



Written submission from Little Footprints Big Steps to the UN Convention on the Rights of the Child Day of General Discussion: "Children's Rights and Alternative Care"

About Us

Little Footprints Big Steps (LFBS) is a Canadian International Development Organization that works to protect vulnerable children in Haiti. LFBS works to reunite families and keep them together by addressing the root causes of separation and poverty. LFBS supports local protection authorities in building a stronger child protection network, and strives to foster the health, self-worth, and social reintegration of children who have been separated and mistreated. Based in the southern city of Les Cayes, LFBS' outreach and collaborations extend to more than 350 families in 45 communities throughout Haiti.

List of Acronyms

BPM: Child Protection Brigade of the local police

IBESR: Haitian Social Services

LFBS: Little Footprints Big Steps

MCFDF: Ministry of Women's Rights



Background

In Haiti, there are approximately 32,000 children living in orphanages, 80% of which have at least one living parent at home. In a 2018 audit of over 750 orphanages in Haiti, only 4.6% of orphanages met the minimum national standard of care, and less than 15% were officially registered with Haitian authorities¹. Most orphanages in Haiti run as for-profit businesses, exploiting children to receive foreign aid. The primary reason for children's admission to orphanages in Haiti is poverty, and a resulting lack of access to basic health, education and social services. Children's parents are lured by orphanage owners to give up their children with promises to fill nutrition, health and education needs. The living conditions in these orphanages are quite different than promised, however, with many children facing a range of abuses that violate their human rights; including lack of access to health, sanitation, and nutrition, lack of access to education, violence and severe neglect, as well as sexual abuse, trafficking, and avoidable death in care².

¹ Lumos Foundation. (2017). Out of the Shadows. <https://wearelumos.org/resources/out-shadows/>

² Lumos Foundation (2017). Funding Haitian Orphanages at the Cost of Children's Rights.



What are the factors, in your context, that contribute to the institutionalization of children, and how can they be addressed to prevent it?

The factors that contribute to the institutionalization of children in Haiti involve centralization, insufficient government resources, and unregulated foreign aid.

The Haitian government has recognized the serious risks to children living in orphanages and has prioritized deinstitutionalization in their Child Protection Strategy. In October 2018, the Haitian government decreed that starting new orphanages was illegal. However, child protection authorities including Social Services (IBESR), The Brigade de Protection des Mineurs (BPM), and the Ministry of Women's Rights (MCFDF), are underfunded and lack the logistical and human resource capacity to properly regulate and shut down these institutions, or prevent new institutions from opening. Haiti's National Budget does not prioritize child welfare, and the centralization of resources in Port-au-Prince further exacerbates the issue of funding. The rural offices of child protection authorities are often understaffed and underfunded to the degree that they are inoperable. In the



Grand'Anse department, IBESR is barely functional; staff have not been paid or their contracts have not been renewed. There is one regional director who is working by herself with no support staff, resources, or places to host children. Because of this, children in the Grand'Anse region are at a heightened risk of harm. There is no access to medical aid or safe haven for children who have been separated, and the only place to put children who have been separated is in an orphanage.

A third contributor to institutionalization is international funding. 83% of funding to Haitian orphanages comes from US faith-based donors. The flow of foreign aid to orphanages in Haiti results in orphanage owners being better-resourced and more powerful than local protection authorities in some cases. LFBS staff has personally witnessed on numerous occasions situations where government authorities were either threatened or bribed by orphanage owners in order to keep orphanages running. Without adequate logistics and human resources capacity to enforce the standards set out by the government, IBESR is unable to adequately monitor unauthorized or poorly managed orphanages and is unable to assert themselves as the child protection authority that they are. These orphanage owners are able to avoid detection or consequences because of the limited capacity of IBESR and the continued support of the orphanages.



Despite the Haitian government's 2018 ruling on orphanages, unregistered orphanages that are primarily driven by faith-based aid continue to open. Individuals or organizations will rent a house and collect children; without the consultation of Haitian authorities, this amounts to the illegal trafficking of children. Due to the aforementioned capacity and resources issues, and the fact that aid entering the country is so unregulated, there is very little being done to regulate or prevent these illegal institutions from opening. Although a National Anti-Trafficking Committee exists in Haiti, it does not seem to be very effective as both this committee and the child protection authorities in Haiti need to be reinforced in order for their authority to override the power of aid money.

An interrelated issue to international funding is that of foreign paedophiles. The issue of foreign paedophiles who have access to children in alternative care is extremely prevalent in Haiti, and has been difficult to address. These individuals either abuse children while working or volunteering in orphanages, or illegally take children into their own care and abuse them. LFBS has reported several paedophiles and abusive orphanages, including one case where many children are infected with syphilis, and another in which an American man houses and abuses children with disabilities, yet they



continue to operate. It is challenging to gather concrete proof against foreign paedophiles because their victims are reluctant to speak out. Victims are usually manipulated by, and financially dependent, on their abusers. In cases where the victim is a boy being sexually abused by a man, the stigma concerning being perceived as gay often prevents him from speaking up. When it comes to abusive orphanages, there exists the issue of power dynamics; there is an assumption that if Haitian authorities do intervene within faith-based organizations, these groups will pull their resources from Haiti.

To address these factors, it is essential to reinforce and increase the capacity of IBESR and other child protection authorities, especially in their capacity to provide services related to child reunification. While ideally child protection authorities would have their own resources, in the interim INGOs and International Organizations should work in collaboration and consultation with IBESR, BPM, and MCFDF. LFBS works hand in hand with local child protection authorities, providing IBESR with both logistical and human resources support in the form of vehicle usage, personnel deployment and coordination efforts, and strongly encourages all other INGOs and International Organizations operating in Haiti to do the same.



Education and outreach must also take place with faith-based organizations that demonstrates that the continued proliferation of and support to orphanages conflicts with the Government of Haiti's national plan to reduce reliance on orphanage care, as well as international human rights conventions and standards designed to protect children. Redirecting funds from poorly managed orphanages to families and communities and to Haitian authorities that work in children's protection will contribute immeasurably to preventing institutionalization.

What needs to be considered in preventing and phasing out the institutionalization of children?

The key to preventing and phasing out the institutionalization of children is in interventions that combine temporary emergency spaces with logistical support and resources for family tracing, mediation, and reunification. Collaboration with local authorities must take place throughout every step of this process. The implementation of the foster family system, reinforced with economic and psychosocial supports, is critical. Additionally, there exists an urgent need for an alternative operating system for children in conflict with the law.



LFBS runs two temporary emergency safehouses in the city of Les Cayes in the Departement Sud. When protection authorities identify a child who is in a vulnerable or abusive situation, they refer that child to our safehouse for temporary placement while we provide the logistical support and resources to IBESR and BPM for family tracing, mediation, and reunification. If LFBS did not provide family reunification support, our safehouses would quickly turn into orphanages rather than a temporary placement, as local protection authorities are severely under-resourced and usually lack the means to facilitate family tracing and mediation.

Collaboration with local authorities is essential. We have established our partnership with local authorities through respect and recognition of their status in Haiti; we have a mutually beneficial relationship that consists of full and transparent communication. LFBS and local authorities share and refer resources to one another, ranging from medical support to transportation. All LFBS activities are reported to IBESR in Les Cayes, and they are consulted for permission before any action takes place. For example, a reunification that involves transporting children must be authorized and documented by IBESR. Unfortunately, this practice is not common among INGOs in Haiti, which at best undermines the authority of local protection officers and at worst amounts to unintentional child trafficking.



The implementation and reinforcement of the Foster Family system is another key factor in phasing out the institutionalization of children in Haiti. Foster Families have been established on a very small level in the Departement Sud, and have been successful in cases where LFBS works to reinforce the economic means of foster parents. LFBS often enrolls foster parents in our business start-up programming, which empowers them to earn income to provide for this foster child and other members of their family. The system needs reinforcement on a much larger scale, and local authorities must have increased means of visiting, monitoring, and providing training for foster families.

In the Grand'Anse department, and in other rural parts of Haiti, safehouses and foster families do not exist. With only one IBESR officer who continues to work, there is no place for children who are displaced other than orphanages. The Foster Family system in Haiti could be bolstered with increased support to IBESR to train, visit and monitor foster families. INGOs should support this endeavour through economic and psychosocial programming geared toward foster families.



BPM in both the Sud and Grand'Anse Departments have identified the need for space in the police station where children can stay for one or two nights. These spaces would be used in cases where a child is lost and shows up at the police station, has been rescued from a trafficking case, or is in conflict with the law but is too young to go to prison. In the Departement Sud, LFBS often provides placement in our safe houses for children who are in such circumstances, however in other regions children are either sent to orphanages because there is nowhere else to place them, or admitted to prison even though they are too young.

The lack of an alternative operating system for children in conflict with the law results in children being admitted to adult prisons.

Many children in prison were previously abandoned and living on the streets before their incarceration. The lack of juvenile facilities in Haiti means that children who commit petty crimes are treated as adults. Children who are put in prison for stealing or becoming involved in protests are groomed by older inmates to commit more serious felonies upon their release, resulting in a high rate of recidivism.

Children in prison are housed in cells with no protection from the elements. They live in close contact with adult felons and are at extreme risk for verbal, sexual, psychological, and physical abuse.



LFBS has been made aware of cases where guards have sent children into adult cells as punishment. Skin and urinary infections are prevalent; there is little access to clean water or more than one set of clothes. It is not uncommon for children in prison to have syphilis. LFBS and IBESR send resources and medical staff into the prisons as often as possible, but there exists no system for this to happen routinely.

In August 2020, a Haitian medical student joined the LFBS team to provide medical evaluations for minors in the local prison. Of the 23 children he saw, over 80% had skin infections. Nearly 50% seemed to have urinary infections. Three need immediate intervention, including one boy who required surgery. Though LFBS and IBESR were able to successfully advocate for medical intervention in this case, a more sustainable solution is urgent. Though IBESR and international partners try to advocate for the release of children, there is very little regard for the specialized needs of children in the prison system. Delay, strikes and corruption result in extremely slow processing of files, meaning that children can spend years in prison without a trial or judgment, especially in cases where they don't have a family to advocate for them. LFBS is aware of one child who has been in prison for three years while waiting for a trial date.



Without direct support and capacity building of local authorities, INGOs leave a gap in child protection services when they depart. An organization that used to work with incarcerated children left Haiti in 2019. Since then, no other organization has filled the void, meaning that there are many children lacking support in reintegrating into their families and communities and with vocational training. While LFBS works to support children in conflict with the law whenever possible, it is not always feasible for us to receive and protect formerly incarcerated children in our safehouses, for the safety of the other children in the safehouse. With no other option, these children may end up living back on the streets and become incarcerated again. This is why it is so important that they do not end up incarcerated in the first place.

Key Recommendations

1. Increased collaboration, consultation, resource allocation and support of Child Protection Authorities in Haiti, predominantly IBESR and BPM, with a strong focus on rural areas.
2. Education and outreach to faith-based donors that demonstrates that the continued proliferation of and support to orphanages conflicts with the Government of Haiti's national plan to reduce reliance on orphanage care, as well as



international human rights conventions and standards designed to protect children.

3. Interventions design that combines temporary emergency spaces for children who have been separated with logistical support and resources for family tracing, mediation, and reunification.
4. Support for the implementation of Haiti's foster family system, reinforced with economic and psychosocial supports.
5. The establishment of an alternative justice system for children in conflict with the law.

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