

Inicijativa za prava osoba  
sa mentalnim invaliditetom MDRI-S



Mental Disability Rights Initiative

# International Human Rights Law and the right of the child to grow up and live in a family

Deinstitutionalisation of childcare: Investing in Change

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Living out of a family environment can have detrimental effects on social, cognitive, intellectual, emotional and physical development of a child

Institution should be understood as any living arrangement other than a family

# Discrepancies and the evolution of in the Int. Human Rights Law

Convention on the Rights of the Child  
UN Guidelines for Alternative care



Convention on the Rights of Persons with Disabilities:

- Art 5 Non-discrimination
- Art 14 Liberty and security of a person
- Art 19 Living independently and being included in the community
- Art 23 Respect for home and the family

# Human rights treaties are “living instruments”

Adoption of CRPD (entered into force 2008) is the **culmination of the international standards’ evolution over time.**

Article 19 and the accompanying General Comment No. 5

*Large or small group homes are especially dangerous for children, for whom there is no substitute for the need to grow up with a family. ‘Family-like’ institutions are still institutions and are no substitute for care by a family.*

# Human rights-based approach to disability

Small institutions

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Small residential care

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Small group homes

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Family-like facilities/care

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Thank you for your attention

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