al. 2022; Moylan et al. 2010; Tarabah et al. 2015

impact on children. In addition to the immediate risks to their lives and physical health, violence threatens children's emotional well-being and their future prospects.'[178]

This is an issue that is well documented within the literature on ACEs.[179] Dong et al. describe ACEs as a 'complex set of highly interrelated experiences that may include childhood abuse or neglect, parental alcohol and drug abuse, domestic violence, parental marital discord, and crime in the home.'[180] Moore and Ramirez wrote of a 'growing body of research'[181] indicating how ACEs described as 'negative experiences'[182] during childhood and adolescence that include psychological, physical or sexual abuse; living in poverty; violence in the home; living with a substance abuser; living with a mentally ill or suicidal person; or living with someone who is or has been imprisoned' can result in life-long negative behaviours. Kim et al. explain how systematic 'reviews suggest negative consequences associated with ACEs throughout the life course that include mental illness, chronic disease, substance use, violence, and self-destructive behaviors.'[183] This is coupled with the recognition that learned 'observation, learning and imitation'[184] of adults, and/or being a recipient of violence, physical neglect, lack of love and affection, can lead to the repeating of such behaviour.[185] Writing about children exposed to violence, Tarabah et al. explain how this can increase the possibility of them 'imitating the aggressive behaviours they watch and considering such behaviour as normal.'[186] Their research goes on to define negative outcomes as a result of exposure to violence including, 'a variety of negative emotional and behavioural reactions, including fear, anger, anxiety, depression, PTS symptoms, aggressive behaviours, and substance abuse.'[187]

This information contributes to an understanding of how experience of ACEs can impact adult life including their ability to parent well and the factors of family dysfunction and violence in the home which then may continue from generation to generation[188]. All situations contributing to the continuance of children being placed in alternative care.

9.5. Disability

Disability is a reason children are placed in alternative care in Kyrgyzstan. UNICEF says 'there is an active practice of sending children with disabilities to special boarding institutions'[189] based on a child's physical/medical condition and decided by medical commissions. Kyrgyzstan reportedly has more children with disabilities in residential care than any other country in Central Asia.[190] According to UNICEF, in 2020, of a total of 10,868 children in residential institutions, 2,485 were children with disabilities.[191]

[178] Please see: https://www.unicef.org/kyrgyzstan/ending-violence-against-children
[179] Asmundson and Afifi 2019; Dube et al. 2001; Dube et al. 2002; Felitti et al. 1998; Kim et al. 2022; Moylan et al. 2010
[180] Dong et al. 2004
[181] Moore and Ramirez 2016:300
[182] ibid.
[183] Kim et al. 2022:338
[184] Contreras and del Carmen Cano 2016:44
[185] Contreras and del Carmen Cano 2016; Bevan & Higgins 2002
[186] Tarabah et al. 2015
[187] Tarabah et al. 2015:3018
[188] Felitti et al. 1998
[189] UNICEF Kyrgyzstan 2021a:49
[190] UNICEF 2021b
[191] ibid.

Some interviewees spoke at length about children with disabilities and alternative care,

> *"As for the children with disabilities actually the system only provides institutions taking care of children with disabilities. I cannot say that there are many children with disabilities but they do exist in such type of institutions. Therefore, currently they are introducing such a form like a temporary short-term stay. We call it like transition."*
>
> *The third category is children with disabilities, for example some educational facilities maybe just be for blind, maybe problems with hearing or speaking problems etc. psychological medical committee."*
>
> *"…we have some cases for example for mental disability or maybe problem with speaking and they are in this institution for many years."*
>
> *"…because maybe some mothers would like to relinquish from their children with disabilities."*
>
> *"We have the so-called pathological medical commission, and they make the decision. Medical specialist they make a diagnosis for the children, and they make some recommendations and then they refer to the Ministry of Education. And the Ministry of Education looking for some internat or where to refer this child but it is wrong."*

One interviewee with extensive knowledge on the subject spoke about the different forms of alternative care in 'internats' in Kyrgyzstan including the special residential institutions children with disabilities are placed in,

> *The first type of internat for full orphans and they are enrolled in this internats based on the decision of the court for full orphans. Also, there are the [children in difficult life situations] also. The second type of internat, is internat for children with disability, with different types of disabilities. It is a specialist supportive school. The third type is general education boarding school or internat for talented children.*

The interviewee went on to explain that placement in internats for children with disabilities was not governed by the child protection system which requires authorisation by the Courts following receipt of a report from the Commission on Child Affairs. For children with physical disabilities she said there was a very *'old-fashioned'* system based on a medical diagnosis, rather than on any *'need'* for residential education. It was explained that in this process, if a doctor gave their child a diagnosis, such as cerebral palsy for example, during their early years then the parents could take this to the education authorities who would place the child in one of the residential institutions for children with disabilities. We were told there are also a small number of internats based on specific disabilities, including those for blind and deaf children.

It is recognised that parents and children with disabilities in Kyrgyzstan continue to face numerous challenges including societal attitudes, of both professionals and members of the public that generate a great deal of stigma around the issue of disability. According to UNICEF, 'health care professionals still tend to relate to persons with disabilities as bearers of a disease. Parents of children with a disability have reported being pressured by their own families to not apply for social welfare assistance due to the stigma associated with having a child with a disability.[192]
A 2021 UNICEF report speaks of an overall lack of information related to the participation of children with disabilities in, and completion of, education.[193] This is due to the omission of children with disabilities in general education data because they are primarily being placed in the segregated settings of 'special schools'. A Human Rights Watch submission to the UN Committee on the Rights of the Child illustrated the pressures on parents of children with disabilities when facing the negative attitudes of school staff and members of the community. Children with disabilities are not wanted in their locals school and parents are encouraged to place them in special residential institutions. In 2020, Human Rights Watch wrote about the way,

> 'some parents of children with disabilities felt compelled to place their child in a residential institution, above all due to barriers to education in mainstream schools in their communities. Parents described discrimination on the part of school officials who refused to enrol their children on the basis of the disability. They also described how schools are often physically inaccessible and may fail to provide an individualized approach or reasonable accommodations to students with disabilities. Approximately 3,000 children with disabilities in Kyrgyzstan are segregated in residential institutions or special schools where they face neglect, discrimination, and segregation from their communities. [194]

A 2021 UNICEF study also said negative attitudes of professionals towards children with disabilities was one of the most cited reasons for their being out of school.[195] This is compounded by lack of specialist skills and resources that would guarantee their participation in inclusive education in their local community.[196]

9.6. The use of alcohol and drugs

Parent's use of alcohol and drugs can result in children's placement in alternative care. Alcohol addiction was identified by interviewees as a significant social problem across Kyrgyzstan. The children, young people and adult family members who participated in our research workshops also commented on the impact of alcoholism on family life, and in particular the connection between drunkenness and violence.

[192] UNICEF Kyrgyzstan 2021a:52
[193] UNICEF 2021b
[194] See https://www.hrw.org/news/2022/12/12/kyrgyzstan-submission-un-committee-rights-child
[195] UNICEF 2021b
[196] UNICEF 2021b

Figure 18 illustrates answers provided by children and young people in relation to alcohol and drugs. Their many specific comments on this topic suggest this is a problem affecting family life and of their awareness as to the harm it can cause.

Figure 18. What makes adults in the family feel worried or unhappy when they are at home (as answered by children and young people

What makes adults in the family feel worried or unhappy when they are at home? (as answered by children and young people)
alcoholic addiction
drug addiction
when their husband drinks this is not fantasy
drugs are also bad because then you can do bad things you even can kill someone when parents can argue with parents and then be sad about it
when a father comes home being drunk he can start beating not only his wife but also children, even if he was in a bad mood at work or had quarrelling
when parents are high with alcohol and drugs and beat their wives. Drugs are also bad because then you can do bad things you even can kill someone
when there are car accidents because the father driver was drunk
bad habits or addiction of children

Participants in the adult family workshops also referred to alcohol and drugs when asked what makes families unhappy or worried when they are in the home. In some instances they link the use of alcohol to the manifestation of violence (Figure 19).

Figure 19. What makes families worried of unhappy when they are at home (as answered by adult family members)

What makes families worried or unhappy when they are at home? (as answered by adult family members)
when parents drink in a family, and children will be traumatized, children might also start drinking [if] looking at their parents
all men drink alcohol and start beating their wives
in this village there are many families that drink, even though they are religious
it seems like drinking families have become more common now
there was a case when my sister was drinking too much, and her children were taken away from home

When interviewees were asked about the reasons children might be at risk of placement in alternative care they frequently referred to issues related to alcohol and drugs,

> *"Removal of children usually happens in social where families in difficult life situations, like addiction families like alcohol drugs etc."*

"…because of law enforcement agencies and the social protection department…for example they visit such kind of children on the ground, they say that the parents are drunk or they are alcoholics, and maybe there is a situation where children are at risk for their life. And this transit department, a child is placed for maybe 3 days or 1 week, and once a week the commission on children affairs they will make a decision [about whether to return the child to parents or not]."

"But out of these children's parents, from time to time they have some kind of immoral behavioural, maybe they drink alcohol or drug addiction etc. It means when the parents for example are in alcohol situation then that at period of time the children are removed, and they stay in a residential home for somewhere for a short period of time."

"…for example a parent had anti-social behaviour, they were alcoholics or whatever, and there were deprived of the right of the child, and this child was taken into residential care."

"For example, a family who are drinking alcohol and the children are in bad situation, the parents do not care for the children. And for example we have taken this child and placed in residential care and we give the time for her to improve her behaviour. And after a certain time of period we return the child back to this family, but again she starts drinking alcohol. And during this period she gives birth to another child. Maybe three or four children and again and again this is repeated, That is why sometimes it is better to place the child in residential care because they don't have violence, they have 4 meals per day, they have some clothes, it depends."

Interviewees also spoke about the connection between addiction and violence,

"Because alcoholics, there is a psychological and sometimes physical violation. And sometimes they take the knifes and taking their children. Because alcoholism is a disease. Especially it is very bad for women. For example, a mother is an alcoholic and we are taking out a child temporary for residential care."

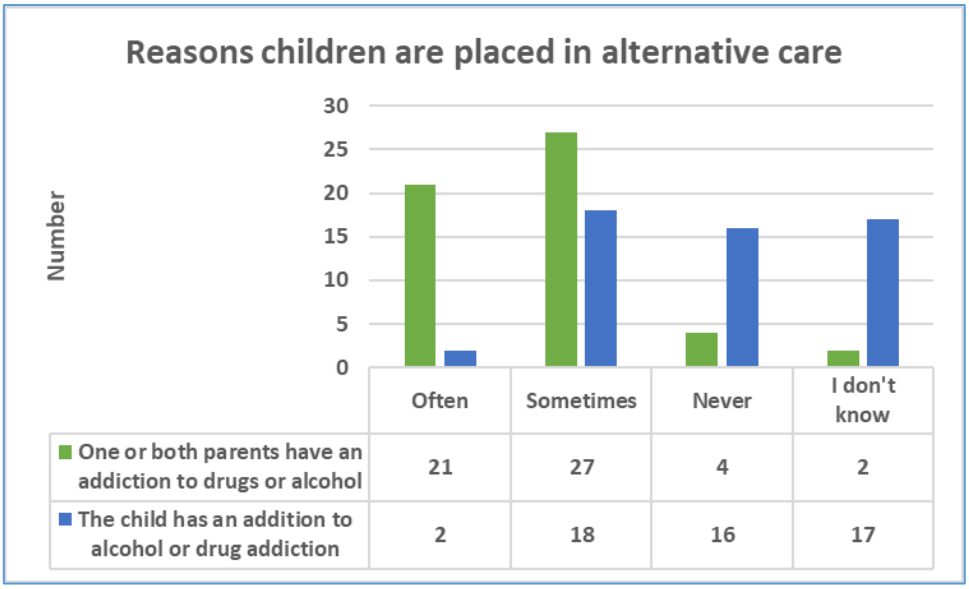
"This lady tried to commit suicide and she was drinking a lot of alcohol and after this she died because of the problems she could not stand it. And you know she was so much stressed that she was physically violating her children."

"For example the husband does not have enough earnings or maybe does not employments and then he starts drinking alcohol and they are losing some apartments. They should pay for this apartment, and they have no money and then they are fighting to each other because of the problems and then divorce."

"Marijuana it is also for young people here. It starts with marijuana, and it gets deeper and deeper and we have boarding with different countries there is a like kind of way to get into the cocaine and to sell cocaine so there is access to opium and cocaine. And actually, they get crazy on that and for example drug and alcohol in one region because they are very close to the borders…That is the most cases because why children and women are abused sexually and physically because of this drug and alcohol."

When respondents to the online survey were asked about the reasons children are at risk of placement in care, almost half (21 of 54) said one or both parents having an addition to drugs or alcohol was 'often' a reason (Figure 20).

Figure 20. Reasons children being placed in alternative care



Alcohol is openly on sale and widely accessible, with vodka being particularly cheap.[197] Research published by the World Health Organisation illustrated Kyrgyzstan as having the second highest levels of alcohol consumption of the five ex-Soviet, central Asian republics, only behind Kazakhstan.[198] There has also been a growing problem of illegal substance abuse, with drug taking and drug trafficking widely acknowledged. The Health Ministry considers that problem drug use includes 'the injecting of drugs (opiates) or the long-term and regular use of opiates.'[199] A report from 2011 suggested that there were between 20-30,000 injecting drug users in the country. However the Government Anti-Drug Programme report from 2014, suggested that the real figure was 3.5 times that amount, based on data from the UNODC.[200] With much of the world's production coming from nearby Afghanistan, Kyrgyzstan is a transit country for drug trafficking largely focussed on the Russian Federation.[201] In addition, cannabis grows easily in many parts of the country and though illegal, it is a tempting cash crop for local farmers.

[197] Please see: https://24.kg/english/274225_Cabinet_of_Ministers_proposes_to_introduce_state_regulation_of_vodka_prices/
[198] Please see: https://apps.who.int/gho/data/node.main-euro.A1041?lang=en&showonly=GISAH
[199] Please see: https://www.emcdda.europa.eu/publications/country-overviews/kg_en
[200] See https://www.unodc.org/documents/centralasia/prodocs/Anti-drug_program_ENG.pdf p.5
[201] ibid.

Government sensitivity to changing social attitudes regarding alcohol consumption can be reportedly seen in a number of recent developments. In 2021 the Ministry of Health launched an Anti-Alcohol Programme with the responsible Head of the Department noting how 'the consumption and misuse of alcohol is the most important social problem and the problem of maintaining the health of the nation.'[202] In 2023, a news website reported on a Government proposal to introduce price regulation on the sale of vodka.[203] The article also noted official statistics indicating only one-third of all spirits consumed are legally produced and distributed thus suggesting a significant illicit industry of production and supply.

Reports also suggest the Government has been trying to address concerns relating to drug misuse in Kyrgyzstan as identified through the passing of anti-drug laws and establishment of a State Drug Control Service.[204]. There are particular concerns about the use of alcohol and drugs starting during childhood. In 2021, UNICEF noted a 'prevalence of substance abuse, including opioid, cocaine, amphetamine, cannabis'[205] amongst adolescents. According to a 2022 report on health of school children in Kyrgyzstan, approximately 10 % of adolescents had tried alcohol at least once.[206] Weekly alcohol use was more common among boys. In the 30 days prior to the study, of the young people who took part, 1.6% of boys and 0.5% of girls has used cannabis.[207]

9.7. Divorce/separation and re-marriage/new partnerships

Interviewees suggest factors that include domestic violence, and lack of strong united relationships within the family is contributing to breakdown of marriages/partnerships which can ultimately result in separation and divorce. This is a situation that can result in children being placed in care, especially when either the birth parent, or the step-parent, do not want children from a previous relationship when remarrying or moving in with a new family. Informants also noted how children are at risk of losing parental care when marital breakdown leads to custody battles resulting in activation of the courts to child protection referrals and placement into care.

When respondents to the online survey were asked about reasons children are placed in alternative care, almost half (33 of 58) of all respondents thought this was 'sometimes' the result of a parent having a new partner who does not want the child/children from a previous relationship and 9 thought this happened 'often'.

[202] Please see: https://24.kg/english/211093_Kyrgyzstan_launches_Anti-Alcohol_Program_/#:~:text=For%20the%20first%20time%2C%20the,strong%20alcohol%20addiction%20come%20there.
[203] Please see: https://24.kg/english/274225_Cabinet_of_Ministers_proposes_to_introduce_state_regulation_of_vodka_prices/
[204] Government of the Kyrgyz Republic 2014
[205] UNICEF 2021:23
[206] HBSC, WHO and UNICEF 2022
[207] HBSC, WHO and UNICEF 2022

10. Additional protection concerns that may place a child at risk of placement in care

As a consequence of circumstances in the home, for example the result of inadequate parental care and protection, children can find themselves in situations that place them at risk of placement in alternative care when also outside the home environment. Below are some of the concerns raised by interviewees as well as children, young people and adult family members during research workshops. Information has also been triangulated with data collated from desk reviews and the online survey. Without recent and reliable published data on children in alternative care it has been not possible however, to report to what degree placement is the result of each circumstance described below.

Child labour

Research participants did not refer to the issue of child labour as a reason children are placed in alternative care nor by. However, as noted later in this report, there are particular concerns of children who move with parents within the country for purposes of seeking work and then actively become engaged in labour alongside them. Interviewees suggested that these children are at risk of being placed in residential care by parents whilst they leave for work and/or because they want better conditions for their children. They may also be placed in alternative care by child protection authorities that identify them as vulnerable.

Furthermore, information gathered during the desk review revealed the vulnerability of children affected by child labour. In an article published on the website of the Central Asian Bureau for Analytical Reporting[208] that said,

> Monitoring conducted as part of the identification of child labor in the Dordoi market[209] showed that mainly children of both external and internal migrants work on the market. The age of children ranged from 5 to 14 years. Children of internal migrants experience the same problems as children of external migrants – lack of parental control, lack of access to education, medical care, and exposure to labor exploitation.[210]

A 2021 situation analysis of children in Kyrgyzstan published by UNICEF showed 27% of children were engaged in child labour across the country with rates in rural districts twice those in the cities.[211] Approximately 12% of children aged 5 to 17 years were engaged in hazardous labour including in commercial sexual exploitation.[212] Furthermore, as noted in education surveys in Kyrgyzstan, children's engagement in labour is resulting in some girls in rural areas leaving education early. [213]

[208] Please see: https://cabar.asia/en/kyrgyzstan-how-to-resolve-issues-of-violence-against-children-of-migrant-workers
[209] The Dordoi Bazaar is a huge retail and wholesale market. It is a major centre of shopping and informal employment.
[210] Arzymatova, A. (2019) Kyrgyzstan: How to Resolve Issues of Violence Against Children of Migrant Workers? https://cabar.asia/en/kyrgyzstan-how-to-resolve-issues-of-violence-against-children-of-migrant-workers
[211] UNICEF Kyrgyzstan 2021a
[212] ibid.
[213] See section on Education in https://www.ohchr.org/en/statements-and-speeches/2022/04/end-mission-statement-working-group-discrimination-against-women

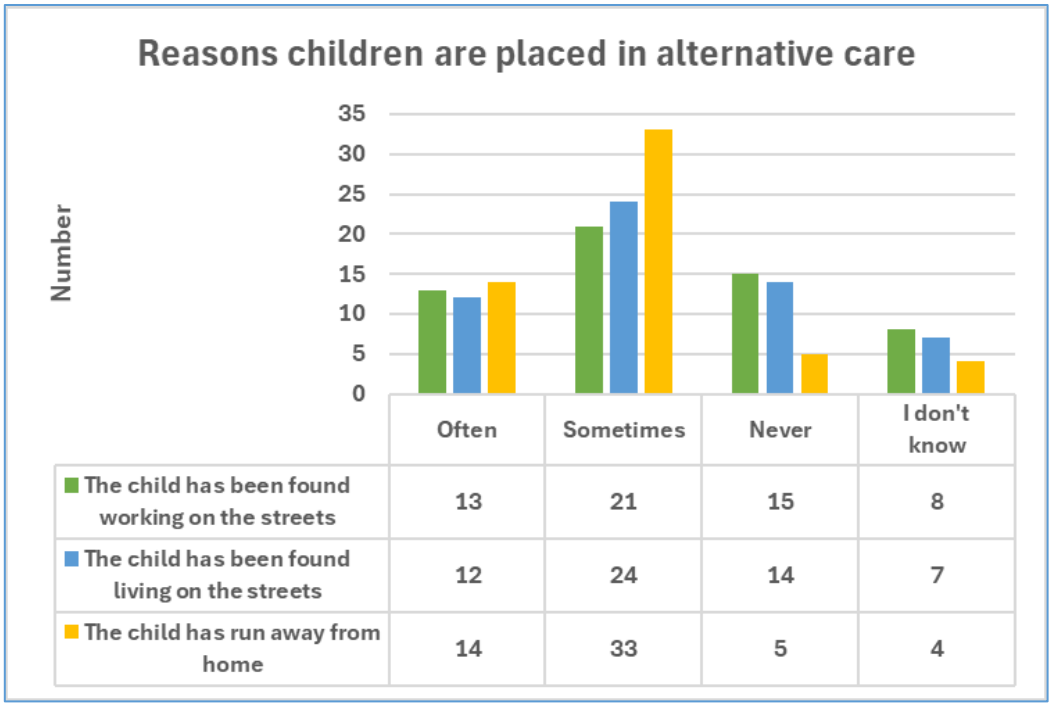
This includes leaving as soon as they can to work abroad, while others are working in their home or on the family farm. An article from a news agency reported that,

> Compulsory secondary education is characterized by a high level of non-attendance. Usually boys drop out because of the need to work, and girls drop out because of early marriages…It stems from several factors, including the need to work, a dysfunctional family, and a difficult financial situation.[214]

Street connected children

The literature suggests street connected children, including those living and working on the streets, face an increased risk of violence and therefore, may come to the attention of the police and child protection authorities concerned for their safety and welfare. Furthermore, respondents to the online survey for our research, when asked about reasons children are placed in alternative care, indicated being found living and working on the streets is a cause (Figure 21). It is noted however, that a significant percent think this is 'never' a reason.

Figure 21. Reasons children are placed in alternative care



	Often	Sometimes	Never	I don't know
The child has been found working on the streets	13	21	15	8
The child has been found living on the streets	12	24	14	7
The child has run away from home	14	33	5	4

Although not recent data, in 2010 UNICEF conducted a study on violence against children and made a connection between child abuse and neglect and children running away from home in Kyrgyzstan.[215] Table 3 adapted from the report shows that among 80 children who had ran away from home, 88.6% were abused and 92.5% were neglected in the home and family.

[214] Valeeva 2018
[215] UNICEF 2010.65

Table 2. Reasons children run away from home (2010)

Abuse	Percentage
Abuse all forms	88.6
Harsh verbal abuse	82.5
Psychological abuse	73.8
Physical abuse	81
Sexual abuse	0
Sibling abuse	79.7
Neglect – all forms	92.5
Neglect – nutrition	36.3
Neglect – clothing	81.3
Neglect – medical	61.3
Neglect – supervision	58.8
Neglect – work	87.5
Witness family violence	50

(Source: Adapted from UNICEF 2010:66)

Referring once again to the vulnerability of children affected by parent's labour migration, UNICEF also reported that, children of internal migrants comprise approximately 80% of street children.[216]

Sexual orientation and gender identity

When research respondents were asked about reasons children are placed into alternative care, no-one mentioned factors related to sexual orientation or gender identity. However, we think it important to recognise the possible protection needs of children and young people who identify as LGBTQI+. as it is widely recognised that some families around the world reject their children who identify as LGBTQI+. UNICEF Kyrgyzstan has said young people acknowledge the presence of 'social stigma and discrimination in relation to disability, sexuality, and gender identity'[217].

Child and forced marriage

Both early and forced marriage remains a protection concern, most especially for girls, and could bring them to the attention of child protection authorities. The topic was raised by 2 young people in our research workshops when they wrote about '*bride* kidnapping' being a threat to family life. One participant in the adult family workshops also revealed she had been the victim of bride kidnapping and emphasised she would not want this to happen to her own girls.

According to Muldoon and Casabonne, when a girl has been kidnapped,

> The girls are usually raped immediately after the kidnap, which makes it impossible or too shameful for the girl's family to refuse marriage because the loss of virginity reduces any future opportunities for marriage…Faced with enormous pressure and

[216] Please see: https://www.unicef.org/kyrgyzstan/children-migrants
[217] UNICEF Kyrgyzstan 2021a:51

> the virtual impossibility of returning to her own family due to the shame associated with kidnapping, the girls in this situation usually consent, even when the marriage is against their wishes.[218]

A 2021 UNICEF report confirms how child marriage is highly prevalent in Kyrgyzstan.[219] The study showed 13% of young women aged 20-24 who were legally married or in a union at the time of the survey had entered that partnership before the age of 18 years old. Furthermore, UNICEF reporting on findings in the 2018 MICS survey that estimated that 1 in 11 girls aged 15-19 years old were married at the time of the study, and often with a partner more than ten years their senior. [220]

Bride kidnapping was outlawed by the Kyrgyz Government in 1994, and penalties were increase in 2013[221]. The Government also continues to set out national strategies and action plans to achieve gender parity and eliminate all forms of violence against girls and women[222]. However, despite the legal prohibition of abduction with the purpose of marriage, UNICEF suggests 'social legitimization' of the practice means there have been very few prosecutions.[223] Information we collected during interviews also suggest that social pressure and shame associated with the practice, and the difficulties getting the police to enforce the law, means the involvement of social workers remains less likely.

11. Factors within society that contribute to vulnerability within households: the multi-dimensional aspects of poverty

We have noted how factors within wider society, including social, economic and cultural issues, that are directly and indirectly impacting the lives of families and contributing to family dysfunction, breakdown, and separation (please see Figure 8).

In particular, our research has identified issues related to poverty as being one of the primary reasons children are placed in alternative care in Kyrgyzstan. This includes children who are directly relinquished into alternative care by parents, including the use of residential institutions that provide 'social care' i.e. provision of shelter, food, clothes, access to health services and education etc.

Poverty is also a factor that can lead to worry, anxiety, and parents or other primary caregivers inability to cope. This in turn can result in a breakdown in family relationships and/or parents resorting to negative coping mechanisms such as the use of alcohol and drugs. These are factors that can ultimately result in violence in the home and subsequent placement of children into alternative care for protection reasons.

[218] Muldoon and Casabonne 2017:6 https://documents1.worldbank.org/curated/en/609321512627138423/pdf/121927-FINAL.pdf
[219] UNICEF Kyrgyzstan 2021a
[220] National Statistical Commission and UNICEF 2018
[221] Please see: https://www.un.org/youthenvoy/2013/09/new-law-in-kyrgyzstan-toughens-penalties-for-bride-kidnapping/
[222] Please see: https://www.ohchr.org/en/statements-and-speeches/2022/04/end-mission-statement-working-group-discrimination-against-women
[223] UNICEF Kyrgyzstan 2021a:39

The results of our research workshops show children and young people are aware of, and concerned about, different issues related to poverty. This topic accounted for approximately 10% of children's answers and 13% of young people's answers. As seen in Figure 22, when asked what makes children/young people worried or unhappy when they are at home, they wrote about *'hunger', 'food'*, '*clothes*' and other basic necessities as well as *'financial problems'*.

Figure 22. What makes children and young people feel worried or unhappy when they are at home (as answered by children and young people)

What makes children and young people feel worried or unhappy when they are at home? (as answered by children and young people)
hunger,
poverty
father could not afford to maintain his family
limited resources
financial problems can also lead to quarrelling.
but there are a few families which can survive in that condition, but most of the families are suffering
children tend to be ashamed of not having basic necessities parents do not understand it
absence of job
when they do not give much money
when parents do not buy children what they want
when parents do not cover the needs of children

When children and young people were asked, what makes adults worried or unhappy when they are at home, their answers show a further understanding of the financial challenges adults are facing (Figure 23).

Figure 23. What makes adults in the family feel worried or unhappy when they are at home (as answered by children and young people)

What makes adults feel worried or unhappy when they are at home? (as answered by children and young people)
surviving
financial instability
lack of money
credit
when money goes like water
when parents cannot support a family financially
they cannot afford to rent a flat or buy products
if parents are in debt because they wanted to provide their children with the best things, and now cannot repay
many parents work and if there are problems it also makes them unhappy
when in a family there are a lot of kids and that's why they need to earn more money
laziness, when the father does not want to work

limited resources when a father cannot afford himself to buy what children want
parents cannot find job
overwork
no children's health - parents are worried
the worst thing that worries parents is disease
things imposed by a society
parents start thinking that a family now has problems with finance and now one more problem with a child and education

Adult family members who participated in the research workshops also wrote about issues related to poverty and restricted household income (Figure 24). Their answers on this issue accounted for approximately a third of all responses received during the adult family workshops.

Figure 24. What makes families worried or happy when they are at home (as answered by adult family members)

What makes families worried or unhappy when they are at home? (as answered by adult family members)
migration when parents leave their families it will be challenging for kids
economic violence in a family
if the family is poor at least one parent must thrive and work
not spending money wisely
no money
not enough money from work
expensiveness
parents who leave the country to work actually try to earn money and support their children financially
unemployment, financial instability make families unhappy
nowadays children have changed their values for example they always ask for money,
I have 3 children and they spend approximately 40k soms for school preparation, namely, to buy clothes. However they need to spend extra money to buy school books.
Government do not provide school books

As seen in the cumulative information collected in workshops, some families are struggling with expenditure on necessary household goods such as food and clothes etc. and costs associated with sending children to school and health care. Global increases in the cost of consumables and other household essentials is also impacting families in Kyrgyzstan. This situation is compounded by low wages and insufficient social protection including social welfare benefits and cash transfers for poor families. Little disparity was noted in the answers given in workshops between adult family members living in Bishkek and in the more rural setting of Chalpon Ata and Ananyevo.

A connection was made by interviewees between issues related to poverty, children recognised as living in 'difficult life circumstances'[224] and placement in alternative care,

> *"The second reason is the economic factor. Because some parents do just not want to be separated from their children but because of the financial situation they are crying that they have to place them into the residential care."*
>
> *"They [residential institutions] enrol children from poorer families…"*
>
> *"For example, parents themselves can't afford so they approach to the Ministry of Social Development and they write an application, "because of a certain situation I cannot take care of my child so can you take temporary care of my child".*
>
> *"and the third reason is from families where children are from families in difficult life situation."*

Children are placed in residential institutions run by the State as well as NGOS and religious organisation that receive government subsidies to provide 'social care' for children e.g. food, clothing, education and medical services etc. Interviewees suggested these facilities are particularly attractive to parents who are migrating for labour purposes and want to leave their children behind.[225] A 2012 UNICEF study found the second most common reason for children being admitted to residential institutions was difficult material living conditions.[226] This included acceptance into children's residential institutions where children would receive to free education, board and lodging.

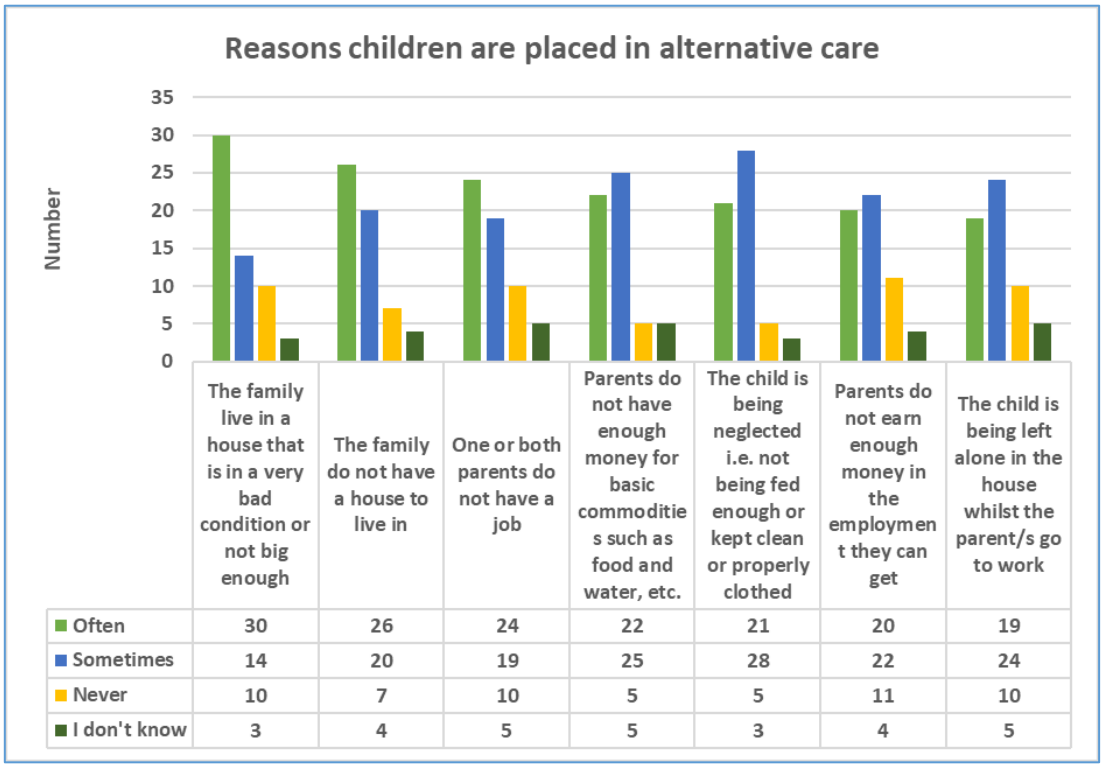
Children can be placed in alternative care at the request of parents or, placed by the authorities when deemed to be 'children in difficult life circumstances'. The 2012 Child Code (amended in 2021 but not yet ratified by the President of Kyrgyzstan) defines children 'in difficult life situations' as those without parental support; with limited opportunities of health; in the conflict with the law, being the victim of violence or crimes; living in 'needy' families'; working children, neglected; street children, children in zones of the conflicts and emergency situations; and 'children who cannot overcome the specified circumstances independently or by means of family'.[227]

In the online survey, when asked about the reasons children are placed in care in relation to living conditions, respondents first ranked issues related to living accommodation as 'often' being a reason for placement followed by lack of employment and enough money to purchase basic commodities

[224] Children living in 'difficult life circumstances' is described in
[225] UNICEF 2012
[226] UNICEF 2012
[227] The Code further defines a neglected child as one 'whose control over behaviour is absent owing to non-execution or improper execution or evasion from accomplishment of the obligations on its content, education from legal representatives.' Children with 'limited opportunities of health' are described as those who have 'functional violations of health caused by diseases, consequences of injuries or defects, leading to restriction of activity as a result of physical and (or) mental defects and causing the necessity of their social protection'. (Please note, these latter definitions are translations from the Code published in Russian).

(Figure 25). More respondents thought issues related to poverty were 'often' rather than 'sometimes' a causality.

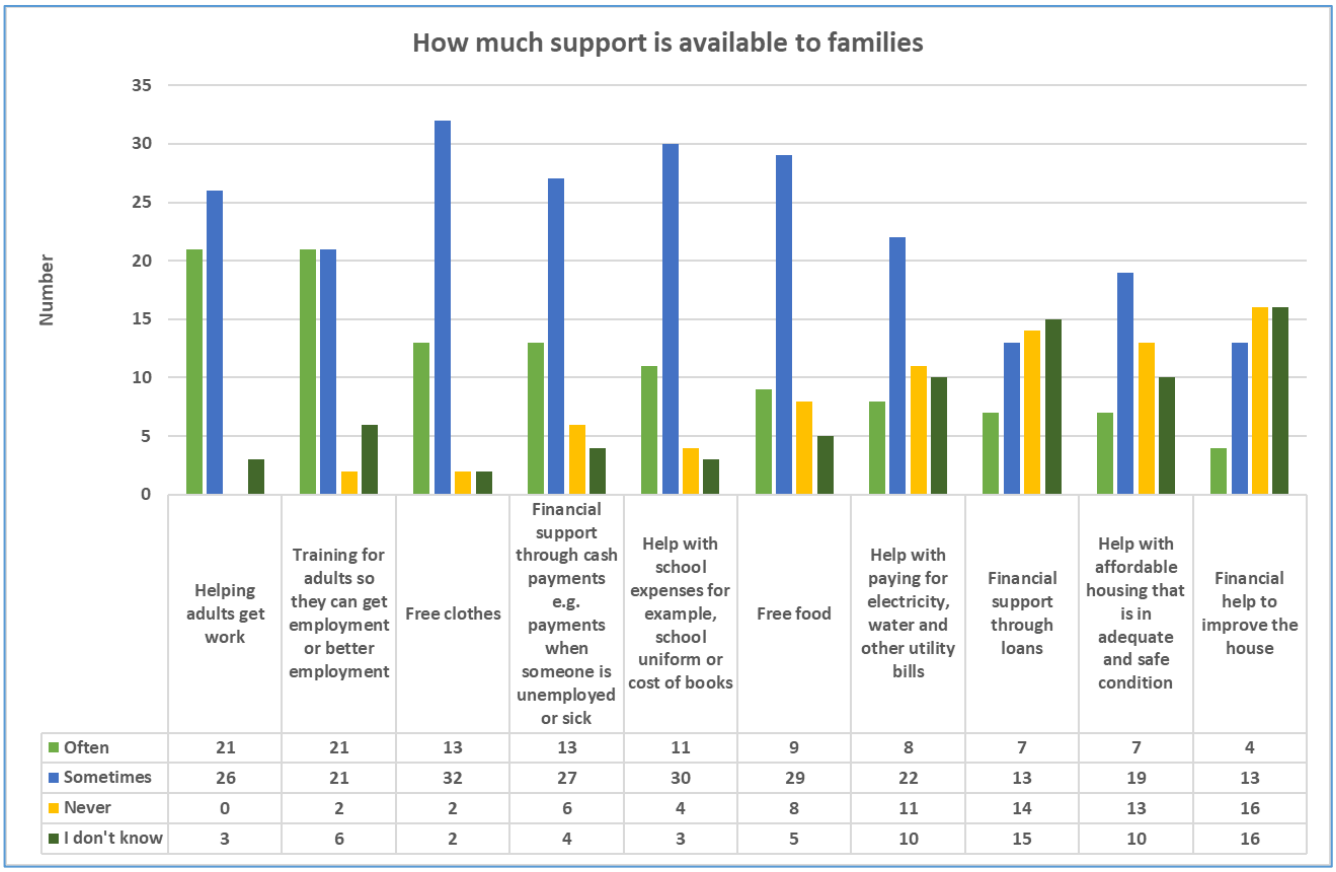
Figure 25. Reasons children are separated from parents and placed in alternative care because of living conditions and unemployment



	The family live in a house that is in a very bad condition or not big enough	The family do not have a house to live in	One or both parents do not have a job	Parents do not have enough money for basic commodities such as food and water, etc.	The child is being neglected i.e. not being fed enough or kept clean or properly clothed	Parents do not earn enough money in the employment they can get	The child is being left alone in the house whilst the parent/s go to work
Often	30	26	24	22	21	20	19
Sometimes	14	20	19	25	28	22	24
Never	10	7	10	5	5	11	10
I don't know	3	4	5	5	3	4	5

In relation to support that might help address some of the issues related to poverty, as seen in Figure 26, there are differing answers from respondents in terms of which services are 'often available and those that are only accessible 'sometimes'. The form of support ranked as being available most 'often' is helping adults get work and training to help gain employment. Some believe the mentioned forms of support are 'never' available and a few indicated they 'don't know'. Although in Figure 25 housing conditions were ranked highly among the reasons contributing to placement of children in alternative care, help with this situation is thought to be the least available (Figure 26).

Figure 26. How much support is available to all families



	Helping adults get work	Training for adults so they can get employment or better employment	Free clothes	Financial support through cash payments e.g. payments when someone is unemployed or sick	Help with school expenses for example, school uniform or cost of books	Free food	Help with paying for electricity, water and other utility bills	Financial support through loans	Help with affordable housing that is in adequate and safe condition	Financial help to improve the house
Often	21	21	13	13	11	9	8	7	7	4
Sometimes	26	21	32	27	30	29	22	13	19	13
Never	0	2	2	6	4	8	11	14	13	16
I don't know	3	6	2	4	3	5	10	15	10	16

11.1 Labour migration

A concerning consequence of poverty is the push for one or both parents to migrate to other countries or, within Kyrgyzstan, to find better employment and remuneration opportunities i.e. labour migration.

Labour migration was an issue raised in adult family workshops and by interviewees.

> *"Migration first of all it is about unemployment. Because they would like to earn some money. For example, they earn money in Russia and other countries and they just send money home to their parents or relatives."*

> *"I think that if one of the parents is on labour migration, I think it is the influence on the development of the child. Because a child should be growing up in a full family and the child needs both the father and mother… As I have already mentioned the problem is money and economic, this is the root of the problem."*

When respondents to the online survey were asked about reasons children are placed in alternative care, 22 of 57 respondents thought this happened 'often' due to a mother or father or both parents leaving to work in another country and 26 think this happens 'sometimes' (Table 4).

Table 3. Reasons children are placed in alternative care

Reason for placement in alternative care	Often	Sometimes	Never	I don't know
The mother or the father or both - have gone to find work in another country	22	26	6	3
The mother or the father or both - have gone to find work in another part of their own country	14	31	8	5

Previous reports also identify external and internal migration as major problem resulting in hundreds of thousands of children being left behind by one or sometimes both parents.[228] UNICEF for example, wrote that, 'many children are deprived of adequate parental and family care due to parents having migrated or the family lacking capacity to care for the child in the community.'[229] A 2018 MICS survey[230] conducted by the National Statistics Commission and UNICEF calculated that 277,000 children had one parent working abroad and 99,000 children had both parents working abroad, these children are often referred to as 'left behind children'.[231]

Some interviewees made a direct connection to labour migration and placement of children in alternative care,

> *"They are mainly children of migrant labour in these boarding schools."*
>
> *[children are placed in alternative care because] "for example, some labour migrants they have to go to other countries or to other places to work and that is why children are left alone*."
>
> *"You know many labour migrants sometimes that are not here, sometimes for example overnight they decide to go to Russia for example, so they leave their children with their family or neighbours or even with their acquaintances."*
>
> *"Why they are sending children to boarding schools or foster families the reasons are different. One of the biggest, the main reasons, because of the migration, because many people go out in order to earn some money. It means that the parents are leaving to Russia or Kazakhstan and they leave their children with parents or relatives or acquaintances. For example, last year they have identified 93,000 children whose parents are in other countries migrating to earn some money."*

Children are either directly relinquished into residential care facilities, including those known as 'boarding schools', by their parents or, left behind in informal alternative care with other caregivers.

[228] UNICEF Kyrgyzstan 2021a:10. See also: National Statistics Committee, United Nations Children's Fund, 2020,
[229] UNICEF Kyrgyzstan 2021a:9-10
[230] Multiple Indicator Cluster Surveys (MICS) are international household surveys initiated by UNICEF and undertaken in a country every 3 years
[231] National Statistics Committee and United Nations Children's Fund 2020

According to interviewees, this is usually with extended family, in informal kinship care, including with grandparents, aunts, uncles, or other relatives. However an informant said that the Child Protection Department of the Ministry of Labour, Social Development and Migration (MLSDM) had also recently discovered 88 children who had been living with someone not known to them. These people were described as mere 'acquaintances' of the parents and thus the children were considered very vulnerable - separated not only from their parents but from any adult family member.

There is a concern that some children, if not adequately cared for, or maltreated by their new primary caregivers, can be formally placed in care by the child protection authorities. Interviewees told us,

> *"Actually, we have many children who are left without the care of parents because of labour migration. These children became very vulnerable and very often they stay with their grandparents but even if they are in the together with grandparents, they can undergo some form of violence maybe from neighbours or surrounding people."*

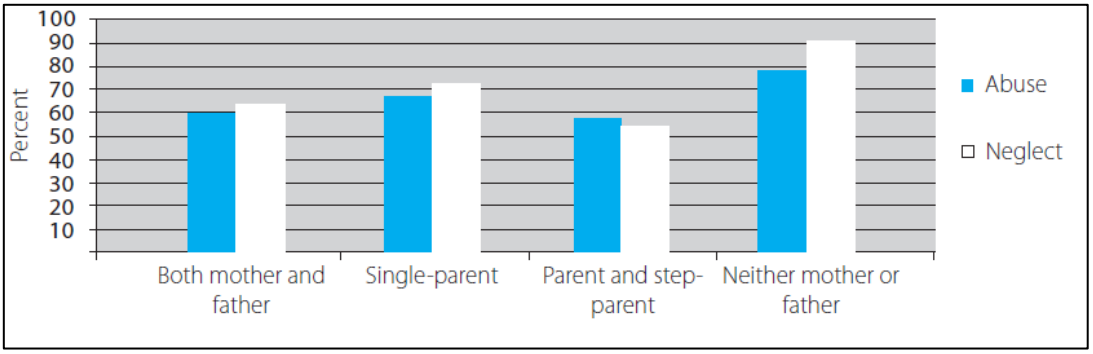
> *"The third reason is migration for example here the salary is very low which is not enough for us to live, and parents in order to support their children they go to labour migration somewhere aboard, and the children are left with their relatives and these relatives cannot provide such a good care as their parents."*

> *"And also, here we try to identify how many children are abused and what are the reasons and here also the parents that are in labour migration... And for these children whose parents are in labour migration we should have legal childcare. Because who, which person is responsible for these children whilst their parents are in labour migration."*

Results of a previous UNICEF survey showed children living without either parent or in a single-parent family as being more likely to experience abuse than those living with both parents or a parent and a step parent.[232] Furthermore, children living in households without either parent or in a single-parent family, were more likely to experience neglect than those living with both parents or a parent and step-parent.[233] These findings are illustrated in Figure 27 adapted from the UNICEF report.

[232] UNICEF 2010
[233] ibid.

Figure 27. Abuse and neglect (all forms) by living arrangements (2010)



(Source: UNICEF 2010:56)

UNICEF has also drawn attention to other risks faced by children left behind by migrating parents,

> Prolonged parental absence can lead to a range of psychological and social difficulties. Children of internal migrants are largely "invisible" in society, as many of them lack civil registration documents. They face difficulties getting basic services such as school, health and social benefits and social protection services, and are often living in some of the worst and most hazardous conditions in Kyrgyzstan.[234]

As previously mentioned in this report, there is a concern regarding young women who migrate for work purposes, become pregnant, and then abandon or relinquish their child. As several interviewees explained, often girls will emigrate as soon as they get their passport/ID papers which can happen when they are as young as 16 years old. These identity documents allow them to work in Russia and Kazakhstan. However, if they become pregnant whilst abroad, there is a system by which their children are being sent back to Kyrgyzstan and placed in alternative care.

In relation to internal labour migration, information gathered during interviews suggested that the extreme poverty some families face when first migrating from rural areas to the city can result in children being temporarily relinquished into alternative care, or removed by the authorities, with the intention they will eventually be reunited with their parents. For example, one interviewee explained how children of internal migrants who have recently moved to the city come to their attention because they are considered to be in 'difficult life situations',

> *"Mainly these are internal migrants which are coming from rural areas of our country to big cities. Mainly to the capital of the country. And these parents they do not have houses for example, they are unemployed, they do not have any conditions not only to take care of their children but also even to support themselves. And therefore, children are put in the transition institution or maybe social kindergarten for six months. In means that it is possible during this 6 months for parents to find job and to find a place to live to have condition to take care of their children. To reunite with their children."*

[234] Please see https://www.unicef.org/kyrgyzstan/children-migrants

A report published in 2020 also spoke about the vulnerability of children accompanying parents in internal migration when dropping out of school or failing to enrol in education.[235] Not only is dropping out of school a concern in its own right, but it can place children at a higher risk of involvement in risky or harmful behaviour such as becoming street connected or participating in child labour. These children may then be identified by child protection authorities as a child living in 'difficult circumstances' thus making them eligible for alternative care. This situation was illustrated in a 2022 US Human Rights study that found, 'approximately 80 percent of street children are those of internal migrants who have limited access to water, gas, electricity, sanitation facilities, communications, health services, education, and social benefits.'[236]

11.2. Education and the use of 'boarding schools'

Access to education is pull factor resulting in children's placement in alternative care in residential institutions in Kyrgyzstan. As noted above, during the adult family workshops, participants referred to difficulties meeting costs associated with sending children to school. Interviewees also provided different views on the use of residential institutions for education purposes. This situation appears to be complex as there are different educational residential institutions that attract the placement of children for different reasons. It is an issue that has proven a difficult subject to fully understand for, as seen below, differing information was provided by interviewees.

We have been told that children from poor families are sent to boarding schools, for what appears to be no charge,

> *"According to the reasons why children are separated. Why children are put into these children's institutions, the most popular reason, we have three types of children's institutions. These are just like common educational schools, like boarding schools for poor families. This is like boarding schools for talented children from poor families, it is like supporting these poor families."*

One interviewee said some parents might pay some of the costs,

> *"It is not free. It is minimum fee should be paid by the parents. I do not remember the fee. It is an educational facility boarding school. The education department pay the costs. The parents can pay some of the fees. There is special instruction, these parents will pay 50% of the minimum fee, they pay minimal in order to pay the costs of this boarding school."*

Other interviewees said parents do pay for some boarding schools,

[235] Bureau of Labour International Affairs 2020:2
[236] https://kg.usembassy.gov/wp-content/uploads/sites/190/415610_KYRGYZ-REPUBLIC-2022-HUMAN-RIGHTS-REPORT.pdf p.27

> *"Actually, very few children from poor families are in these internats and hardly any children from poor families. Actually, this is for talented children boarding school it is some type of business."*

> *"Now we have 110 institutions with 9,100 children. Out of these number 4,900 children are in specialised boarding schools. Not for children with disabilities. They are like Gymnasium, Turkish schools etc, all these kids have both parents and they are rich enough and they have to pay for these boarding schools. They are like an educational facility. They spend five days here, Monday to Friday, and during the weekend they stay with their children. In their charter there is the word internat."*

> *"No, they [placement of children] are not approved by the commission on children affairs. The parents write a request direct to the school to enrol. It is an educational facility, for example I am a parent and I write an application directly to the principle of school to take my child. I do not need to cut my having guardianship of the child."*

A further reason parents place their children in 'boarding schools' is the belief they will receive a better quality of education. This may be particularly relevant in the case of what have been termed 'elite' residential schools or education for talented children. According to UNICEF, in 2020, 10,868 children were in institutions, of which some were residing in boarding schools and 'elite schools'.[237]

We are unsure whether the slightly differing information with regards 'boarding schools' is due to different knowledge and understanding of interviewees, or perhaps because of the use of different terminology in terms of internats, boarding schools and 'orphanages'. One official said,

> *"Actually, last year I was handed over these functions [related to education provision] and since last year I also had many questions, as I was also not very clear why I had three types of internats. First type of internat yes agree for full orphans it is ok but what about the other two I do not understand. For example, this internat for specialist type internat, I am also asking the question why it is an internat and why it is not a school. Actually, these two types of internats can change their profile and instead of like a boarding school of staying overnight it can be a school like a school for secondary education and also like pre-school education like kindergartens."*

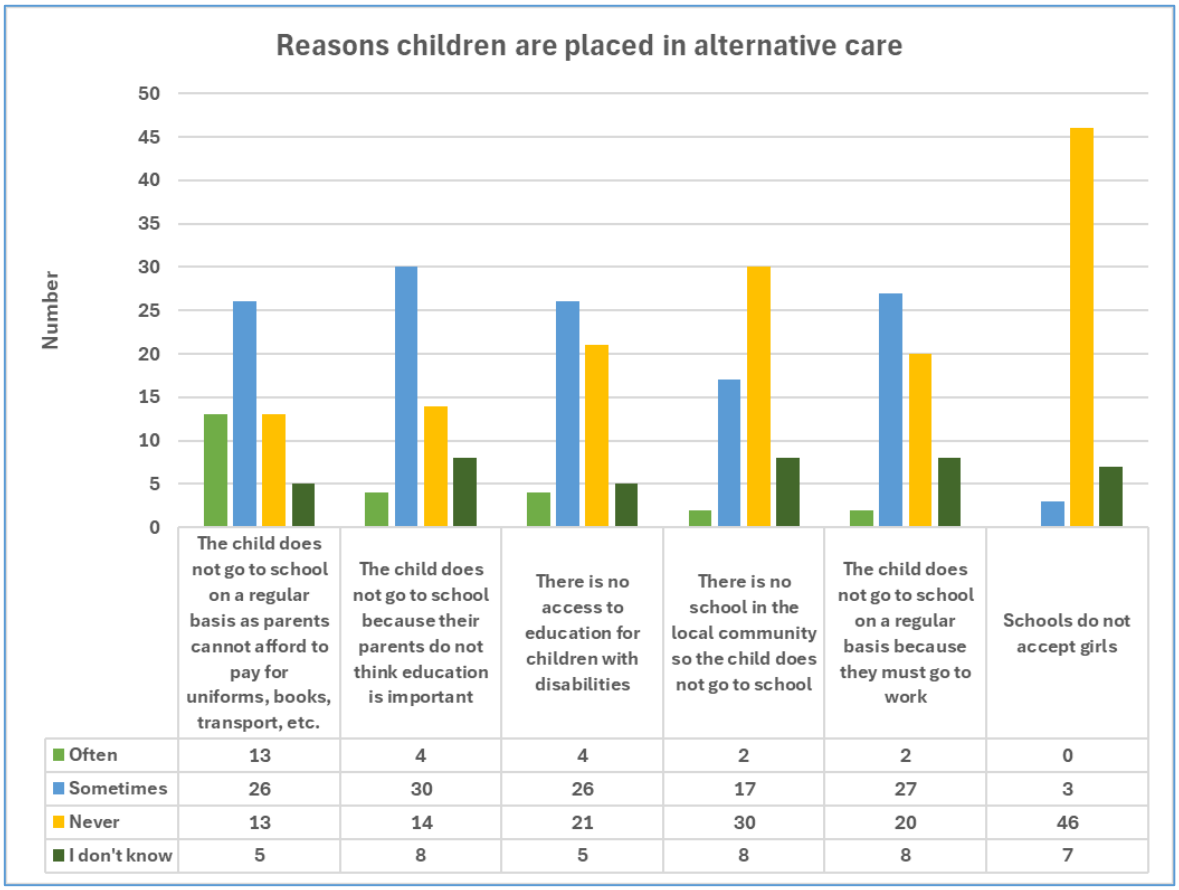
This interviewee was also referring to reforms to convert 'boarding schools' in to day schools: an issue that is discussed later in this report.

In our online survey we asked respondents about the reasons they thought children were placed in alternative care in relation to issues of education. The 57 respondents first ranked costs related to education, as a reason children are 'often' placed in care (Figure 28). However, there was a greater number of responses indicating reasons that are 'sometimes' responsible for placement with the two

[237] UNICEF Kyrgyzstan 2021a

most highly ranked answers being the child does not go to school because their parents do not think education is important followed by the child does not go to school on a regular basis because they have to work. Some respondents believe the given categories are 'never' reasons for separation and some 'don't know'.

Figure 28. Reasons children being placed in alternative care due to issues related to education



	The child does not go to school on a regular basis as parents cannot afford to pay for uniforms, books, transport, etc.	The child does not go to school because their parents do not think education is important	There is no access to education for children with disabilities	There is no school in the local community so the child does not go to school	The child does not go to school on a regular basis because they must go to work	Schools do not accept girls
Often	13	4	4	2	2	0
Sometimes	26	30	26	17	27	3
Never	13	14	21	30	20	46
I don't know	5	8	5	8	8	7

In summary, education is a pull factor related to placement of children in care in Kyrgyzstan but this can also be linked to poverty when parents are struggling with education costs and/or overall financial ability to adequately care for their children in terms of food, clothes etc. as well as somewhere to place children when migrating for purposes of employment.

11.3. The correlation between poverty, family breakdown, and placement in alternative care

There are concerns as to the impact poverty can have on family relationships. In this respect, daily struggles and not being able to provide for the family can result in feelings of stress and inability to cope. These ongoing challenges can exacerbate feelings of distress, anger, and for some, poor mental health. This in turn can diminish resilience and impact the ability to maintain strong relationships in the household with outcomes that include, family dysfunction, poor parenting ability, and even violence. As noted previously in this report, children, young people and adult family members wrote about poor relationships within some households including the lack of love, care and support from some parents for their children.

Linkages were made by some interviewees between the stress caused by poverty, and the manifestation of breakdown of relationships and violence in the home. One interviewee spoke of how poverty had led to the diminishing coping mechanisms of a father and mother,

> *"And after this they both started drinking alcohol, they were both stressed, and they divorced and they were telling that you that you are guilty and they were just blaming each other. This lady tried to make suicide and she was drinking a lot of alcohol and after this she died because of the problems she could not stand it. And you know she was so much stressed that she was physically violating her children."*

A 2017 report from the Office of the Ombudsman in Kyrgyzstan examined the issues of violence against children in detail in various settings including within the family. The summary of findings in respect to the situation of families showed a significantly high correlation between violence and poverty and addiction. The report said,

> The study of 104 families with children affected by violence, showed that at the time of the commission of violence against minors their families were already in a difficult life situation for various reasons:
>
> • more than 68% of these families live below the poverty line, 10% of families do not have a permanent source of income;
> • in every 2 families one or more adults are unemployed.
> • 45% of families do not have their own housing.
> • families where there are no adults with professional and higher education, amounted to 100%.
> • 39.4% of families are two-parent families, 38.5% have no father, 13.5% of those surveyed
> children are particularly vulnerable because they do not have both parents.
> • in every 3 families there is an adult suffering from alcoholism, in 5.8% of families there is an adult with drug addiction, in 11% of families there is an adult who is addicted to criminal liability.
> • 8.7% of any family members had no documents, including 5 children never received a Birth Certificate.[238]

Such findings are of concern as our literature review also revealed studies illustrating clear linkages between poverty, violence and family breakdown.[239] However, it is also important to note that, although we can see how issues related to poverty contribute to family breakdown and the presence of violence, nevertheless, there are families living in very difficult circumstances, including coping with poverty, who are continuing to be supportive and caring of one another. Parents are creating a safe environment for children. This illustrates how strong loving relationships are an important factor

[238] https://ombudsman.kg/files/docs/reports/2016/violence-against-children.pdf p.31
[239] See for example: Babatope et al. 2022; Berger 2005; Lau et al. 1999; Lodder et al. 2020; Malley-Morrison 2004

in helping families stand up to the impact of poverty and other shocks experienced by households. Most certainly this was identified amongst those attending the adult family workshops who are trying to care for their children even when facing dire economic circumstances.

12. Factors in society that contribute to violence against children

When considering ways to address reasons children are placed in alternative care, and having taken a socio-ecological model to inform the research framework, our research indicates experiencing violence outside as well as inside the home can impact family life. It is important therefore, to understand why, and how, violence is present in society.

12.1. Living in a patriarchal society and domestic and gender based violence

UNICEF has defined patriarchy as a 'social system in which men hold the greatest power, leadership roles, privilege, moral authority and access to resources and land, including in the family.'[240] Patriarchy has also been described as a system in which 'attributes seen as "feminine" or pertaining to women are undervalued, while attributes regarded as "masculine" or pertaining to men are privileged.'[241] A highly concerning impact of patriarchal societies is the manifestation of domestic abuse and gender-based violence. This is something that is usually inflicted on women and girls and also has serious ramifications in terms of gender inequality.[242]

During our research, children and young people wrote about witnessing violence between their parents and adult family members also confirmed that such incidents occur. Interviewees spoke about the impact of living in a patriarchal society, the correlation with domestic violence and abuse of girls and women, and how this can lead to placement of children in alternative care.

> *"I think that the deep reason of this domestic violence is economic resources, economic reason, not enough finances. For example, a wife is telling her husband you should work you should earn so much money and you should take care of the children and this husband is trying to find some job, but maybe the salaries are low. The wife is not satisfied, and he does not know what to do how to earn money, he is angry, he starts to drink alcohol and he starts beating his wife. I think economic reason."*

> [children can be placed in alternative care because] "…*or something it can be family or domestic violence. In such conditions they can be at risk."*

[240] Please see: https://www.unicef.org/rosa/media/1761/file/Genderglossarytermsandconcepts.pdf
[241] Please see: https://www.sciencedirect.com/topics/social-sciences/patriarchy#:~:text=Patriarchy%20is%20a%20system%20of,pertaining%20to%20men%20are%20privileged.
[242] United Nations Development Programme (UNDP) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) 2023. Please see: https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/

Although published back in 2010, of 2,132 children surveyed for a UNICEF study in Kyrgyzstan, 21.8% said they had witnessed family violence. In addition, 6.5% of children saw one of their parents hit or beaten by another parent or family member and 7.3% saw one of their family members attack another family member on purpose with a stick, gun, knife or other weapon.[243] Of all children who had witnessed domestic violence, 11.5% said such family violence had happened on one or more occasions in the month prior to the study. UNICEF also reported that children who witness family violence are at much higher risk of experiencing abuse (82.6%) and neglect (81.7%) than those do not witness such events.

In 2018 the Asian Development Bank[244] had also reported on how,

> Domestic violence is widespread and prevalent in the Kyrgyz Republic. Based on government figures, an estimated 23% of all women aged 15–49 have experienced physical violence at least once. This rises to 28% for married or formerly married women, with 4% reporting exposure to sexual violence and 14% to emotional abuse at the hands of their current or former partners. Of those experiencing abuse, only 39% had sought assistance.[245]

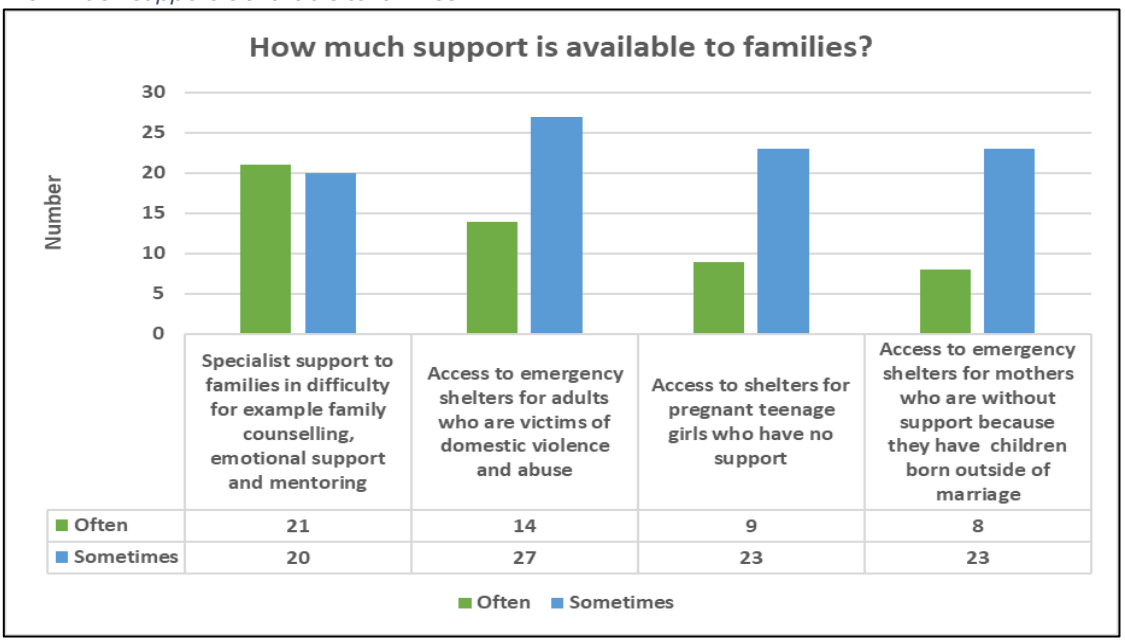
Research in 2023 indicates the depth of the societal attitudes in Kyrgyzstan that contribute to the situation of domestic abuse include,

> cultural norms, notably patriarchal customs, immense pressure put on women to save the marriage, stigma of divorce, low status assigned to women, wide acceptance of violence as natural, and fear of retaliation were major reasons that perpetuated domestic violence.[246]

In relation to services that offer support to families experiencing relationship difficulties, domestic abuse, and other issues that can isolate women, respondents in the online survey think some forms of support are 'often' or 'sometimes' available (Figure 29).

[243] UNICEF 2010
[244] Asian Development Bank 2018
[245] Asian Development Bank 2018: xii
[246] Childress et al. 2023

Figure 29. How much support is available to families



Interviewees spoke of the Commissions on the Prevention of Domestic Violence that has been established by the Government around the country. However we were told there is little guidance provided on how to operationalise the Commissions work and no specific budgets to develop interventions. It is understood the Government has reviewed the operation of the Commissions and decided to try and relaunch the initiative with an NGO partner in two raions, including one rural area which we visited during our fieldwork. One interviewee said the work of their local Commission had now improved with expertise and some resources from an NGO was contributing to this progress.

It should be noted that domestic violence can also be experienced by men although most reports suggest this is less common. In addition, men are also struggling within the family home, especially when there are societal expectations that place responsibility on them to adequately provide for their families. It is such pressure that can lead to stress which is ultimately released in the form of violence.

The perpetuation of domestic and gender-based violence in Kyrgyzstan is particularly concerning as information gathered during the desk review reveals the connection between violence against women and children and inter-generational outcomes. For example, a systematic literature review conducted by Guedes et al. that considered published articles from high, middle and low income countries illustrated how many forms of violence against women and violence against children have 'common and compounding consequences across the lifespan'.[247] In this respect, their research pointed to the inter-generational effects when perpetrators witness or experience violence in childhood. Guedes et al. also looked at factors contributing to the presence of domestic violence in society and, as with other studies, and found 'elevated rates of child maltreatment and partner violence in families characterised by'[248] male dominance, family and marital conflict, family

[247] Guedes et al. 2016:1
[248] Guedes et al. 2016:4

disintegration, economic stress including male unemployment, and the presence of non-biological father figures of children in the home.

Overall, the findings in the report so far illustrate the many challenges being faced by children and their parents that can ultimately result in placement in alternative care. A major concern is that unless the underlying factors, and the inter-generational aspects, of family breakdown and poor child and parent relationships are addressed, such placements will continue.

13. Decision making: the national child protection system and gatekeeping

As previously noted, the decision to place a child in alternative care can be influenced by two particular factors: the circumstances they are living in, and the decision making of those with responsibility for children, their safeguarding, and judgements about placement in alternative care. To this end, the research framework for this study included a focus on decision makers and factors influencing their decision making. Most especially consideration has been given to decision making within the context of a national child protection system (please see Figure 2).

Consideration has been given to the way decision making is guided by a normative framework containing national legislation, policy, and statutory guidance in Kyrgyzstan. An understanding has been sought regarding the way the functioning of child protection services, and resources with which to undertake responsibilities, can impact the work of decision makers. In addition, consideration has been given to the capacity of professionals as influenced by their knowledge, understanding, training and experience, as well as the 'gatekeeping' mechanisms and child protection case management, including use of child and family assessments. Availability of data on child protection and alternative care that could help the knowledge and understanding of professionals was also reviewed. The information contained in this section of the report has been informed by a brief desk review and interviews with professionals working within the Kyrgyz child protection system.

A summary of findings suggest steps have been taken to incorporate child rights into national legislation. For example, the Family Code provides children with the right to protection and a right to be raised in a family. Developments in policy and government programmes include aims and objectives focussing on improved access to social protection including for families with members with disabilities. In addition, amendments have been made to the Child Code with the aim of addressing some gaps in legal protection for children as well as placing more of a focus on prevention of family separation. However, at the time of the research, although the Code had been adopted by Parliament, it had not been ratified by the President and therefore, was not operational. Reports from organisations working within Kyrgyzstan also pointed to gaps in implementation of current legislation and the lack of resources that would help make law become reality.

In relation to gatekeeping and prevention of family separation, we have heard of the work of front-line staff following Government's directions on this important issue. However, use of alternative care continues to be a significant feature in Kyrgyzstan with thousands of children in residential institutions across the country. As previously noted, these placements are not only for reasons of protection or

because a child has lost parental care due to death or abandonment etc., but also for the purposes of education and social care. In this sense these placements could be considered unnecessary as it should be possible to provide families with sufficient support and help in overcoming issues related to poverty and other life challenges.

Decision making in relation to the placement of a child in alternative care is complex in Kyrgyzstan and reliant on a host of different decision makers and processes depending on the alternative care setting a child is being placed into. For example, three ministries hold responsibility for management and oversight of residential care facilities. In part this is due to the management and oversight of different types of alternative care, including those for orphans, child protection cases, education and social care, being divided between three different ministries as well as providers within the NGO sector. Although there are Government gatekeeping procedures requiring an administrative or judicial order for some children, i.e. those identified as being in difficult life circumstances, we understand that other placements can be made at the request of parents without such official processes.

Social workers face multiple challenges when trying to implement informed decision making through the use of child protection case management. This includes low numbers of staff and a lack of resources to carry out their work, as for example transportation to be able to visit children and families.

Although attempts were made to source up to date and detailed government information about children in alternative care, we were unable to procure it. We were informed that the Government does have further data on children in alternative care beyond the information we sourced, but it was not publicly available.

13.1. A normative framework for child protection

In line with the UNCRC, a national normative framework, consisting of laws, bylaws and regulations, policies, and statutory guidance, should guarantee children's right to protection from all forms of violence, abuse, neglect, and exploitation. It should reinforce the primary responsibility of parents for the care and protection of children, obligate the State to support parents in this endeavour, and allow for intervention if, and when, necessary to care for and protect a child. A normative framework should provide for the necessary socio-political, economic, and cultural conditions in which children and families can thrive. It also offers a mandate for decision making and, in this regard, guides professionals in their roles and responsibilities toward children and families as well as to when, and how, they should take certain decisions.

Our review of the normative framework in Kyrgyzstan suggests efforts have been made to protect children's rights through legislation. However, as noted by in 2021 UNICEF in 2021, [249] although Kyrgyzstan has ratified most core international human rights treaties on child protection, gaps in

[249] UNICEF Kyrgyzstan 2021a:53

national legislation remain and it is unfortunate that attempts to address gaps such as the amended Child Code has stalled.

International conventions and treaties

Upon signing or ratifying a UN convention or treaty, as with any other State, Kyrgyzstan is mandated to reflect the content in national law. Table 5 contains a number of international conventions and treaties that the Government of Kyrgyzstan has signed or ratified as relevant to the protection of children.

Table 4. International Conventions ratified by the Republic of Kyrgyzstan

International Conventions	Year
Forced Labour Convention 1930 (2)	1992
International Covenant on Civil and Political Rights	1994
United Nations Convention on the Rights of the Child (UNCRC)	1994
International Covenant on Economic, Social and Cultural Rights	1997
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	1997
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	1997
CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	2003
CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography	2003
Convention against Transnational Organized Crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children	2003
ILO Convention on the worst forms of child labour (No.182)	2004
CAT-OP - Optional Protocol of the Convention against Torture	2008
1993 Intercountry Adoption Convention	2016
CRPD - Convention on the Rights of Persons with Disabilities	2019

National legislation

Table 6 lists some of the relevant laws and policies pertaining to child protection and alternative care in Kyrgyzstan.

Table 5. National legislation relevant to child protection and alternative care in Kyrgyzstan

National Normative Framework	Year
Standard regulation on Special Educational Institutions for Children and Adolescents with Mental or Physical Disabilities No. 555	1995
By-laws on boarding schools	1995
Regulations on accreditation of residential child care facilities	1996
Civil Code of the Kyrgyz Republic Part 1. (Article 66. Guardianship and trusteeship)	1996

By-Law on family type children homes [250]	1998
The Minors Rights (Protection and Defence) Act No. 126	1999
Presidential Decree on measures to combat the illicit human smuggling and trafficking in the Kyrgyz Republic" No. 94	2002
Criminal Code of the Kyrgyz Republic	1997
Family Code of the Kyrgyz Republic No.201	2003
The Code of Criminal Procedure	2007
Regulation 285 On creating Family and Child Support Departments and Commissions for Children's Affairs in district state administrations and the executive bodies of local self-government in the Kyrgyz Republic	2008
Laws on the rights and guarantees of persons with disabilities	2008
Minimum standards for the care, upbringing, and socialization of children in institutions providing social services to children in difficult life situations	2012
Amendment to the Family Code and Criminal Code of the Kyrgyz Republic to prohibit early marriage of minors No.179	2016
Law of the Kyrgyz republic No. 34	2017
The Law on the Protection and Protection from Family Violence No. 63	2017
Law No. 38 on the rights and guarantees of persons with limited health functions (amended)	2017
Government's Program for family support and child protection for 2018-2028	2017
Regulations on the accreditation of residential children's institutions, regardless of the form of ownership, carrying out child care activities No. 516	2018
Resolution no 477" On approval of the Regulation on the Organization of Individual Education at Home"	2018
Government's Program for family support and child protection for 2018-2028	2018
Strategy for the Concept of Inclusive Education 2019-2023	2019
Regulation on foster families	2020
Constitution of the Kyrgyz Republic (includes Government responsibility to care for orphans and children deprived of parental care)	2021
The Child Code (amended and adopted by Parliament but not ratified by the President)	2021
Law of Education	2023
Government of the Kyrgyz Republic Resolution No. 391 on approval of the Regulations on the procedure for identifying children and families in difficult life situations as amended by Resolution of the Cabinet of Ministers of the Kyrgyz Republic dated February 10, 2023 No. 57	2023

Below is a short precis of a few of the laws that are particularly relevant to the protection of children and placement in care.

[250] According to an informant these regulations are not operational

The Child Code 2012 and amendments of 2021

The Child Code is one of the most important pieces of State legislation in terms of protection of, and provision for, children at risk in Kyrgyzstan. However, at the time of our research in August 2023, we were told that the much-awaited amendments of 2021, although adopted by Parliament, were still not ratified by the President and therefore, not operational.

In the current 2012 Child Code, violence and abuse is defined as any action that violates or endangers the physical or mental development of a child and to respect their human dignity and security. This includes physical and mental, sexual violence, cruel, brutal, inhuman or degrading treatment. Issues of child labour, discrimination and the provision of living conditions necessary for the development of the child are also included. The Code defines children 'in difficult life situations' as those without parental support, with limited opportunities of health, in conflict with the law, being the victim of violence or crimes, and living in needy families. It includes children who are neglected, working, in the street, in zones of conflict and emergency situations, and those who cannot overcome the specified circumstances independently or by means of family'. The Code further defines a neglected child as one 'whose control over behaviour is absent owing to non-execution or improper execution or evasion from accomplishment of the obligations on its content, education from legal representatives.' Children with 'limited opportunities of health' are described as those who have 'functional violations of health caused by diseases, consequences of injuries or defects, leading to restriction of activity as a result of physical and (or) mental defects and causing the necessity of their social protection'. These latter definitions are translations from the Code published in Russian).

The Code establishes the judicial process for children who are believed to be at risk of violence. It outlines the responsibilities of social workers and the judiciary. Articles cover the right of care from parents or those replacing them. The Code defines children deprived of parental care as persons under the age of 18 whose one or both parents have died, are unknown, or have been deprived or restricted in their parental rights. The definition also includes children whose parents are not protecting their rights and interests including refusing them access to education, medical care and social welfare, or are missing, deemed incompetent, are in medical institutions or in prison,

Various reports indicate the amended Code will include the important principle of ensuring protection of the child from all forms of violence. UNICEF believes the vision contained within the amended Code will also help with the gradual eradication of residential institutions for children through the strengthening of support to families, and development of the social services workforce at all levels.[251] Accordingly the Code will introduce specialised child protection social work units at a municipal level which, says UNICEF, should provide 'timely, regular and effective case management and services to children at risk and their families.'[252] UNICEF also believes 'having trained social workers at the municipal level will ensure the provision of comprehensive social services and efficient coordination with all involved sectors which will be particularly important to comprehensively address violence.'[253]

[251] UNICEF Kyrgyzstan 2021a

[252] Please see: https://www.unicef.org/kyrgyzstan/press-releases/unicef-and-ohchr-joint-statement-child-code

[253] ibid.

The Family Code 2003

The Family Code is important as it defines the legal responsibilities of parents including responsibility for a child's education and physical development. In this respect, 'the child has the right to education by the parents, ensuring its interests, full development, and respect for human dignity'. Article 61(2) protects the child from abuse by parents. Article 70 states parents have no right to harm the physical and mental health of children, their moral development. Children should be raised without neglect, cruel or degrading treatment, abuse or exploitation.

Section 59 of the Code gives any child the right to be heard and to participate in proceedings that take place in courts, whether it is a criminal, civil or administrative proceeding. In certain cases stipulated by the Code (sections 61, 74, 135, 137, 139, 146, 157), the bodies of guardianship and trusteeship or the court can only make decisions with the consent of a child who is 10 years of age or older except in cases where this would contradict their interests (appointment and termination of guardianship is regulated by the Civil Code). The child can be heard directly or through his/her legal representative or the representatives of the tutorship and guardianship authorities, a Commissions for Minors, or the minors' inspectorates of internal affairs agencies.

Section 66 of the Code states the protection of children's rights and interests should be undertaken by their parents. Parents are the legal representatives of their children and should speak out in protection of their rights and interests. Parents do not have the right to represent the interests of their children if the national body of guardianship and trusteeship have established there is a contradiction between the interests of the parents and the children. In case of a dispute between parents and children, the body of guardianship and trusteeship must appoint a representative for the protection of the child's rights and interests.

Deprivation of parental rights must be through a court order and section 74 of the Code refers to the restoration of parental rights. Parents (a parent) can have their parental rights restored in cases where they have changed their behaviour, lifestyle, and/or perspective on the upbringing of the child. The court has the right, keeping in mind the opinion of the child, to deny fulfilment to a request made by the parents (parent) for the restoration of parental rights, if the restoration of parental rights contradicts the interests of the child. The restoration of parental rights is possible only possible with written consent of children aged 10 and older.[254]

The Code covers children considered to be 'neglected' and placed in residential alternative care. This includes the Government's financial responsibility for a child's welfare, education and health care. Furthermore, the Code allows for foster care and payments to foster families. According to the Code, foster care is for children 'who do not have parental guardianship, including children staying at educational, health care and other similar institutions' (English translation from the Code published in Russian).

The civil code 1996

[254] Please see: https://rcw.law.yale.edu/jurisdiction-research/kyrgyzstan AND http://cbd.minjust.gov.kg/act/view/ru-ru/1327

The civil code is significant as it lays out roles of guardianship and trusteeship. It is important to note that heads of residential institutions are considered guardians. Children can also be placed to live with other guardians. Section 66 of the code refers to guardianship and trusteeship as being established for the protection of the rights and interests of legally incapable or partially capable citizens. Guardianship and trusteeship of children is established also for the purpose of their upbringing and to protect their rights. Guardianship and trusteeship over of children should be established in the absence of their parents or their adoptive parents, when the court has deprived parents of their parental rights, and in cases when they have been left for any reason without parental trusteeship. This includes parents who avoid bringing up their children or fail to protect their rights or interests. Section 67 establishes guardianship for children recognised by the court as legally incapable due to a psychological condition.

Section 68 covers issues of trusteeship. It allows for trusteeship of children aged 14 to 18 years old as well as persons recognised by the court as abusing alcohol and narcotic drugs. Trustees must give their consent for any transactions that anyone under trusteeship does not have the right to fulfil on their own. Trustees must also give assistance to their wards in the realization of their rights and the fulfilment of their responsibilities, and also protect them from abuse from third parties.[255]

The Law on the Protection and Protection from Family Violence 2017

According to the organisation End Corporal Punishment,[256] the Law on the Protection and Protection from Family Violence 2017 (Law No. 63) repealed the Law on Social Legal Protection from Violence in the Family 2003. It is understood that in reporting to the Committee on the Rights of the Child, the Government has acknowledged the inadequacy of this Law in protecting children from violence.

By-laws on boarding schools (1995) and Regulations on accreditation of residential child care facilities (1996)

The running of children's residential institutions is based on the by-laws on boarding schools of 1995 and regulations on accreditation of residential child care facilities of 1996. These regulations stipulate the operating procedures of residential institutions including for example, the maximum number of children, living conditions and staffing.

The Code of Criminal Procedure 2007 and amendments

Articles 154 and 155 of the Criminal Code is important as it criminalizes the act of bride kidnapping. It is understood that in 2013, the penalty for bride kidnapping was increased to 7 years' imprisonment and 10 years if the bride is a minor. [257]

In summary, UNICEF has recognised that the Government of Kyrgyzstan has ratified most core international human rights treaties on child protection and taken steps to develop such laws as the Child Code in order to improve guarantees of child's rights. [258] However, gaps in laws and their

[255] ibid.
[256] Please see: https://www.endcorporalpunishment.org/wp-content/uploads/country-reports/Kyrgyzstan.pdf
[257] Please see: https://www.unicef.org/kyrgyzstan/ending-violence-against-children
[258] UNICEF Kyrgyzstan 2021a:53

implementation have also been noted. This includes the need for further clarification and reforms of relevant by-laws and regulations in relation to the child protection system as well as better monitoring of enforcement and implementation of the law. Additional investment for implementation of laws is also needed.

13.2. Structures for child protection system delivery, co-ordination, and oversight

Social services for children in the Ministry of Labour, Social Development and Migration (MLSDM)

The Ministry of Labour, Social Development and Migration (MLSDM) is the lead Ministry with responsibility for oversight of child protection services. However direct provision of children's residential facilities, also known as 'internats', are also the responsibility of the Ministry of Education and Science and the Ministry of Health.

Within the MLSDM is the Child Protection Department with a Child Protection Senior Advisor. The Ministry has territorial departments within local government structures at Raion (District) and Aiyl Okmotu (rural small town and village level). Interviewees said hampering the work of the Ministry is the lack of resources. For example, it is understood the budget allocated to the work of child protection teams is very small. In a 2021 report UNICEF noted that,

> Even though the Law on Local Self Government gives municipalities authority to develop local services to meet the needs of their citizens, there are important financial, organizational and capacity constraints at this level that hamper performance of the functions foreseen by law. At the beginning of 2018, only 16.5 per cent of municipalities were financially self-sufficient, while the remaining 83.5 per cent had to be subsidized from the national budget. [259]

MLSD Child Protection at Raion and Aiyl Okmotu levels

There is a Family and Child Support Department at each raion level. These departments employ social workers and hold responsibility for identifying 'children in difficult life circumstances' as well as monitoring children in alternative care. They work with the local Commission on Children Affairs (CCA) when decisions are to be made about placing a child in alternative care into care. In the rural areas family and child support department staff often have to cover for lack of child protection capacity at the Aiyl Okmotu.

In the Aiyl Okmotu unit of local government structure we were told there may only be one official holding responsibility for child protection as well as having to fulfil several other roles and duties.

Commissions on Children's Affairs (CCA)

[259] UNICEF Kyrgyzstan 2021a:17

Commissions on Children's Affairs operate under the local administration. They consist of an inter-disciplinary panel of professionals chaired by the Deputy Akim on social issues of the raion. They are authorised at look at individual cases of children, based on reports from family and child support department. The Commission had the authority to decide whether a particular child meets the criteria for placement in an alternative care setting. The role and function of the CCA has been revised through changes in regulations. The latest regulations were approved in January 2017 and amended in February 2023.[260]

The regulations require a CCA to be made up of representatives from of a wide range of local government departments including education, health care, child protection, migration and internal affairs. A Commission is chaired by the Deputy Head of the local government unit, and membership now allows for the participation of NGOs. A Commission is expected to be guided by a number of principles, including, recognition of the priority of the rights and interests of the child.[261] A CCA makes decision in cases of children in 'difficult life situations' and those who have committed offences. It can make recommendations for placement in alternative care and adoption. However, they are required to prevent the placement of children left without parental care in residential alternative care institutions.[262] It is also mandated to work with parents to prevent neglect and abuse and early marriage. It is understood that previously CCAs operated largely on the basis of reviewing paperwork rather than in-person meetings involving parents and children. One of the new principles of the CCAs indicates a movement towards more involvement of parents and children.[263]

Social workers from the local MLSDM child protection department work with the CCA when cases of child abuse and neglect are being investigated and there might be a necessity to remove the child from their family and place them in alternative care. The Child Protection Officer will present a report to the Commission about a child's case before a decision is made whether not to recommend placement in residential or foster care, or any other measures. These recommendations are then presented to the Court. Only the Court can authorise placement of a child in in care in such cases.

Although not writing specifically about the MLSDM, in 2021 UNICEF concluded that overall, the management, coordination and leadership of public policies and expenditure to address all children's rights lacked accountability and identified a need further reform. It was also thought that in spite of plans to develop services at a local level and within agreed frameworks and strategies, local planning had been weak with different ministries implementing differing models of implementation. [264]

[260] Please see: https://cis-legislation.com/document.fwx?rgn=99109
[261] ibid.
[262] ibid.
[263] ibid.
[264] UNICEF Kyrgyzstan 2021a

The Child Rights Commissioner

A new position of Commissioner for Children's Rights was created in June 2021. Their role is to report directly to the President of Kyrgyzstan about the provision of prompt assistance to children who are victims of violence. They must also advise on the harmonization of legislation with international law.[265]

13.3. Provision of alternative care

Based on international guidance, the provision of alternative care should be a component of the national child protection system. Although a detailed survey of the scale and use of residential institutions was not the focus of this research project we are interested identifying any factors that influence the use of alternative care such as availability of care places, the offering of education and 'social care' in residential settings, and whether parents can simply relinquish their children into care even when there is no risk of harm.

Formal alternative care in Kyrgyzstan includes residential institutions, guardianship, and foster care. It has not been possible to source reliable up-to-date disaggregated data on the number of children in formal or informal alternative care in Kyrgyzstan that includes the reasons they have been placed there. We have been told many children are in informal care across the country who are living with grandparents and other relatives.

As the existence of alternative care provision can in itself be a 'pull' factor related to children's placement, we felt it important to try and ascertain information about such availability.

Residential institutions

As discussed earlier in this report, understanding the terminology for different residential settings has proven to be challenging. Interviewees have referred to 'internats' to denote different forms of residential settings. They also described residential institutions known as 'orphanages' that house true orphans as well as children found in other 'difficult life circumstances'. They also spoke about a range of different types of boarding schools, some of which are attractive to parents not just because of education but also because they offer 'social care'. There are also 'special' residential institutions for children with different disabilities.

We have ascertained from interviewees that pathways into residential institutions differ depending on whether a child has been identified as having a protection risk, is an orphan, has a disability, or has been relinquished by parents into social care and/or boarding schools. Furthermore, the system of residential institutions provision is complex for, as illustrated in Table 7, different facilities are overseen by various ministries, NGOs and religious organisations. and segregated by purpose i.e. disability, education, social care, protection etc., as well as by the age and gender of children. A snapshot of such information contained within Table 7 has been adapted from a mapping of residential institutions prepared through a partnership between the Government of Kyrgyzstan and

[265] UNICEF Kyrgyzstan 2021a:20

Oxford Policy Management.[266] This information wis undated but an informant suggested it was developed approximately 8 years ago.

Table 6. Numbers and types of children's residential institutions and group home

Management	Number
Ministry of Education and Science	
Orphanages and boarding schools for orphans and children left without parental care	13
Orphanages and boarding schools for children with disabilities	15
Mass and status boarding schools	32
Ministry of Labour, Social Development and Migration	
Children's boarding institutions of the MLSD	4
Ministry of Health	
Children's boarding institutions of the Ministry of Health (Baby Homes)	3
Non-state children's boarding institutions (NGOS)	40
Non-state boarding institutions (religious organisations)	9
Municipal children's boarding institutions	17
Total	**133**

(Source: adapted from https://child.mlsp.gov.kg/shelters.php)

In 2018, the OECD reported that local level managed "boarding schools" accounted for 27% of residential institutions with responsibility for 40% of children placed in residential care.[267] The agency also said the Ministry of Education and Science ran 20% of residential settings housing 34% of all placed children whilst the Ministry of Health had 200 infants in their facilities. A total of 13% of placed children were being looked after in 33 non-governmental managed residential settings. The report did not refer to the facilities managed by the Ministry of Labour, Social Development and Labour Migration or faith-based organisations. [268]

Ministry of Education and Science

The Ministry of Education and Science is a principle provider of residential children's institutions with, according to the data in Table 7, has 60 establishments in total. The Ministry provides residential care through 'orphanages' although it is understood from interviewees that these facilities house both true orphans as well as other children without parental care – also sometimes referred to a 'children in difficult life circumstances'. The Ministry also runs special 'orphanages' and boarding schools for children with disabilities as well as what are termed 'mass' and 'status' boarding schools. Some interviewees also referred to these establishments as 'elite' schools. According to the information we received there can be children within the same institution who have been placed there due to different

[266] Please see: https://child.mlsp.gov.kg/shelters.php
[267] OECD 2018
[268] OECD 2018

reasons including what is believed by parents to be a better education, or because they cannot afford education, and/or the facility offers 'social care'.

A report on the website of the Institute for War and Peace Reporting Asia, described 'mass and status' residential schools as 'comprehensive secondary schools and vocational school for gifted children'[269] serving parents who can afford to pay fees for what they perceive as a higher-quality education than offered in local schools. The report goes on to say that the children in these institutions usually go home at week-ends. It is understood these schools are not usually incorporated into the formal child welfare system and the Ministry of Education has indicated there are plans to remove these schools from the list of what are known as 'internats'.[270]

A significant number of residential institutions are for children with disabilities. In 2018 OECD wrote about how the use of these facilities were 'especially serious for children with disabilities' and how they had accounted for 29% of all children in residential care in 2014.[271] Interviewees reiterated the fact that the placement of children with disabilities is not a process undertaken through the child protection system, rather it is based on a medical model. Children receive a medical diagnosis and are then referred to the Ministry of Education for placement in one of their specific residential facilities for those with disabilities. This means their placement is not a decision made by the CCAs and children and their families are not assessed in the same way as other children in difficult life circumstances including taking into consideration the family circumstances.

It is thought that although this Ministry has been slow to adopt an effective 'de-institutionalisation' position, a recent Law on Education (2023) will hopefully lead to a significant change to the disability sector. Interviewees said this Law on Education includes a major component directed towards establishing 'inclusive education' for children with disabilities. It is also understood that the Law envisages the closure of all residential institutions for children with disabilities and the development of increased inclusive education and additional services for children with disabilities and their families.

The Ministry of Health

According to interviewees, the Ministry of Health is responsible for managing for what were formerly known as Baby Homes that have now been re-purposed as Child Rehabilitation and Family Support Centres (CR&FSC) and focus on families with children aged 0-7 years old. The Centres provide a range of family support services and Early Intervention teams have the aim of preventing child-parent separation. They continue to provide some residential beds but interviewees suggested these are now known as 'transitional care' and should only be used for a maximum of six months. The Centres are also sometimes able to access foster placements.

[269] Please see: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan
[270] ibid.
[271] OECD 2018:84

The CR&FSC in Bishkek has the responsibility to care for children of Kyrgyz mothers who may have become pregnant while working in Russia and have abandoned or relinquished their child into the care of the Russian authorities. An in-country protocol has been developed to manage this process of returning the children and placing them temporarily with the CR&FSC while family tracing is carried out. In the first instance, the Centre tries to find members of the mother's family who might be willing to care for the child. If they are not willing then the child may be placed into a foster family or ultimately placed for adoption. An interviewee described this process,

> *"There is a so-called hotline for very difficult situation where they [the CD&FSC staff] visit people in hospitals, for example when a pregnant woman in the hospital she has already decided that she will abandon her baby. Our specialists, lawyers and social worker are working together with this mother. And the second reason for the abandonment of the children, which is more and more every year from year to year, repatriated children, for example those girls from Kyrgyzstan they abandon their children in other cities in other countries. Due to external migration, they go to another country, Russia, Kazakhstan and they give birth to a child but they relinquish that child and those children are repatriated to Kyrgyzstan."*

The Ministry of Labour, Social Development and Migration (MLSDM)

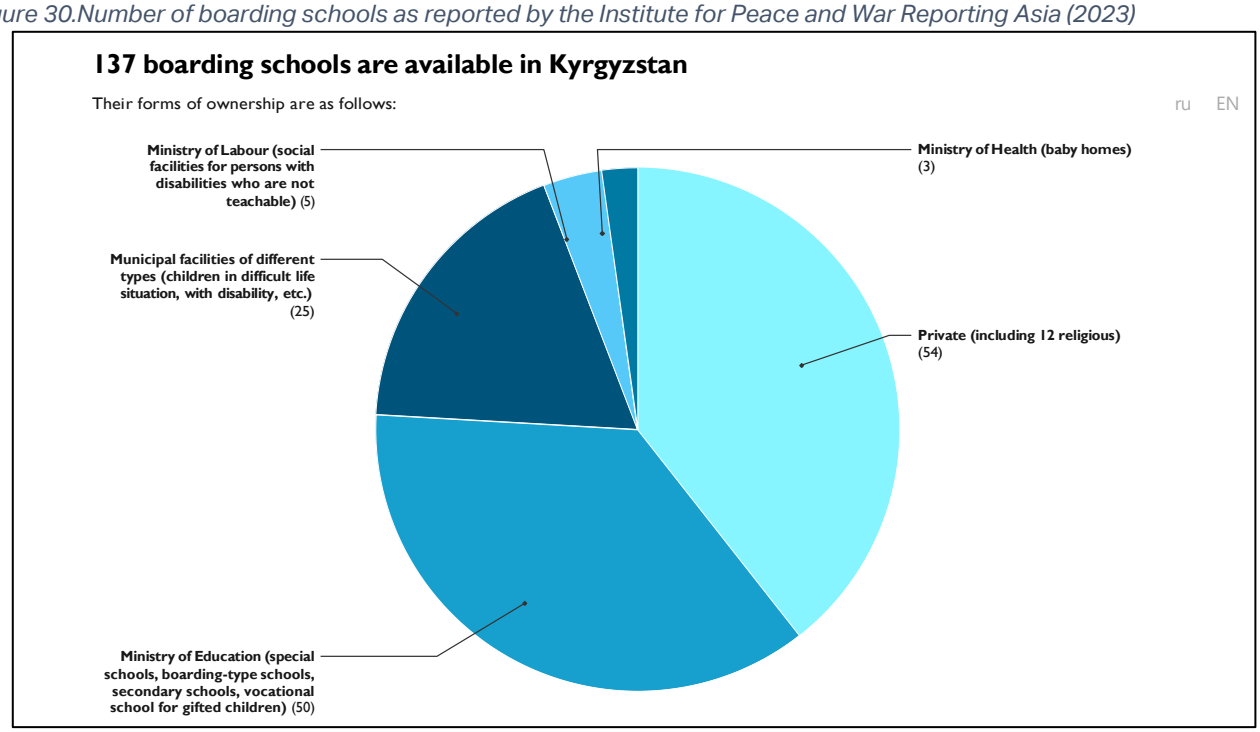
The MLSDM directly manages special residential institutions for children with disabilities. There are 4 facilities in total including 2 for children with 'psychoneurological disabilities' [272](see List of Institutions, https://child.mlsp.gov.kg/shelters.php). The Ministry also provides subsidies to a range of residential institutions run by NGOs.

Numbers of residential institutions and numbers of children being placed there

UNICEF has indicated there were 10,868 children in residential institutions in 2020, 'including in boarding schools, elite schools, and in residential care facilities for children without parental care'. A total of 4,000 children in institutions were considered vulnerable of which 2,485 were children with disabilities.[273] A 2021 UNICEF report noted how 10 out of 137 children's residential institutions had been closed but then re-opened and that the total number of such facilities continued to increase.[274] A 2023 article published on the website of the Institute for Peace and War Reporting Asia quoted a government official also confirming the existence of 137 'boarding-type facilities'[275] in Kyrgyzstan in which almost 11,000 children are placed.[276] Of these, approximately 5,000 are considered to be abandoned although they all have at least one parent . However, there is no definition given for the term 'abandoned'. The article provided the graph we have reproduced in Figure 31.[277]

[272] Please see: https://child.mlsp.gov.kg/shelters.php
[273] UNICEF Kyrgyzstan 2021a:37
[274] UNICEF Kyrgyzstan 2021a:36
[275] Please see: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan
[276] ibid.
[277] ibid.

Figure 30.Number of boarding schools as reported by the Institute for Peace and War Reporting Asia (2023)



(Source: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan)

However, an interviewee told us how, *"In 2012 we have 112 children's institution, but now we have 147"* and went on to explain that *"the government did not count the private institutions, for example religious, but these are not accredited. All of them are not accredited institutions. Most of them, they are private."* We were also informed that, "*It means that the number of children's religious institutions is increasing, it is not regulated by any regulations or legislation.*" But another interviewee working in a government office told us, *"Now we have 110 institutions with 9,100 children"* explaining that a number of reformed day schools were still called internats.

Without more detailed officially published data it is not possible for us to confirm any of the information in terms of numbers of residential institutions and the children who are placed there. It does appear however, that the lack of reliable official data may be resulting in a differing of understanding about the number of children in residential institutions and where they are placed amongst stakeholders in Kyrgyzstan.

Child care reform and closure of residential institutions

In terms of child care reform and closure of residential institutions, one interviewee spoke of a regulation *"adopted in 2012 to open alternative institutions. And in 2020 this regulation was revised because experts from the EU requested to revise this regulation and I also participated here as an expert."* We understand this was a reference to Resolution No. 813 which promoted work to developed alternatives to residential care through the provision of foster care. Others spoke of a commitment by the Government to decrease reliance on institutional care, to improve gate-keeping and increase community-based local support to families,

"…*the number of children in difficult life circumstances is increasing but the number of placements in the internat is decreasing*."

"I would like to give an example of [a] boarding school. They closed it and they have transformed it and on the basis of this institution we have formed alternative centres which provide services for the local population for the families which are in a difficult life situation. Maybe it was like a very deep explanative work for the parents, for example when they reduced the number of children in this institution, actually it was very difficult because parents were against and they requested some state agencies to support them."

"One of the internats they are going to change the profile because the number of children became less. It means just optimisation here in this specific case we are going to change the profile of the institution maybe it will be a school of secondary education and also if of lower age it will be just kindergarten."

According to one Kyrgyz news agency on the topic of *"optimizing the management and financing of residential children's institutions in 2013-2018",* in the resolution 15 DUITs [internats] were to be transformed or optimized.[278] This involved surveying all the residential children's institutions that existed in the country and a pilot programme to completely re-purpose or 'optimise' them. Another report said the optimisation process has been much contested with various suggestions that certain institutions closed down but then re-opened perhaps with a different classification as a 'general boarding-school'[279].

An OECD report of 2018 also acknowledged a push to reform residential institutions.[280] However, reasons for ongoing reliance on residential institutions were also highlighted,

In practice, only a very small proportion of vulnerable individuals or households have access to social services, due to a lack of resources, low capacity at local level and the absence of a clear statutory framework for social services. As a result, residential institutions remain the foremost social services intervention in Kyrgyzstan, despite the GoK's commitment to making the enrolment of vulnerable individuals in such institutions a last resort.[281]

In terms of alternative care and children with disabilities, some interviewees spoke at length about Government reforms to the education and social welfare system which they believe will have a positive impact on the prevention of their separation from parental care. These reforms include new cash benefits for families with children with disabilities, as well as payments for carers. The Government has established a fund to pay for 'personal care assistants' to support children with

[278] Please see: https://24.kg/obschestvo/259249_kolichestvo_detskih_internatov_vkyirgyizstane_rastet/
[279] Please see: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan
[280] OECD 2018
[281] OECD 2018:83

disabilities in their own homes. Parents are eligible to claim these 'carers allowances', which are aimed at children with the most severe disabilities who are considered to need 24 hour care. To date a total of 136,000 personal carers are reported as having received this payment.[282] Interviewees said,

> *In March of this year the government implemented a state programme in order to include children with disabilities. There is a section in this policy, which is called Access to Education. Together."*

> "*Yes, the government is financially helping and also helping to pay for personal assistant. The Personal Assistant can take a child to the centres in order to develop the child for example. We have 36,000 children with disabilities throughout the country. More than 9000 get personal assistant, it is like 25%. All of these efforts are made to help parents in order not to try to send their children to different institutions."*

> *"As for the children with disabilities actually the system only provides institutions taking care of children with disabilities. I cannot say that there are many children with disabilities but they do exist in such type of institutions. Therefore, currently they are introducing such a form like a temporary short-term stay. We call it like transition. Our government also implies different type of mechanism for children to stay at home."*

A Human Rights Watch report from 2020, confirmed steps being taken by the government including signing of the Convention on the Rights of Persons with Disability (CRPD) in 2019.[283] This followed,

> the government's preliminary efforts, beginning in 2012, to close or transform 17 out of 140 institutions for children, including children with disabilities. Despite this, approximately 3,000 children with disabilities …. continue to be segregated in residential institutions or special schools where they face neglect, segregation, and discrimination.[284]

The Government of Kyrgyzstan's commitments include the Law of Education approved in 2023 which contains an aim of providing more 'inclusive education'. It is understood this will have implications for the future of the internats for children with disabilities. According to one interviewee, the long-term plan is to close all the government-funded internats for children with disabilities and replace them with a combination of day schools, or alternatively to create a series of mobile family-support services. Some interviewees believe government commitments towards inclusive education for children with disabilities should not be too difficult to achieve if resistance from the management and staff of internats can be overcome.

[282] Please see: https://24.kg/english/272017_Number_of_personal_assistants_for_people_with_disabilities_increases/
[283] Human Rights Watch 2020
[284] Please see: https://www.hrw.org/report/2020/12/10/insisting-inclusion/institutionalization-and-barriers-education-children

An example of a new training programme was also spoken about by interviewees. They believe such training will help address stigma and build the confidence of parents in caring for their disabled children. The Department of Adult and Children's Disability (MLSDM) has taken advantage of a commissioning initiative which interviewees introduced as the 'new Social Order'. This is a procurement mechanism allowing government to purchase specific services and expertise of NGOs. Using this new process for example, an NGO has helped develop a guidance manual for parents of children with disabilities used as the basis for a three-day course, carried out by university staff, for parents and personal care assistants. We were told the course was well received by parents and carers. The central message of the training was that the children belong at home with the family which, with the right support, is much better than long-term placement in an internat. Parents were given advice on how to best support their children's development and access to education. One interviewee said that the programme has been so successful it will now be rolled out across the country,

> *"And now with the support of our international partners, we are going to conduct such kind of training throughout Kyrgyzstan. This is supported by the World Health Organisation, and they [the project partners] have translated this manual into Kyrgyzstan language. And now we are planning to distribute it throughout Kyrgyzstan and train parents so they have some knowledge and skills how to treat their children with disabilities"*

An interviewee also spoke about the use of the new 'social order' mechanism as being a way to increase professionals who can support children with disabilities,

> *"Now here in the country they started talking more and more about children with mental disabilities. We do not have enough psychologists, or social workers who can work with such children. We have many problems. We are trying to use the social order because we know many problems. If we can find such specialists, it would be very good for the children and for the country. For example, those that cannot be done by our governmental our state, it can be done by non-governmental organisations, civil society."*

In conclusion, it is clear efforts are underway to address the use of residential institutions in Kyrgyzstan. However, overall, it seems that efforts towards deinstitutionalisation including the development of community-based prevention and family-support programmes, and the closure of children's residential institutions, is not yet resulting in the elimination of such facilities.

Guardianship

Guardianship is established in the Family Code for 'orphans or neglected children for the purposes of maintenance and education and protection of rights and interests' (English translation from Russian publication of the Code). Children under Guardianship can expect:

- the right for residence in the guardian's family
- the right for maintenance, education, development, respect of their dignity

- the right for financial relief, pensions or other social benefits awarded to them by the law
- the right for physical protection

(Please note the above text has been translated from the Code published in Russian)

A guardian can take a child into their own home or place them in a residential institution. The Family Code does not clarify how it should be decided if a child goes to live in the home of a guardian or into residential care. This situation was not raised by any professionals we interviewed in the course of our research.

In the proposed revisions to the Children's Code we understand the Government plans to require all departing parents to seek a formal Guardian for their children, to enable the government to know the whereabouts of the children and to better target services at them.

Development of foster care

Provision of foster care has been included in the Childrens Code of 2012 and delivery began in 2014, based on Foster Care Regulations drawn up by the MLSDM. These regulations were revised in 2020. The intention was to provide temporary, family-based care for children separated from their parents and associated with the plan for deinstitutionalisation through the closure of internats. According to the MLSDM there are currently (June 2023) 78 families raising 156 children, however, there are no available foster families in some raions.[285]

According to a report on the website of the Institute for War and Peace Reporting Asia, the MLSDM has a target to train between 100-120 foster families per year and is working in partnership with two NGOs, through a mechanism known as the Social Order as mentioned above, to purchase their expertise to achieve this. [286] The rate of pay of foster parents is thought to be relatively attractive with a working-age foster parent receiving 1.5 times the minimum living wage (equivalent to about $140 per month) plus an allowance for the child, depending on age, between $125 - $170 per month. Foster parents are expected to provide a detailed account of how they spend this allowance, and they should be regularly monitored.

Reunification and adoption

In terms of reunification, our research indicates very few children are being returned to parental or extended family once placed in care. We would also like to note that adoption was not a focus of this study and not an issue raised by interviewees.

[285] Please see: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan
[286] Please see: https://cabar.asia/en/foster-families-fail-to-replace-orphanages-in-kyrgyzstan

13.4. Capacity of decision makers and use of child protection case management

Gatekeeping and child protection case management

Gatekeeping as in the prevention of unnecessary placement in alternative care through child protection case management procedures is an essential component of a national child protection system.[287] In this respect, international guidance on child protection and gatekeeping promotes the systematic use of tools and procedures that enable all those involved in the protection and care of children to undertake rigorous child and family assessments and make well-informed decisions. [288]. These decisions should always be in the best interests of each child and meet their individual needs, circumstances and wishes.[289] It is also essential that all multi-sectoral responsible bodies and organisations share the same understanding of gatekeeping and tools and processes that aid decision making. The setting of risk thresholds (thresholds that determine whether there is a protection risk for a child or not) is an important component of any assessment and decision-making processes.

There are several different pathways into alternative care in Kyrgyzstan and several different categories of decision makers. This includes professionals, including social workers, CCA members and judiciary working within child protection. It also includes members of medical commissions who make decisions about placement of children with disabilities. Parents, extended family members, and other official guardians, are decision makers when deciding to relinquish children into residential institutions for varying reasons including for example, issues related to education, issues related to poverty and family breakdown. Alternative care providers are also gatekeepers when deciding whether they can and will accept children at the behest of families, or through an application for an administrative order to keep a child they received.

Parents as decision makers

In the first instance, interviewees spoke about the decisions of parents themselves to relinquish their children into alternative care and some of the reasons why this might happen.

> *"For example, some children who are very difficult to control and their parents cannot control them and cannot just improve their behaviour themselves. In these case parents are approaching other Ministries and they request to place in temporary for short period of time and in some institutions and to provide some kind of upbringing and improving their behaviour…. parents are trying to cope with this by themselves sometimes they can cope of this and sometimes they cannot."*

> *"Actually, this is for talented children boarding school it is some type of business…. It seems to me this that the parents would not like to bring up their children themselves and they would like to place their children somewhere and be educated by someone else and this is the wrong approach."*

[287] Csaky and Gale 2015
[288] Cantwell et al. 2012
[289] Cantwell et al 2012

> *"It means just according to the letter of request of their parents, they can be enrolled in such type of schools, general education boarding schools."*

Others spoke of the push and pull factors previously discussed in this report including issues related to parents experiencing poverty, leaving children behind for reasons of labour migration, and accessing education and social care. Reports of poor monitoring of alternative care providers suggests the possibility that internats are deciding to accept relinquished children without any administrative process.

> *"Yes, and for example I have been monitoring of these boarding schools and I have provided recommendations, and they have to follow all that in order to become in line with the legislation. But in the remote areas all the institutions that are state, orphanages or religious institutions but some of them don't follow because they have internal procedures directed by the Ministry of Education. I have studied all the regulatory documents, for example not everybody understands well the legislation. For example, if the state partner is going with the money touring to inspect this institution they do not really go into deep and they don't take this into account, for example how the child was sent by the Commission on minor affairs or by the parent application and they don't pay attention to that"*

However, some interviewees spoke of efforts in Kyrgyzstan to prevent such relinquishment,

> *"It means that parents are approaching us and the government to open such institutions, but we cannot open this and provide some kind of explaining parents are trying to cope with this by themselves…We do have social workers but according to the legislation of the Kyrgyzstan republic we have a law that is preventative. And according to this legislation all the state departments municipalities are conducting programs not to have children with anti-social behaviour."*

The official process of referral of children in to alternative care by a local CCA does not include children with disabilities and the children attending the 'elite' residential schools. In the northern part of the country where the fieldwork for our research was undertaken, some interviewees said they do not believe it possible for any child whose case should be handled by the Child Protection department to be admitted to an internat without the authorisation of the Commission on Child Affairs. They said entry into residential care requires the completion of a lot of official documentation. However, others are not so convinced about the presence of such good 'gatekeeping' across the rest of the country with one interviewee claiming some 'internats' particularly in the south, do directly accept children at the request of parents.

The role of social workers, case management, and decision making

Professional social workers are principle decision makers in Kyrgyzstan. As noted above, the cases of children believed to be in 'difficult life circumstances' are managed by social workers in the Child

Protection Departments and considered by the local CCA, the multi-disciplinary board that takes decisions about children and their possible placement in alternative care. Such recommendations should then be presented to the Court.

Overall we received very little information about the efficacy of Child Protection Officers/Social Workers use of assessments and decision making. Opinions that were offered, were mixed,

> *"Yes, we do such kind of assessment but to what extend this assessment is professional or not is a question mark. For example if a mother would like to return back her child then she is writing a letter that says, 'Please I am changed and would you please return my child' and then the social worker goes to her house and checks everything, it is like a kind of small assessment, like if she is employed, if she has a place of living for the child etc."*

> *"The registration of these children from families of difficult life situation is not done properly. Maybe she is telling this because they don't really, they put only 5 families per month in difficult life situation because there are not so many social workers or not many social services, at the local level of course. But maybe on the country level they are making some small steps towards this data base and information technology. But on the practical level it is too small, so many children are being missed. Not all children on the register maybe they are abused, or they don't go to school."*

> *"For example, we provide some type of individual development plan for the child, some type of protection for the child together with other structures. For example, they [social workers] make such kind of a small survey they use a questionnaire and collect all this information on this family for the consideration for the commission. Maybe this family needs some type of benefit, and this family did not know they have the right to get this benefit. It is called like a comprehensive assessment." (*Interview speaking about the process when a child is being referred to the CCA id there is a possibility they might be separated from his/her parents)

> *Regulation no 391 involves children where they are in difficult situation - what to do with this kind of children. Together with our social workers they visit different places they identify children with families in difficult life situations, in order to provide timely assistance, it is like preventative work and also early identification of children in difficult situations*.

Many interviewees did speak however about the challenges that are affecting the ability of social workers to fulfil their role and to fully utilise a case management approach that involves individual child and family plans and regular monitoring and case review. These challenges include a shortage of social workers both in terms of numbers as well as those who specialise in working with children. It is understood that social workers not only work with children but also have to support other

vulnerable members of the community. Other issues include high turnover of staff and lack of resources to undertake their duties properly such as not having transport to be able to visit families.

> *"And only small part of social workers are working with families and with children, but mainly they are dealing with old people. We have requested from the government to allocate 500 social workers additionally, because there are not enough, and these social workers could have been working with the families to make some preventative work, but unfortunately this did not happen. The government did not help us….but you know just turnover of the personnel is very high. Not only on local government or administration level but social protection departments also. Staff, personnel, are always changing. This is at the district and the village levels."*

> *"Not enough [social workers] …According to the legislation it was supposed 3,000 persons to one social worker. It is a new additional of the Code of Children. Then we counted that the raion they were supposed to have 19,000 social workers but in fact only 7 social workers are employed there. So, in fact it means very few, it is the same picture in each and every raion."*

> *"Actually in each village government they have two specialists one is social worker and the second is social inspector as we call them, and they visit such type of houses, but the onus is with you, there are only two persons and physically they cannot reach each and every house. Because they have big number of responsibilities, they are not only responsible for children, but they are also working with adult with disabilities, with schools, and also with the rural medical posts, because we do not have enough specialists, we do not have enough personnel, of course we would like to prevent and visit more houses."*
> *"And also, they have much work to do. For this we need to increase the number of personnel. For example, we do not have a car it means we have to walk on foot, for example to go to remote villages in summer and winter time we must walk and sometimes there is a phone call to visit very urgent then we go at night for example. For example, such cases usually are together with the inspector on minor affairs but sometimes their car is not available it means one car for all of them, all of us."*

This lack of resources and capacity of social workers extends to all aspects of service development and delivery as was recently reported,

> One of the key problems in the implementation of the protection of the rights of labor migrants' children is the lack of a database, the exact number of children, the lack of good specialists and the large "turnover" of social workers. The prerequisites for the emergence of this problem are most often social workers, as a result of which employees without experience working with minors are hired.[290]

[290] Please see: https://cabar.asia/en/kyrgyzstan-how-to-resolve-issues-of-violence-against-children-of-migrant-workers

UNICEF has also drawn attention to the issue of 'public service professionals migrating out of disadvantaged areas'[291] resulting in an inequitable distribution of quality services. UNICEF also believes that the differences 'in roles, mandates, authority, decision-making responsibilities, and processes assigned to the different actors, grades and levels within them, make cross-sectoral communication and planning problematic.'[292] This is coupled with calls for improvements in the quality of performance and the development of a framework that would actively 'sanctions inferior performance, mismanagement and corruption.'[293]

Despite these challenges, interviewees reported on positive developments. For example, the crucial role of social workers in reducing reliance on residential care, looking for alternatives, ensuring placements are temporary rather than long-term, and returning children back to their families, has been recognised,

> *"Yes our social workers are supporting reintegration of the children back their families. We are helping the families, for example if the parents don't have a job, we are helping them to get some job. For example, we are helping them to be registered, we have to call employment centres to be registered and to find some job. For example, if there are some alcoholic parents, we recommend them to have some medical treatment from the neurological centre and then after this we request them to bring the certificate that they have really undergone this and now they will not use anymore alcohol and after this we return back their children."*

> *"OK, if there is a case about a child and first of all we are trying to find alternative care for example this means that the Social Development Department are searching for relatives of this child, if they find relatives and then they place with the relatives…"*

Role of the judiciary

No members of the judiciary were interviewed during the research. Other interviewees spoke about the process of placing a child in alternative care when it required a decision from the court but only one interviewee commented on the efficacy of this decision making,

> *"I have looked through 300 court decisions. The court did not consider the situation in order to keep this child within the family for example. For example, to put them into the foster families or just relatives for example, just to consider some alternative childcare."*

The role of UN and non-governmental agencies

Staff of UN bodies and NGOs are also decision makers in terms of children's protection and welfare when for example, they decide where to spend money and the advice and support they provide to government bodies, as well as the choice of support services they decide to offer children, young

[291] UNICEF Kyrgyzstan 2021a:52
[292] ibid.
[293] ibid.

people and families. Furthermore, the UN and NGOs are instrumental in advising and working with government on the development of legislation, policy and strategic planning. This is complemented with work to raise awareness of children's rights and to advocate with and on their behalf for positive change.

13.5. Data collection and management information systems

The UN Guidelines for the Alternative Care of Children[294] advise States on 'development and implementation of coordinated policies. Such policies should be based on sound information and statistical data. The necessity of accurate and systematic data collection for information on characteristics and trends of child protection and alternative care is crucial for the development and application of appropriate and evidence-based policy, practice, and services.

Legislation, policy, statutory guidance, planning and programme delivery, should be informed by evidence. The 2019 UNGA Resolution, highlights this by calling on States to,

> 'improve data collection, information management and reporting systems relating to children in Improving data collection, information management and reporting systems related to children without parental care in all settings and situations in order to close existing data gaps and develop global and national baselines.'

In the first instance, the Resolution is referring to data related to children in alternative care, including the reasons for placement. It is further necessary to continue to collate evidence that includes consideration of the following:

- What is the situation of children affected by the issue of child-parents separation
- What are the main drivers of child-parents separation, and how are these influenced by various factors, e.g. gender, age, ethnicity, socio-economic circumstances, and access to services etc.
- How are children at risk of separation officially identified and recognised (e.g. in official data).
- Which child protection and social protection services are available to children at risk of child-parents separation and what are the gaps.
- What are the ideas and proposals of children, and other key stakeholders, about responses to the issue of child-parents separation and how they could be improved.

It is understood the Ministry has participated in recent digital initiatives across Government and in particular has developed electronic databases of children in 'difficult life situations' and monitoring the number of children placed in care through the child protection process. We were unable to source recent Government data.

On viewing current available reports on child protection and alternative care in Kyrgyzstan we conclude there remains a lack of sufficient detailed data being made publicly available that would help inform future developments in legislation, policy and service delivery to prevent unnecessary

[294] United Nations General Assembly 2009

separation of children from parental care. In particular, there is a need for data that would call attention to the reasons children are placed in alternative care including those issues mentioned in this study.

13.6. Training for decision makers

It has not been possible to accurately assess the quality of higher education or additional training opportunities for social workers, judges, policy makers, and others responsible for child protection decision making in Kyrgyzstan. When interviewees were asked about access to training, especially for social workers, all responses referred to supplementary trainings e.g. sometimes 1 or 2 days on a particular topic. No-one spoke of the academies or universities providing social work training or the quality of that education.

According to UNICEF, despite investment in public sector reform and capacity building over a period of years, professional training and education for different stakeholders needs to be improved so that standards align with international best practice.[295]

Overall however, we recognise that only partial information was collected during this research relating to the topic of decision making, along with analysis of the efficacy of the child protection system and those working within it. It is suggested this topic requires further investigation.

14. Solutions to challenges provided by research participants

We felt it important to seek the ideas of research participants in identifying solutions to the challenges they had identified.

To this end, during the research workshops, an exercise with children involved them drawing themselves as superheroes and writing down three things they would use their superpowers to achieve. They said they would:

- Reconcile people who quarrel
- Get rid of physical violence
- Provide harmony
- Create a fair environment to stop wars
- Solve scandals
- Stop the use of curse words
- Offer support through life from being young to being old people
- Help people with money to help financial instability
- Solve poverty and provide food for hungry people Heal sick people
- Replace old houses to new ones
- Give morality

[295] UNICEF Kyrgyzstan 2021a:52

Included in the solutions offered by young people was help to families that would improve family relationships and parents love and support for their children. They also want to see help that would improve parenting skills. Young people see a need for improved access to more psychosocial/psychological services as well as better medical care. Help is also needed to prevent addiction and alcoholism. Some wrote of the need to address economic problems and improved access to training and employment.

When considering solutions, it is important to consider the things that make children and young people happy. When asked what makes children happy when they are home, many responses referred to being loved and cared for. Having good relationships in the family makes them happy with harmony between parents as well as between parents and children. This means parents trusting and supporting their children and spending time together. Children also wrote about nice things they like such as sweets and vacations and recreational activities.

When asked what makes young people happy when they are in the home, a few wrote about financial stability and having food and clothes. Like the children however, the majority of answers related to issues of love, care, being wanted, understood and supported. Having happy parents is important. They are happy when people to listen to each other and are able to tell each other their problems.

Adults attending the 4 family workshops were also asked about solutions they thought would help address the challenges they had raised. They wrote of solutions related to harmonisation and improved relationships in the family. Others want challenges relating to poverty such as aid, social protection payments, support and access to employment to be addressed. Some mentioned the importance of human rights and especially women's rights. Representation of their solutions can be found in Figure 31.

Figure 31. Solutions to the challenges being faced by families as answered by adult family members

Solutions to the challenges being faced by families (as answered by adult family members)

parents must understand each other
parents must be in a harmony and the family will be happy
man in a family must know his duties
providing more training to improve the relationship between parents and children, we need to start educating ourselves. through education we will be able to stop violence in society
psychological sessions - for example psychological sessions helps a lot
do not allow early marriages
prohibition of alcohol
strengthen the country's law to support women
need to create female committees. in turn, the women committee should pay attention to the necessities of females in villages and help them. for instance, female organizations must know the quantity of females in villages, what diseases they have, and what kind of issues women are facing in their life

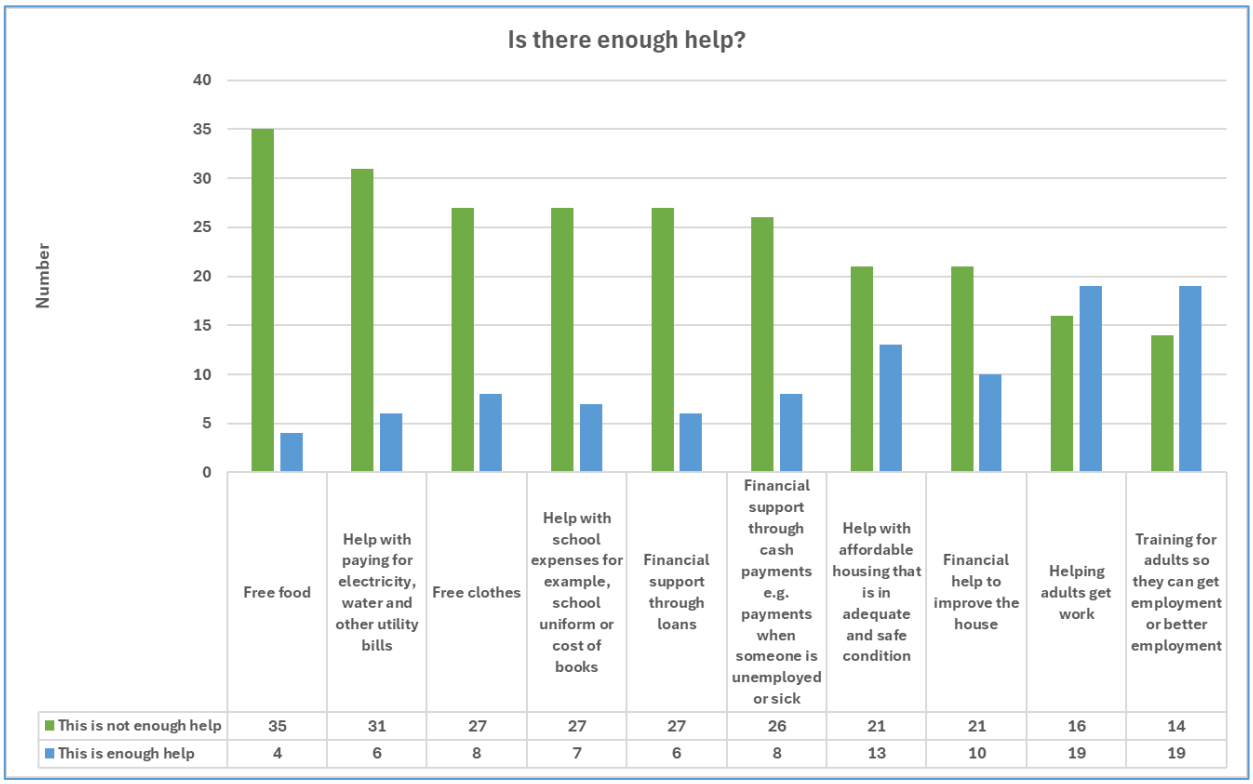
we need to start from ourselves - we have a lot of organizations who protect children's right, human rights
government must help people and pay attention to people's issues.
social workers must work properly. Social workers should help children
children must be in various courses to be educated
government or organizations opening kindergartens for poor families
governmental mortgages
apartments and houses built by government must be cheaper
using money consciously
need a pension
having sustainable employment
qualified lawyers that do not cost a huge amount of money

During the family workshops, written answers to the question 'what makes the family, happy, strong and united', were predominantly about issues related to family unity: of 95 written responses only 15 related to having money and employment. The remaining answers indicated the family is happy when there is love; harmony, respect; empathy, understanding; care and no violence. There is happiness when parents are together with their children and show them kindness, are gentle with them, and pay attention to their emotional and physical wellbeing. The family is also happy when parents do not fight and solve problems together.

Interviewees were asked for their recommendations regarding actions and services that could help improve the situation for families and prevent child-parents separation. Interviewees emphasised the need to provide more specialist counselling to parents facing family problems. One interviewee pointed out the lack of training capacity for psychologists in Kyrgyzstan. Several interviewees mentioned the importance of providing employment opportunities in the country to avoid parents going abroad to work and leaving their children behind. Improving access to housing and mortgages was another important issue that should be addressed as this would support families being able to obtain adequate accommodation. Another interviewee felt it was vital to increase the salaries of social workers to attract and retain staff and to try and prevent the high level of turnover.

In terms of information regarding current help for families, respondents were asked whether current levels of certain forms of support was sufficient. As illustrated in Figure 32, of the 39 respondents who answered this question, almost all (25) ranked not enough help with free food as being the support that is most 'often' not enough. Overall a high number of respondents ranked all the options as not 'often' being sufficient.

Figure 32. Is there enough help for families?



15. Conclusions and recommendations

The recommendations in this section of the report have been informed by the information children, young people, and adult family members provided during research workshops. These findings have been triangulated with the knowledge and understanding provided by professionals holding responsibility to protect children and support families, as well as information gathered during a desk review.

The research framework, analysis of findings, and development of recommendations have been guided by the UNCRC and the 2019 United Nations General Assembly Resolution, 'The promotion and protection of the rights of children' as well as the UN Guidelines for the Alternative Care of Children. Recommendations are therefore addressed in reference to children's rights. Although these rights are indivisible, and all are essential to the well-being of children, we have chosen to develop recommendations based on a certain number of rights thought most applicable to the findings of the research and prevention of child-parents separation.

With regards such guidance, it is the responsibility of States Parties, and other bodies and organisations, to address drivers of separation and do everything possible so that children can remain with their parents in a safe and caring environment. This requires a society that is free from

violence. It means combatting stigma, discrimination and marginalisation that individuals and families face on the basis of such issues as ethnicity, gender, disability, sexual orientation, and birth status etc. It requires a strong national economy with programmes of poverty alleviation. The safety and security of all citizens, and systems and delivery of a range of basic and specialist services such as education and health as well as utilities, employment, and adequate shelter being important. There should be a social protection system that provides for individuals and families when in need of such support including unemployment, sickness and disability benefits, pensions and other social safety nets. Furthermore it requires a strong child protection system, including the systematic application of gatekeeping mechanisms and a well-resourced and trained social services work force. It is also incumbent on governments to develop the necessary normative framework for child protection and family support. Overall, this approach is grounded not only in the fundamental spirit of the UNCRC but also in many specific UNCRC provisions, such as a right to health (Article 24), education (Article 28), support for the role of parents (Article 18), conditions for separating a child from parents (Article 9), right to social security (Article 25), rights for children with disabilities (Article 23), and protection from discrimination (Article 2).

We recognise that responsibilities to address drivers of child-parents separation and prevention of placement of children in alternative care is primarily that of the Government of Kyrgyzstan through the provision of national and local socio-economic programmes and services. This is a significant responsibility. Our research has not included an in-depth analysis of all these different aspects of government responsibility but has considered some of the gaps in provision. We also recognise that UN and other international bodies play a significant role in service provision alongside national and international NGO, CBOs and private enterprises, and these differing roles and responsibilities should be a consideration when reading the conclusions below.

This remainder of this section of the report contains a significant number of recommendations and this may appear daunting. However, partnership working between government and non-government agencies can bring about change when responsibility is shared and each organisation works to its own strengths and expertise.

Adequate standard of living and well-being

Article 27 of the UNCRC requires States Parties to recognise the right of every child to a 'standard of living adequate for the child's physical, mental, spiritual, moral and social development.' The Article also calls on States Parties to take appropriate measures to support and assist parents with their responsibility toward children and 'shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.'

The 2019 United Nations General Assembly resolution[296] on the 'Promotion and Protection of the Rights of the Child' calls on States to 'improve the situation of children living in poverty, in particular extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited

[296] United Nations General Assembly Resolution 'Promotion and Protection of the Rights of the Child', December 2019 'A/74/395

or no access to basic physical and mental health-care services, shelter, education, participation and protection' (Article 1). Furthermore, the resolution clearly says that 'financial and material poverty, or conditions directly and uniquely imputable to such poverty, never should be the only justification for the removal of a child from the care of his or her parents or primary caregivers and legal guardians…'

We have observed how issues related to poverty are a driver contributing to children's placement in alternative care in Kyrgyzstan. Poverty is an inter-generational as well as a multi-dimensional issue with measurements of poverty taking into account not only financial means, but other factors that contribute to well-being.[297] Concerns raised by children, young people and adult family members in our research signalled many areas of their lives in which they are struggling with issues related to poverty that can lead to child-parents separation. This includes parents who use residential institutions that offer 'social care' in the form of shelter, food, clothing, medical care etc. as well as placement in 'boarding schools' for purposes of accessing education for their children. An example being the use of these facilities by parents who migrate for purposes of labour migration. According to international standards, this would suggest unnecessary use of alternative care as poverty should never be the sole reason for use of such placements.

Parents are also leaving children behind in informal care when they migrate for purposes of finding employment both within and outside the country. Children are usually left with members of the extended family, most often grandparents. Previous research has drawn attention to the risks that children living in informal kinship care can face.[298] Concerns that can ultimately result in children being moved into formal alternative care.

The information gathered during the research indicates a correlation between the ability of families to face daily challenges as a result of poverty and the stress and tension within households that can ultimately result in family breakdown. For example, some parents are resorting to the use of excessive alcohol exacerbated by, and contributing to, the effects of poverty, which ultimately contribute to problems within families. The research also shows there is an association between the use of alcohol and domestic violence that is ultimately leading to family breakdown, violence and separation.

Although not always directly related to issues of poverty, violence and neglect, children are also living in alternative care because they are orphans or abandoned. The Government has acknowledged this issue and initiated such programmes as regular social work visits to hospitals to speak with mothers who are thinking about relinquishing their baby. Furthermore, former 'Baby Homes', now renamed as Child Development and Family Support Centres are offering a range of services, including day care and the possibility of mother and baby temporary care in the hope of maintaining the mother-child bond.

[297] Please see: https://www.worldbank.org/en/topic/poverty/brief/multidimensional-poverty-measure#:~:text=The%20Multidimensional%20Poverty%20Measure%20(MPM,the%20%242.15%20international%20poverty%20line; https://ophi.org.uk/video-poverty-in-el-salvador-from-the-perspective-of-the-protagonists/
[298] Delap and Mann 2019; Roby 2011

We must also note how some families living in very difficult circumstances remain supportive and caring of one another and create a safe environment for children. This illustrates how strong loving relationships are an important factor in helping families stand up to the impact of poverty and other shocks experienced by households. This in turn can contribute to a violence free household.

Recommendations

- Addressing issues related to poverty is a structural issue that is primarily the responsibility of the government. It is beyond the remit of this report to provide detailed recommendations as to government efforts to strengthen the country economically. However, what should be possible is ongoing advocacy with, and on behalf of, vulnerable households for the development of relevant economic policies and programmes. Consideration should be given to providing government policy makers with a clearer understanding of the multi-dimensional aspects of poverty affecting families and a multi-sectoral, family-centred approach to the design, development and delivery of support to families through access to basic and specialist services and a relevant social protection system.

- Support to families in upholding their responsibility to provide for their children might include training and support in establishing income generation schemes as well as accessing stable, well remunerated employment. This should include additional support for women in particular, whose lack of education, training, and literacy is precluding them from the job market.

- Article 18 of the UNCRC requires States to 'take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.' Affordable, or preferably free, day care for children would help women in particular find their way into the work force. It could also provide respite for those struggling with household responsibilities, are overwhelmed by challenges of everyday life, and would benefit from help in alleviating any pressure building up within families. This includes day care for infants as well as after-school provision.

- Overcoming the multi-dimensional aspects of poverty requires support for families through closer multi-sectoral cooperation and improved coordination between Government and non-governmental bodies and agencies, UN entities, academics, faith-based leaders, the private sector, and donors, including those responsible for education, health, security, social protection and social welfare, justice, and child protection. There should be a concerted effort together, and within each organisation, body, or department, to assesses and recognise where each can most effectively contribute: whether it be direct service provision, advocacy to effect change, signposting so that families know how and where to receive the support they need, fundraising, or even leading/supporting such coordinated response. Organisations should also look at the breadth of their outreach to ensure they are reaching vulnerable families including those residing in hard to reach areas of the country.

- Families need informed and coordinated access to service provision in a way that will address all the inter-related challenges they face. This should be available universally to address the concern that support often comes too late and so that vulnerability within families might be prevented. To this end consideration should be given to providing families with signposting to basic and specialist services as well as ensuring joined-up provision in a way that overcomes barriers of access e.g. access to all support coordinated in one location rather that family members having to move from agency to agency to agency to resolve their problems. In some countries for example, this is sometimes called a 'one-stop shop'. [299]

- Children should not be placed in alternative care solely for the reason of poverty. Furthermore, alternative care should only be used when absolutely necessary for children in need of protection. Therefore, even greater efforts should be made to end the placement of children in all forms of residential institutions including those offering 'social care' and education and 'special' services to children with disabilities. We suggest there is a need for further in-depth investigation as to the use of residential institutions (including boarding schools) and the application of such evidence applied to developing legislation, policies and strategies that refocuses the funds currently used to run these facilities toward programmes that allow children to remain safely within their own homes.

Protection

Articles of the UNCRC that afford children the right to protection include, safeguarding from violence, abuse and neglect (Article 19 and Article 37(a)), from sexual exploitation and abuse (Article 34) and, from sale, trafficking and abduction (Article 11, Article 35, Article 36, Article 39).

In particular, Article 19 requires:

> States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

A conclusion of our research is violence is a driver related to children's placement in alternative care in Kyrgyzstan. Children and young people said they want to be protected, loved, and cared for, and to live in a violence free and stable home environment. They particularly emphasised the responsibility of their parents to keep them safe from harm. However, children and young people, along with other research participants identified violence within families. Children are also facing other risky situations which then brings them to the attention of police and child protection services. For example, when they run away from home due to violence or family breakdown, and become street connected or, children involved in child labour, whether on their own or working alongside parents.

[299] Please see: https://www.undp.org/botswana/news/undp-supports-establishment-one-stop-shop-public-services-botswana And: https://www.undp.org/kazakhstan/stories/one-stop-shop-window-problem-solver-people-difficult-life-situations

Violence against girls and women is a concern including those experiencing domestic and gender-based violence. A phenomenon that can also contribute to the risk of children being separated from parents and placed in alternative care. Cultural norms in Kyrgyzstan mean an acceptance by some in terms of accepted practice of males abusing their wife/partner. Research participants identified the fact that women who are victims of domestic violence are facing difficult situations and need more support from government and from within their communities

While divorce is one solution for women in Kyrgyzstan to escape domestic violence, this can also render them economically vulnerable and open to different stresses this might entail. Meanwhile for the children who are victims of divorce, there is an additional concern that they may be sent into alternative care if not accepted when parents remarry. Furthermore, children who are living in situations of domestic violence are also at risk of becoming victims themselves thus prompting child protection authorities to respond and remove children from parental-care.

It important to recognise that some men will also struggle with societal expectations that place responsibility on them to adequately provide for their families. This, as with women and children, may also be affecting their mental health which we recognise may be a situation contributing to violence against children and partners.

The Government of Kyrgyzstan has taken a number of steps to condemn domestic violence and to increase pressure on the police to take it seriously as a criminal issue. In recent years the Government has also supported the creation of a multi-agency Commission for the Prevention of Domestic Violence, which operates at the level of local authorities. However cultural attitudes lead to a high level of normalisation of violence and more needs to be done to address this situation.

Recommendations

- There is a need for investment in violence prevention programmes for adults and for children to help break the inter-generational cycle of violent behaviour. These programmes should be systematically applied in an ongoing and sustainable manner. To this end, provision of violence prevention programmes that reach children at an early age could be built into the school curriculum and comprise not just one-off 'civic' lessons, but continuous learning that promotes positive messages and behaviour throughout a child's school life. Violence prevention could also be built into family strengthening programmes and that work should be undertaken with all members of the family.

- Article 2 of the UNCRC guarantees children protection from discrimination. Violence prevention programmes should include efforts to combat factors that contribute to the presence of abuse and exploitation including discrimination, stigmatisation, and lack of equality. They should incorporate clear messages that promote tolerance and understanding. Issues of gender equity, discrimination against persons with disabilities or from different religious, ethnic, or other specific

backgrounds, and acceptance of those identifying as LGBTQI+ are examples of topics such programmes should include.

- To help inform policies and programmes that promote safe and united families, professionals would benefit from gathering and dissemination of evidence and understanding of the factors that are contributing to violence in the home in Kyrgyzstan.

- In order to help break any cycle of inter-generational aspect of violence and poor parenting ability, professionals would benefit from a better understanding of such topics as attachment theory, including the impact of separation from loved ones that children face when placed in alternative care, the negative impact of adverse childhood experiences (ACEs),[300] and trauma-informed practice.[301] These topics should also be incorporated into programmes for parents and other caregivers as prevention of violence also requires sustained actions working closely with families to bring about an understanding of the harm being created when they use violence and finding ways to address such abusive situations.

- Those living in situations of domestic violence and gender-based violence, most especially girls and women, need someone to turn as for example, access to counselling and psychosocial services provided within a caring and safe environment. When rejected by extended family and the wider community, and with no-where else to go, crisis shelter centres, and other support services, for women and their children could offer immediate protection and help prevent situations from deteriorating to the stage where children may be separated and placed in alternative care. Access to child day care and after school clubs would also provide some respite for women. The building of stronger supportive social networks is also important.

- Men should be actively involved in family strengthening and other programmes that help them understand the importance of, and how to maintain, strong and caring family relationships. This should include awareness on issues of gender parity and prevention of domestic violence.

- Professional mediation services should be made easily available to families in case of divorce and separation, including individual representation for children themselves, to prevent the placement of children in alternative care when proceedings fail to secure permanent custody with one or other parent. This might also include counselling for parents who are considering re-marriage to ensure their children's care and well-being are not jeopardised.

Support with parenting

The preamble to the UNCRC states 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

[300] Please see: https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next.See also: SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022
[301] SOS Children's Villages International 2022

within the community'. This requires States to provide parents, and other primary caregivers, with the support needed so that children have the best upbringing, protection and opportunities in life.

Children and young people feel happy when they have parents that love, respect and understand them. They wrote about the importance of parents being good role models. When asked why families reach a situation where placement of children in care is a consideration, interviewees drew attention to disharmony and dysfunction in the family due to what they consider as poor parenting skills. They see poor parenting skills as a factor related to deterioration of child-parents relationships which in turn, may ultimately lead to violence against, or serious neglect of, children.

Recommendations

- As with previous recommendations, actions are needed that will break any inter-generational cycle of poor parenting. This requires consideration of parenting programmes that take a holistic and family-centred approach and incorporate such topics as attachment theory, the negative impact of adverse childhood experiences (ACEs),[302] and trauma-informed practice.

- Specialised services are required when supporting parents at risk of experiencing such adverse behaviour as alcohol addiction. This might include for example, the provision of counselling as opposed to the current medical model applied to addition, and support in establishing self-help groups.

- Free and locally available access to psychosocial and counselling services is needed.

Disability

Children with disabilities have the right to enjoy 'a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community (Article 23 of the UNCRC). Also contained within Article 23 of the UNCRC is provision of special care and assistance to ensure children with disabilities have, 'access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities'.

All the issues covered in this conclusions section of the research report apply equally to children, and parents or other primary caregivers, with disabilities. There are, however, some risks that are heightened in the case of children with disabilities, including those of abandonment or placement in special residential institutions. One such situation is when parents are unable, or do not want to, provide the care they need. Stigma and discrimination against children with disabilities also plays a role in their inability to fully participate in all aspects of society, including education. and as a result, can lead to their placement in alternative care.

[302] Please see: https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next.See also: SOS Children's Villages International and CELCIS, Centre for Excellence for Children's Care and Protection, University of Strathclyde 2021; SOS Children's Villages International 2022

We understand efforts have been made in recent years to try and improve the situation facing families of children with disabilities in Kyrgyzstan. This has included the creation of two different forms of social protection cash benefits; one for the family caring for a child with disabilities and a second payment in the form of a carers allowance that can be paid to a parent or someone employed to assist a child with disabilities. There are also positive moves heralded within the new (2023) Education Measure including provisions for inclusive education. However, whilst these moves are undoubtedly welcome, we recognise that the level of these benefits, as with other social protection financial payments, are very low and in themselves not enough to lift people out of poverty.

The 2023 Education Act suggests that the many internats providing boarding-type education for children with disabilities will be subject to an 'optimisation' process to turn them largely into day schools or non-residential centres of support services. Such changes are very necessary as Kyrgyzstan continues to place a large number of children with disabilities in residential facilities, 'internats', often with some, sometimes reluctant, acceptance of parents who fear their children will not receive an education if they stay at home. This indicates a need for continued education and advocacy programmes aimed at the general public, especially teachers, regarding the rights of children with disabilities to access education. In addition, the placement of children with disabilities through decisions based on a medical model should cease.

Recommendations

- Family support programmes should ensure the inclusion of families that have members with disabilities.

- Violence prevention programmes, as previously mentioned, should inherently incorporate protection of children with disabilities.

- Advocacy and awareness raising programmes should promote an understanding and acceptance of disability, both within families and amongst the general public. Public information campaigns should speak about fair and respectful treatment of people with disabilities, the harm of stigmatisation, and topics that would help prevent violence and exclusion. Advocacy programmes by and with people with disabilities are important and help bring a specific focus to improving services, opportunities, and support.

- Inclusion in schools should not just offer children with disabilities an equal opportunity to receive an education, but they should also be a place of security.

- Children with disabilities, as with other children, should not be placed in residential institutions. Consideration should be given to any specialist support necessary to prevent the placement of children with disabilities in alternative care.

Education

Article 28 of the UNCRC requires States Parties to 'recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity'. States Parties must also 'take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.' Furthermore, Article 23(3) recognises education should be provided free of charge in a manner that responds to the special needs of a disabled child. Article 24 of the United Nations Convention on the Rights of Persons with Disabilities[303] calls on States Parties to 'recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning'.

Access to education is a pull factor in Kyrgyzstan that leads to children being placed in alternative care. This is the result of various factors including a perception by some parents that education is of higher quality and/or free in some residential boarding schools coupled with the fact that many of these schools are also offering free or subsidized social care. Children are also leaving education to take up work, and many children with disabilities are unable to access education in local schools.

As noted above, it is hoped that developments to legislation issued in 2023 will lead to increased access to inclusive education for children with disabilities and less reliance on residential schooling. However, until education for all children is fully inclusive, of the highest quality possible, is not coupled with access to free 'social care' and is totally free of charge in all local communities, there is a concern that parents will continue to seek the use of residential boarding schools.

Recommendations

- Public education should be free from all costs including fees, materials and uniforms and other associated expenses.
- No child should be placed in a residential institution for reasons of gaining access to education.
- There may be a need for increased awareness raising that will help prevent placement of children in alternative care for purposes of education, including into boarding schools.

Play and leisure

UNCRC Article 31 of the UNCRC directs States to the right of children to rest and leisure and encourages access to cultural, artistic, recreational and leisure activity. This right is highlighted in this report, not just because of the importance to children's development, but also the opportunity joint recreational and other pursuits can play in strengthening family life.

Children most emphatically wrote about the importance of time being spent together with parents, other family members, and friends. A sentiment repeated by young people and family members who

[303] United Nations Convention on the Rights of Persons with Disabilities 2006

highlighted the importance of spending time together as a family, including the eating of meals and undertaking of recreational activities.

Time spent together is seen as being particularly important in the way it contributes to family unity and can help provide a respite from the stresses they may be facing. There might be parents who are doing their utmost to provide for the family by working hard and long hours but do not realise the benefits of spending time pursuing joint activities with their children and how this can help forge closer bonds.

Recommendations

- Activities that address important aspects of family unity and spending time together would add value to parenting and family strengthening programmes. This would include raising awareness amongst parents and professionals as to the important benefits of time spent as a family and how this can help forge closer bonds.

Addressing harmful social norms, attitudes and practices

Article 42 of the UNCRC requires States to make the principles and provisions in the Convention 'widely known, by appropriate and active means, to adults and children alike.'

Children and young people in Kyrgyzstan want violence to end. For example, they do not want to flee their homes because of violence. They want parents to understand they need love and kindness and for beating and other forms of negative disciplining to stop. We also note the ongoing discrimination against girls and the risks to their safety this can cause.

Recommendations

- Advocacy and awareness raising campaigns are needed to help eradicate harmful social and cultural norms and beliefs that place children at risk of harm. Such campaigns would greatly benefit from meaningful participation of children, young people and other primary stakeholders.

The child protection system and capacity of professional decision makers

Article 1 of the 2019 UNGA resolution on the 'Promotion and the protection of children's rights', calls on States Parties to ensure,

> adequate and systematic training in the rights of the child, including by encouraging States to take the Guidelines for the Alternative Care of Children into account for professional groups working with and for children, including with children without parental care, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, care professionals, health professionals and teachers, and coordination among various governmental bodies involved in the promotion and protection of the rights of the child

International guidance relating to decision making and 'gatekeeping'[304] is outlined in a number of international documents including the UN Guidelines for the Alternative Care[305] and accompanying Handbook[306]. This guidance includes the use of case management tools that allow for rigorous multi-sectoral and participatory assessments upon which careful and well considered decisions can be taken. These decisions should always in the best interest of the child.

The Government of Kyrgyzstan has been investing in the promotion and passing of legislation to affirm the rights of children, especially girls, and improve the provision of services, including those for children with disabilities. However, legislation and policy for child protection, family strengthening, and gatekeeping would benefit from further revision.

Allocation of financial and other resources for the implementation and delivery of child protection or other social services remains inadequate. Although there are social workers in positions across the country, our research indicates these are insufficient in number. Furthermore, their roles and duties frequently involve offering support to large numbers of actual or potential service users that do not just include children.
Research findings indicate the quality of assessments to determine whether a child is in need of protection and/or alternative care are not always rigorous. This suggests there may be children for whom placement in alternative care was not necessary even though subject to such an assessment. In this respect some interviewees highlighted a number of factors contributing to this situation including once again the insufficient numbers of staff and lack of resources necessary to effectively undertake child protection roles and responsibilities.

An assessment of the quality of social work training in higher education institutions is missing from our research. Evaluation of the quality of ad-hoc and in-service training was also not possible within the remit of this research.

Overall, although different interviewees spoke about the commitment of the Government to promote the principle of gatekeeping that should include all steps to prevent the use the use of large-scale residential institutions, this is still a much used option when separating children from parental care.

Recommendations

- Legislation should guarantee the gradual elimination of all forms of children's residential institutions.

- To inform the development of future training and capacity building, it is recommended that an assessment of the quality of social work training in higher education institutions is undertaken along with a review of provision and standards of in-service capacity building. This should be coupled with a study of current skills, knowledge and capacities of all those responsible for

[304] For further explanation of the term 'gatekeeping' please see: Csaky & Gale 2015
[305] United Nations General Assembly 2009
[306] Cantwell et al. 2012

making decisions about protection and care of children including social workers, police, judiciary, health and education workers etc. This should consider their understanding of risk thresholds in relation to protection and how to apply the principle of the best interests of the child.

- Steps should be taken to address the lack of sufficient numbers of social workers. This should include the provision of social workers whose sole responsibility and specialism is that of child protection. Consideration should also be given to the necessary resources needed by social workers to carry out their role as for example, provision of any relevant equipment and transportation.

- Training of those working in residential institutions may not only help alleviate some of the opposition to those employed in such settings, but also contribute to re-skilling. If sufficiently trained, they could be offered new roles in family strengthening programmes and, if family based care settings are developed, they might become providers.

- Advocacy and actions that will help re-focus the use of funds towards family strengthening rather than expenditure on residential facilities will be important. This might begin with the undertaking of cost benefit analysis studies that could also help with a political argument for the elimination of residential institutions.

Data management systems

Legislation, policy, statutory guidance, planning and programme delivery, should be informed by evidence. The 2019 UNGA Resolution, highlights this by calling on States to,

> 'improve data collection, information management and reporting systems relating to children in Improving data collection, information management and reporting systems related to children without parental care in all settings and situations in order to close existing data gaps and develop global and national baselines.'

In the first instance, the Resolution is referring to data related to children in alternative care, including the reasons for placement. It is further necessary to continue to collate evidence that includes consideration of the following:

- What are the main drivers that lead to placement of children in alternative care, and how are these influenced by various factors, e.g. gender, age, ethnicity, socio-economic circumstances, and access to services etc.
- How are children at risk of separation officially identified and recognised (e.g. in official data).
- Which child protection, social protection, and other services are available to the families of children at risk of placement in alternative care and what are the gaps.
- What are the ideas and proposals of children, young people, adult family members, and other key stakeholders, about responses to the issue of child-parents separation and how they could be improved.

Our research findings suggest a lack of sufficient and rigorous systematic data collection in Kyrgyzstan that is being made available that could inform future developments in legislation, policy and service delivery to prevent unnecessary separation of children from parental care.

Recommendations

- Ongoing development of local, regional and national child protection data management systems that provide clearer definitions and understanding of all the issues impacting children's protection and well-being including a more comprehensive explanation as to the reasons children are separated from parental care.

Participation

Article 12 (1) of the UNCRC requires,

> States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

In recognition of the importance of children's right to participate in decisions affecting their lives, and indeed for anyone to play an integral role in deciding on things that impact their life, it is necessary to facilitate a careful and supportive process that allows for full and meaningful participation in different decision-making situations.

Our research suggests the vast majority of children in Kyrgyzstan are not participating in any way during the process of completing protection or other assessments of their situation or in decisions being made about their lives, including placement in alternative care.

Recommendations

- Children should be supported in a way that allows their full and meaningful participation in any decision making processes that will affect them, including their placement in alternative care.

- All children should be acknowledged as active citizens and afforded equal opportunity to contribute to their society. In this respect, policy makers and programme designers and implementers may need help understanding that children are experts in their own lives. This will require challenging any negative assumptions regarding children's capacities to engage and participate and providing them with opportunities that allow them to build and demonstrate such capability.

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