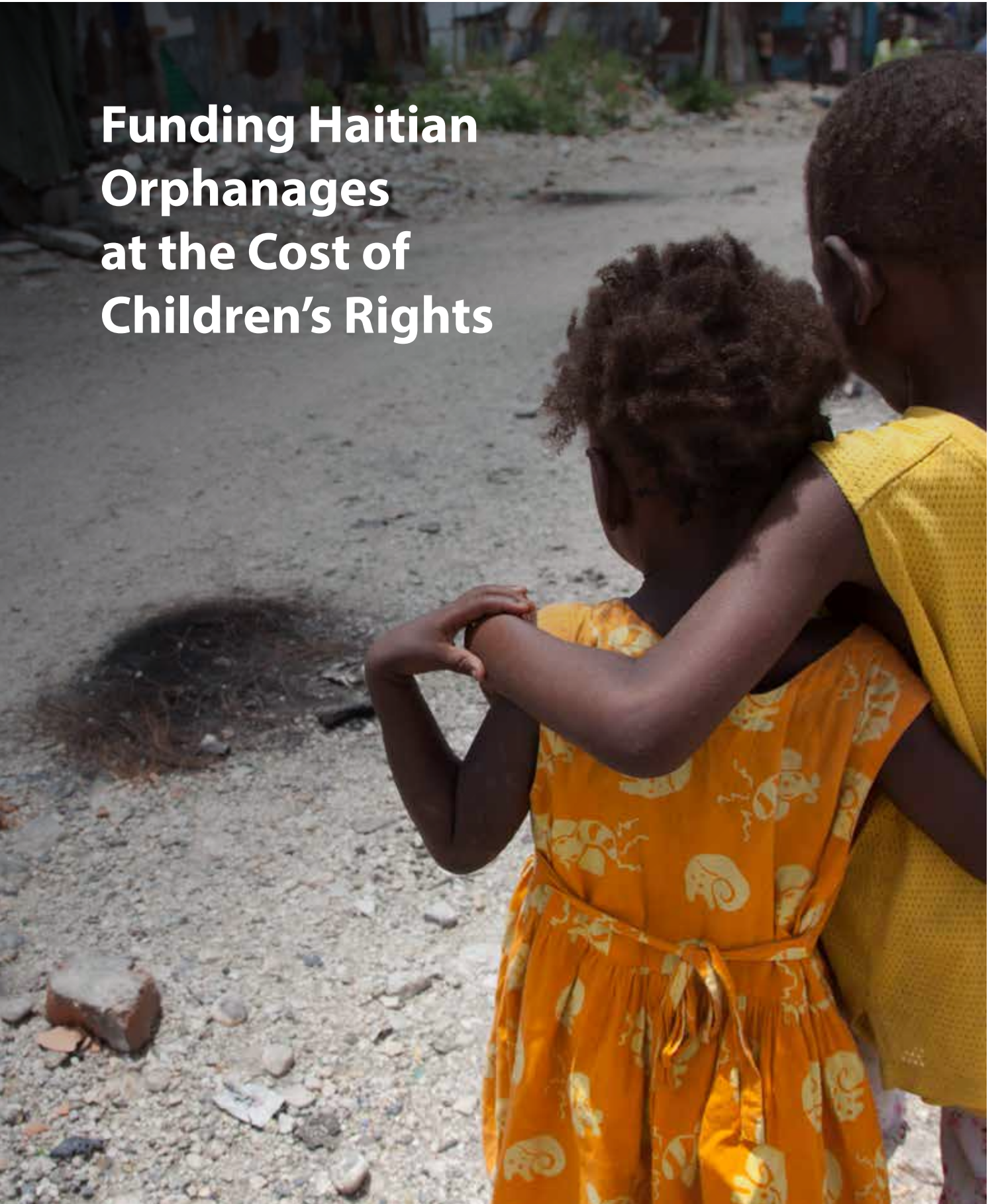


Funding Haitian Orphanages at the Cost of Children's Rights



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Abbreviations

ASP	Adoption Service Provider
BPM	Brigade de Protection des Mineurs (Police Brigade for the Protection of Minors)
CAFO	Christian Alliance for Orphans
CDC	United States Centers for Disease Control
CRC	United Nations Convention on the Rights of the Child
CRS	Catholic Relief Services
CRPD	United Nations Convention on the Rights of Persons with Disabilities
ECFA	Evangelical Council for Financial Accountability
EU	European Union
FBO	Faith-Based Organization
IBESR	Institut du Bien-Etre Social et de Recherches (Institute for Social Welfare and Research)
ICCPR	United Nations International Covenant on Civil and Political Rights
MAST	Ministère des Affaires Sociales et du Travail (Ministry of Social Services and Social Work)
MINUSTAH	United Nations Stabilization Mission in Haiti
NGO	Non-Governmental organization
TIP	Trafficking in Persons
UN	United Nations
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development

Lumos estimates that the total amount of support to Haitian orphanages exceeds \$100 million annually

 **\$100MILLION =**
770,000 children in school

770,000 Haitian children could be supported to go to school. One million children are at risk of being out of school in Haiti and many parents struggle to pay annual fees of \$130 to send their children to school.

= \$100MILLION 
130 x IBESR

More than **130 times** the reported Haitian child protection agency's annual budget.

= \$100MILLION 
5 x

Nearly 5 times the Haitian Ministry of Social Affairs' annual budget.

 **\$100MILLION =**
Support for children outside family care

All of the 30,000 children currently in orphanages could be reunited with their families or supported in alternative care. Additionally more than half of the 207,000 children under age 15 living in unacceptable conditions of child domestic labor - restavek situations - could return home and be supported within their families.

= \$100MILLION 
1/2 of U.S. foreign aid to Haiti

Equivalent to nearly **1/2 of ALL U.S. foreign aid to Haiti** planned for 2017.

= \$100MILLION 
EU Budget

More than the EU earmarked annual budget for Haiti for 2014-2020, €420 million over six years, or €70 million per year.

Executive Summary

An estimated 30,000 children live in approximately 750 mostly privately-run and financed orphanages in Haiti. The Government of Haiti estimates that 80 percent of children in orphanages have at least one living parent, and almost all have other family members. Poverty, lack of access to basic services, and the desire to provide an education drive parents and caregivers to place their children in orphanages. With adequate support, many children could return to family- and community-based care, and at-risk families could be strengthened to prevent separation in the first instance. More than 80 years of research demonstrates the physical, social, and psychological harm caused by raising children in orphanages and that family-based solutions reduce risk of abuse and result in better outcomes for children.

There is now an 'orphanage-crisis' not an 'orphan-crisis' in Haiti. The international definition of an 'orphan', used in development indicators globally, is a child who has lost one or both parents. Misunderstanding this nuance has led to the widespread belief that there are hundreds of thousands of children in Haiti without any parents or family who could care for them.

To understand why orphanages continue to flourish in Haiti and how they affect children, Lumos investigated patterns in funding as well as the ramifications of orphanage life for children raised within their walls. Lumos documented financial support to just over one-third of known Haitian orphanages and found that **at least US\$70 million dollars was donated to them annually**, predominantly from North American, Christian funders. This means that funding to the orphanage sector in Haiti is one of the most significant forms of any kind of international aid to Haiti, greater than most official development assistance to Haiti by donor countries. It also means that this is just the tip of the iceberg of financial and other forms of support to all the orphanages in the country. **A conservative estimate of the total funding to all Haitian orphanages ranges upwards of \$100 million per year.**

This extraordinary investment does not necessarily translate to quality care and the best interest of children. In fact, what is being done in the name of care

often comes at the high cost of the rights of children and their long-term prospects as independent, successful adults. Orphanages do not provide viable, long-term solutions for children. In the best-case scenarios, orphanage supporters do not understand the lifelong impact of orphanage care on child development, nor do they adequately prepare children to succeed once they leave care. In the worst cases, orphanages are rampant with human rights abuses. Only 15 percent of Haitian orphanages are officially registered with the government. At least 140 are believed to have extremely detrimental living conditions where children are at severe risk of violence, exploitation, abuse, neglect, and avoidable death.

Children in Haiti are particularly vulnerable, accounting for half of the country's total population, and Haitian families face many challenges. In addition to natural disasters, the Haitian population has been affected by decades of political and economic instability, recurrent foreign interventions, and high rates of extreme poverty. Haitian women on average have five children, and, as primary caregivers, mothers often struggle to adequately provide for their families. A quarter of Haitian children do not live with their birth parents – some live with extended family, while others are placed outside family care, either in situations of child domestic labor or in orphanages.

While the humanitarian emergency and massive displacement following the 2010 earthquake had a huge impact on children, the initial response of private philanthropy was not to focus on sustainable solutions to strengthen families and communities. Instead, as the result of a perceived 'orphan' crisis as a result of the emergency, Haiti saw at least a 150 percent increase in the number of orphanages. They have since become the go-to international response to child vulnerability, undermining national-level efforts to create a broader child protection and social welfare system.

There is now effectively an 'orphanage-crisis' not an 'orphan-crisis' in Haiti. The international definition of an 'orphan', used in development indicators globally, is a child who has lost one or both parents. Misunderstanding this nuance has led to the widespread belief that there are hundreds of thousands of children in Haiti without any parents or family who could care for them. Lumos findings demonstrate that private donors continue to pour immense resources into Haitian orphanages, and that there is a 'market' for orphanages in Haiti through international interest

in volunteering, mission trips, tourism, and other forms of fundraising and promotion. This orphanage business – where orphanages are established and recruit children to raise donations from foreigners – is becoming increasingly recognized globally as a form of trafficking.

The continued proliferation of and support to orphanages conflicts with the Government of Haiti's national plan to reduce reliance on orphanage care and tackle human trafficking, as well as international human rights conventions and standards designed to protect children. It also goes against domestic trends in donor countries – Australia, Canada, many European countries, and the United States moved away from orphanages domestically decades ago. Additionally, foreign policies from these countries have also moved away from orphanage support. The United States Government Action Plan on Children in Adversity promotes family-based care, not orphanages in its official international development assistance, and the European Union has committed to end institutional care in Europe.

The \$70 million in funding is only a piece of the traceable financial flow to orphanages. Other forms of support are not tracked in programmatic budgets and financial reporting. Many churches in the United States and Canada are not bound by law to report their finances, and private individuals, in-kind donations, cash, and other forms of support are not documented.

The availability of millions of dollars for Haitian orphanages, and the desire of well-intended people to help 'orphans', is driving the establishment of orphanages in Haiti, some purely for profit. This report demonstrates the lack of transparency of international financial support provided by individuals and organizations, and the high risk of mismanagement of funds on the ground. It shows a system that yields high donations that do not match the quality of care and best interests of children in Haiti. The lack of due diligence by some funders; subsequent inadequate monitoring of projects; and lack of professionalization of the workforce with an overreliance on volunteers do not ensure that resources reach children nor that children are safe while in care.

Lumos relied on desk-based data analysis of the most current tax information and public reporting of donors; research carried out in-country from October 2016 to February 2017, including interviews with key witnesses; and documentation of Lumos operations in Haiti, including the 2016 evaluation of 140 children in four orphanages alongside the government's child protection agency – the Institut du Bien-Etre Social et de Recherches (the Institute for Social Welfare and Research, IBESR).

This report presents an overview of: the pattern of foreign donor support to children in orphanages; the estimated flows in financial and other support from private, faith-based sources; and outcomes for children. Lumos documented the impact of orphanages on care leavers – children and young adults who were raised from infancy, or who were sent to live for a period, in orphanages. Using evidence from Lumos' work in Haiti, the Haitian government, partners, and care leavers themselves, the research dispels the myth that children in Haitian orphanages are orphans. It underlines how, in some instances, the quality of care in orphanages includes practices of physical and sexual abuse, severe neglect, and avoidable death. Additionally, case evidence suggests a trend of Haitian orphanages recruiting children away from their families. The report also demonstrates that children raised in orphanages struggle to survive as independent adults, no matter how good the quality of care in an orphanage.

Lumos' research concentrated on funding to Haitian orphanages to highlight the vast and, for the most part, well-intentioned drive to support children in need. Given a tradition of commitment to children's issues, there is a significant role for the faith community to play in the transformation of care. Already, some international and local Haitian faith-based NGOs have developed programs to ensure that children are raised in families. These programs include foster care within Haitian families; small therapeutic group homes for children with disabilities; programs for children coming out of situations of domestic child labor; maternal health programs; and vocational training for young adults leaving orphanages, among others. There is good potential for such alternatives, but coordinated and consistent funding is needed to scale up best practices.

Current support to orphanage-based care could be effectively transitioned to provide large-scale, cross-sectoral support to Haitian families. The impact of such a shift of the estimated \$100 million dollars away from orphanages could be immense and long-lasting. Faith-based actors have the potential to improve the lives of hundreds of thousands of vulnerable children in Haiti. Their investment and support requires understanding the needs of families and communities and respecting the rights of children.

Key Findings

- **US faith-based donors represent the largest funder of orphanages in Haiti.** Ninety-two percent of orphanage funders were from the United States, and ninety percent were faith-based.
- **Lumos identified at least \$70 million in reported annual project budgets of registered foreign NGOs going to only a third of Haitian orphanages. A conservative estimate of the total funding to all Haitian orphanages ranges upwards of \$100 million per year.** This also does not capture funding to Haitian orphanages from churches, congregations, cash, in-kind donations, and other forms of support.
- **Orphanage-based care is not in the best interest of children.** Even with the best quality care in an orphanage, young adults struggle to live independently upon leaving care, facing unemployment, lack of housing, and are often unable to afford to finish school.
- **Children can face a range of abuses in orphanages that violate their human rights.** These include violence and severe neglect; lack of access to health, sanitation, and nutrition; lack of access to education; and, in a few documented cases, sexual abuse, trafficking, and avoidable death in care.

Key Recommendations

To donors currently, or thinking of, funding orphanages:

- Ensure that partner orphanages are not involved in harmful or illegal practices, and that funding and other forms of support are not mismanaged by developing oversight mechanisms.
- Support the transition away from orphanages to the provision of community-based services to make it possible for children in the orphanages to live in families.
- Research the needs of local communities, talk to experts, and redirect funds to orphan prevention programs, including family preservation and community development programs.
- Promote within communities and churches understanding that children should be in families, not orphanages, and that funds could be better spent on preventing the separation of children from their families.

To volunteers and mission trips participants:

- Do not take part in short-term volunteering or mission trip visits to orphanages, which are harmful to child development.
- Research and find an ethical volunteering agency that provides opportunities in community development and family preservation programs.
- Consider ending a volunteer placement when concerned about harmful practices, and contact the relevant authorities or ask advice from organizations working locally on family preservation or community development.

To multilateral and bilateral government partners (including Canada, European Union, France, United Nations, and the United States):

- Support the Haitian government to strengthen child protection and address child trafficking, by: ensuring funds are not used to maintain or establish orphanages and encouraging other donors to do the same; investing in health, education, and community support services.
- Support the implementation of the strategy to close appropriately the orphanages with the worst conditions.
- Ensure that none of their personnel, including MINUSTAH peacekeepers and future operational staff, volunteer or invest in orphanages.

To the Government of Haiti:

- Develop an independent inspection system for orphanages and a system for tracking children in orphanages.
- Increase the number of social workers and foster families, and improve their training.
- Considerably expand the foster care program, including providing remuneration to foster carers to ensure the program can be brought to scale.
- Prioritize the provision of free education and health care for all children.
- Prioritize children trafficked in orphanages within the new Anti-Trafficking Strategy.

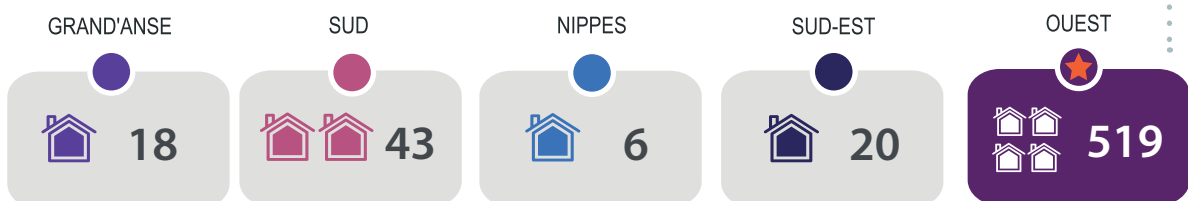
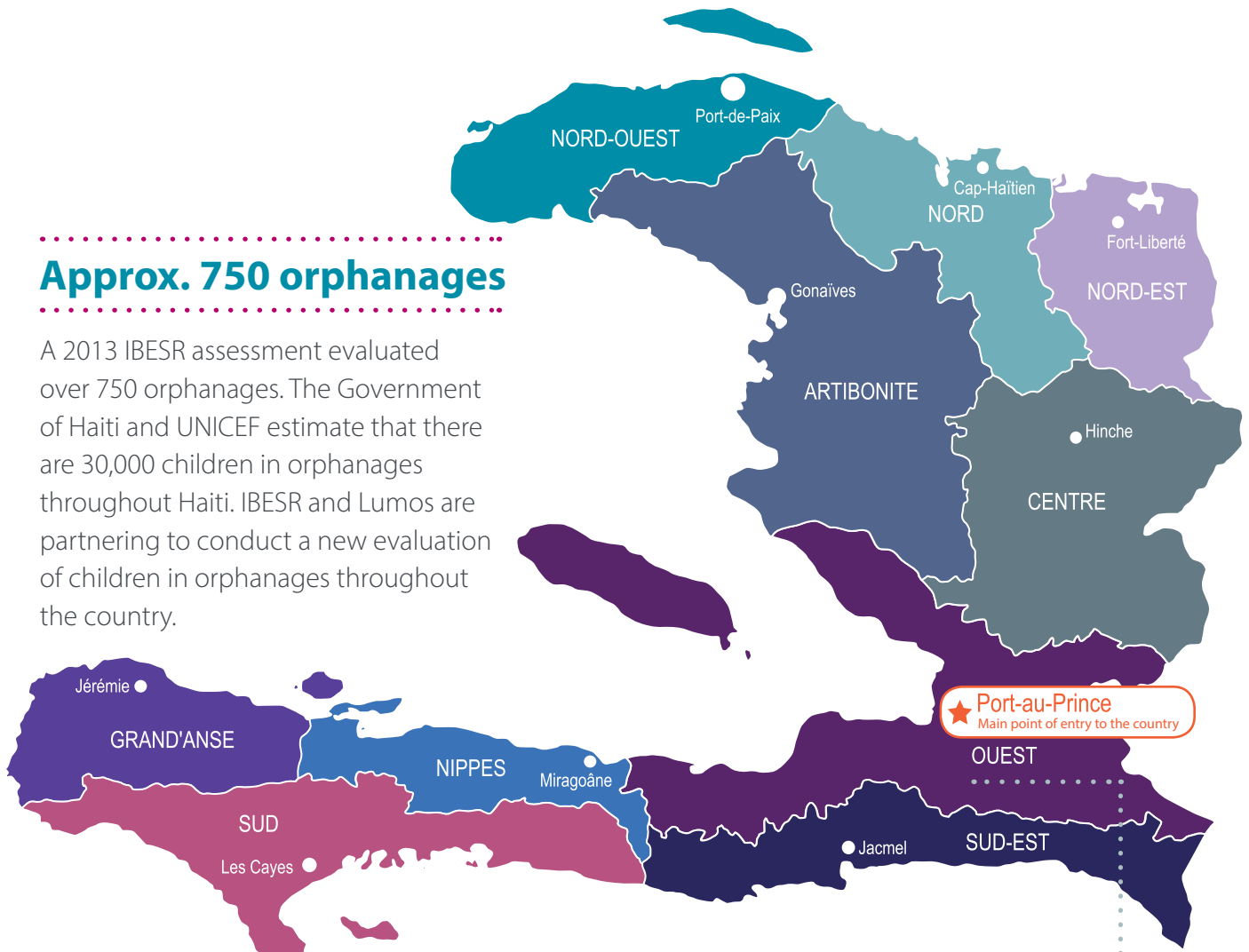
Number of Orphanages per Department

Each department is color coded and details the estimated number of orphanages.



Approx. 750 orphanages

A 2013 IBESR assessment evaluated over 750 orphanages. The Government of Haiti and UNICEF estimate that there are 30,000 children in orphanages throughout Haiti. IBESR and Lumos are partnering to conduct a new evaluation of children in orphanages throughout the country.





Background

Haitian families are extremely vulnerable. More than one in two Haitians lives on less than \$2.41 a day, and one in four lives below the national extreme poverty line of \$1.23 a day.¹ Only about half of the population has access to health services.² The country's struggling development has been exacerbated by political instability, periodic foreign interventions, and frequent, devastating natural disasters.³ International development assistance to Haiti has fluctuated alongside political events and humanitarian crises over the last 20 years. The mismanagement of development and humanitarian aid has contributed significantly to the country's lack of progress.⁴

Investing in Haiti's children

In the context of extreme poverty and widespread insecurity, Haitian children face multidimensional challenges. In a nation of 10.7 million people, children under the age of 14 make up 40 percent of the country's population while all those under age 18 account for over half the total population.⁵ Violence against children is endemic – more than 60 percent of Haitian girls and 57 percent of boys have experienced physical abuse before the age of 18.⁶

1 Haiti's 2015 Gross Domestic Product (GDP) per capita was \$818. World Bank. (2015). GDP per capita (current US\$). <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD> [accessed 22 March 2017]; and World Bank. (2014). Investing in People to Fight Poverty in Haiti. <http://documents.worldbank.org/curated/en/222901468029372321/pdf/944300v10REPLA0sment0EN0web0version.pdf> [accessed 28 February 2017].

2 United Nations Population Fund (UNFPA). (26 February 2015). Slashing Haiti's maternal and infant death rates, one delivery at a time. <http://www.unfpa.org/news/slashing-haiti%E2%80%99s-maternal-and-infant-death-rates-one-delivery-time> [accessed 28 February 2017].

3 Ramachandran, V. & Walz, J. (May 2012). Haiti: Where Has All the Money Gone? Centre for Global Development. https://www.cgdev.org/files/1426185_file_Ramachandran_Walz_haiti_FINAL.pdf [accessed 2 March 2017].

4 In 1970, foreign assistance was 70 percent of the Haitian internal revenue; by 2009, aid from bilateral and multilateral donors accounted for approximately 130 percent of internal revenue; following the 2010 earthquake the number shot upwards of 400 percent in 2011. Office of the Special Envoy for Haiti. (June 2011). Has Aid Changed? Channeling Assistance to Haiti Before and After the Earthquake. http://reliefweb.int/sites/reliefweb.int/files/resources/has_aid_changed_en.pdf [accessed 2 March 2017].

5 Office of the Secretary-General's Special Adviser on Community-Based Medicine & Lessons from Haiti. (n.d.). Key Statistics. <http://www.lessonsfromhaiti.org/lessons-from-haiti/key-statistics/> [accessed 21 February 2017].

6 Centers for Disease Control and Prevention (CDC) et al. (June 2014). Violence Against Children in Haiti: Findings from a National Survey 2012. <https://www.cdc.gov/violenceprevention/pdf/violence-haiti.pdf> [accessed 21 February 2017], p52.

Lumos estimates that upwards of 1 million children between 6-18 years old are out of school in Haiti, based on the 81% enrolment rate for children in primary school, and the low 29% enrolment for secondary school.⁷ Existing education services are largely privately run, with fees that parents struggle to afford,⁸ and the country's public spending on education is an estimated 4% of its GDP.⁹ The estimated \$100 million donated to orphanages annually corresponds to 1.25% of GDP, the same as Foreign Direct Investment net inflows (1.25% of GDP), and similar to the 1.5% spent on public health.¹⁰ This means that the amount spent on orphanages for 30,000 children, where conditions are generally appalling and children are at great risk of harm and abuse, is equivalent to government expenditure on public health for over 10 million people, or more than 25% of the entire country's education budget for over 3 million children. This money, if redirected, could support 770,000 children to go to school,¹¹ making the delivery of basic services more equitable for vulnerable children. Likewise, the \$100 million has the potential of creating a greater impact in Haiti's economy if it were redirected towards economic strengthening programs for households, government support programs to increase public services, and community-based services focused on education, health, nutrition and family reunification.

Haiti is the poorest country in the Western hemisphere, and one of the poorest in the world¹², with a GDP estimated in \$8.02 billion.¹³ By sector, services correspond to 58% of the GDP, while agriculture accounts for 22%, and industry for 20%.¹⁴ In a country where trade imbalances are present, and where economic shocks and natural disasters have an impact on the overall economic performance, the estimated \$100 million donated to orphanages is significant enough to be embedded in the country's economy. It is equivalent to the net inflows of Foreign Direct Investment (FDI) which, according to the UN provides developing countries:

“important means of implementation of sustainable development goals and growth of the private sector... In many cases, FDI also contributes to the transfer (spill-over) of technology and improvement of labor and management skills... flows to developing countries are increasing and are very important in helping to support sustainable development. They now dwarf flows of official development assistance.”¹⁵

Yet an almost equivalent amount is being invested in orphanages and most of that investment is driving trafficking in children. It is therefore a sector of the Haitian economy that requires urgent reform. The challenge of addressing the orphanage business should not be underestimated. Programs that will prevent children from entering orphanages and stop traffickers from taking children from families will be disrupting a \$100 million business, which currently provides 'employment' and an income for an uncounted number of Haitian citizens. Therefore, the government, international community and donors currently funding orphanages must work together to plan divestment from the orphanage-business. Orphanage employees could be retrained to work as social workers, or as part of affordable health services, inclusive schools, local community centers for families, or any other community-based service aimed to support families and vulnerable children. Those services could be financed if donors currently funding orphanages redirected their support to families and communities.

7 The estimated number of children aged between 6-18 years in Haiti is 3,021,432. From this number, 1,431,916 children have the official age to attend primary school, and the remaining 1,589,516 children have the official age to attend secondary school. Trading Economics. (n.d.). Haiti: school enrolment. <https://tradingeconomics.com/haiti/school-enrollment-primary-percent-gross-wb-data.html> [accessed 12 September 2017].

To estimate the number of children out of school, Lumos used the enrolment rates of 81% for primary school, and 29% for secondary school. UNICEF and Ministère de l'Éducation Nationale et de la Formation Professionnelle (MENFP). (20 June 2017). Présentation des résultats de l'étude sur les enfants non scolarisés en Haiti. On file with Lumos. If the enrolment rate for primary school is 81%, there are 272,064 children out of school. The low enrolment rate for secondary school, estimated at 29%, represents 1,128,556 children out of school. Therefore, the estimated number of children aged 6-18 years that are out of school in Haiti is 1,400,620.

8 88 percent of schools are private, and half of all preschools are privately run on a fee basis. See UNICEF. (February 2013). Haiti: Country program document 2013-2016. https://www.unicef.org/about/execboard/files/2012-PL30_Haiti_CPD-final_approved-English-2.pdf [accessed 21 February 2017].

9 International Monetary Fund. (6 May 2015). Haiti: Selected issues. <https://www.imf.org/external/pubs/ft/scr/2015/cr15158.pdf> [accessed 25 September 2017].

10 World Bank. (2017). World Development Indicators: Haiti. <https://data.worldbank.org/country/haiti> [accessed 12 September 2017].

11 Based on estimations made by the World Bank in 2013, it cost families \$130 per year to send a child to school. World Bank. (12 March 2015). Four Things You Need to Know About Education in Haiti. <http://www.worldbank.org/en/news/feature/2015/03/12/four-things-you-need-to-know-about-education-in-haiti> [accessed 22 March 2017].

12 World Bank. (2017). The World Bank in Haiti: Overview. <http://www.worldbank.org/en/country/haiti/overview> [accessed 25 September 2017].

13 World Bank. (2017). World Development Indicators: Haiti. Op cit.

14 Global Finance. (2016). Haiti GDP and Economic Data. <https://www.gfmag.com/global-data/country-data/haiti-gdp-country-report> [accessed 22 September 2017].

15 United Nations. (2007). Foreign Direct Investment (FDI) net inflows and net outflows as share of GDP. http://www.un.org/esa/sustdev/natlinfo/indicators/methodology_sheets/global_econ_partnership/fdi.pdf [accessed 02 October 2017].

The Orphanage Business – Significant to Haiti's Economy



Public spending on health

\$124.3 million

1.55% of GDP



Public spending on education

\$320.8 million

4% of GDP



FDI net inflows

\$100 million

1.25% of GDP



Orphanage business

\$100 million

1.25% of GDP

UNICEF has reported that one quarter of Haitian children do not live with their birth parents, which contributes to their vulnerability.¹⁶ Children living outside families are at an increased risk of abuse, including human trafficking.¹⁷ Haiti has been identified as a source, transit location, and destination country for forced labor and sex trafficking, most cases involving children. According to the 2016 Global Slavery Index, Haiti ranks eighth globally for modern day slavery, of which trafficking is a defining factor.¹⁸ Similarly, the U.S. Department of State has listed Haiti as a Tier 3 country – meaning it is one of the least compliant countries in terms of meeting minimum standards to fight trafficking and is therefore subject to sanctions.¹⁹

Child separation – that can lead to situations of trafficking and other abuse – is largely due to poverty that “has become symptomatic of the obstacles faced by the most vulnerable Haitian children to access to education and health services.”²⁰ While some children live with extended family, parents will often place their children into domestic work, known commonly as *restavek*. Parents expect that wealthier families will care for their children and send them to school in exchange for domestic help. However, a 2016 UNICEF report found that 70 percent of children in situations of domestic work perform unacceptable forms of child labor.²¹

16 UNICEF. (2016). UNICEF Annual Report 2015: Haiti. https://www.unicef.org/about/annualreport/files/Haiti_2015_COAR.pdf [accessed 21 February 2017], p5.

17 Kane, J. (2005). Child Trafficking – The People Involved: A synthesis of findings from Albania, Moldova, Romania and Ukraine. International Labor Office. http://www.humantrafficking.org/uploads/publications/ipec_balkana_05.pdf [accessed 23 March 2017]; and Van Doore, K. (2016). Paper Orphans: Exploring Child Trafficking for the Purpose of Orphanages. International Journal of Children's Rights 24(2).

18 Walk Free Foundation. (2016). The Global Slavery Index 2016. <http://assets.globalslaveryindex.org/downloads/Global+Slavery+Index+2016.pdf> [accessed 23 March 2017].

19 The U.S. Department of State places each country into one of three tiers based on the extent of their governments' efforts to comply with the minimum standards for the elimination of trafficking found in the U.S. Trafficking Victims Protection Act of 2000. Tier 3 is the lowest of the tiers, making the country least compliant with the standards. U.S. Department of State. (June 2016). Trafficking in Persons Report. <http://www.state.gov/documents/organization/258876.pdf> [accessed 23 March 2017], p190-192.

Since June 2017, Haiti is now classified as Tier 2 Watch List, mainly due to the efforts of the government's inter-ministerial anti-trafficking commission (TIP Commission). However, the U.S. Department of State recognises that Haiti does not fully meet the minimum standards for the elimination of trafficking. U.S. Department of State. (June 2017). Trafficking in Persons Report. <https://www.state.gov/documents/organization/271339.pdf> [accessed 03 October 2017], p194.

20 UNICEF (2016). UNICEF Annual Report 2015: Haiti, op. cit., p8.

21 *Restaveks*, which in Creole means 'stay with', are part of a deeply-embedded Haitian tradition. In principle, children are cared for as family members and are enrolled in school in exchange for small services. In reality, children are often forced to work as domestic servants, laboring without pay, and subjected to abuse by their caretakers. A recent study found that 407,000 children are engaged in domestic child labor, 207,000 of whom are under the age of 15. Ibid.



Of the approximately 30,000 children in orphanages in Haiti, the Government of Haiti estimates that 80 percent have one or two living parents who could care for them at home or in another family setting, if properly supported. Regardless of a child's perceived orphanhood status, institutionalization is never in the best interest of a child.

Instead of sending their children into domestic child labor, other parents place their children in orphanages. They similarly assume that the orphanage will provide access to basic health, education, and social services.²² Orphanage-based care in Haiti is widespread. A 2013 government survey found that there are 752 known orphanages in the country, and only 15 percent are officially registered with the government.²³

Orphanages are entrenched in Haiti in part due to misconceptions around the number of children who have been orphaned. UNICEF reported in 2012 that there were 430,000 'orphans' in Haiti.²⁴ However, the UNICEF definition of an orphan contrasts with the widely accepted concept in many countries that a 'true orphan' is a child that has lost *both parents*.²⁵ Misunderstanding the nuance that, according to UNICEF, an orphan is a child who has lost *one or both parents*, has led "to responses that focus on providing care for individual children rather than supporting the families and communities."²⁶

Of the approximately 30,000 children in orphanages in Haiti, the Government of Haiti estimates that 80 percent have one or two living parents who could care for them at home or in another family setting, if properly supported.²⁷ Regardless of a child's perceived orphanhood status, institutionalization is never in the best interest of a child.

The Haitian Orphanage Crisis

The 7.0 magnitude earthquake that struck on January 10, 2010 continues to have a lasting impact on the lives of people in Haiti and children.²⁸ A massive international movement to bring aid to Haitian children, while understandable, was based on the belief that the number of orphaned children had skyrocketed.²⁹ Children did suffer immensely – 1.5 million children under age 18 were directly or indirectly affected by the earthquake; approximately 720,000 of them were between age 6 and age 12.³⁰ At the peak of population displacement following

22 Globally, children live in orphanages or other forms of institutional care because they are poor, have a disability, or belong to a marginalized group. The number of residential institutions and the number of children living in them is unknown. Estimates range from "more than 2 million" to 8 million. These figures are often reported as underestimates, due to lack of data from many countries and the large proportion of unregistered institutions. See UNICEF. (September 2009). *Progress for Children: A Report Card on Child Protection*, Number 8, https://www.unicef.org/publications/index_50921.html; and Pinheiro, P.S. (2006). *World Report on Violence against Children*. United Nations Secretary-General's Study on Violence against Children. [https://www.unicef.org/lac/full_text\(3\).pdf](https://www.unicef.org/lac/full_text(3).pdf).

23 IBESR. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*. <http://www.ibesr.com/fichier/Annuaire%20Corrige%202012-2014%20version%20juillet.pdf> [accessed 6 October 2016].

24 UNICEF. (27 December 2013). *At a glance: Haiti*. https://www.unicef.org/infobycountry/haiti_statistics.html [accessed 1 March 2017].

25 UNICEF. (15 June 2015). *Orphans*. https://www.unicef.org/media/media_45279.html [accessed 1 March 2017].

26 Ibid.

27 Committee on the Rights of the Child. (24 February 2016). *Concluding observations on the combined second and third periodic report of Haiti*. CRC/C/HTI/CO/2-3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/035/15/PDF/G1603515.pdf?OpenElement> [accessed 2 March 2017], p12.

28 More than 200,000 people were killed and thousands of homes, schools, hospitals, and official structures were destroyed. Thomson Reuters Foundation. (7 January 2015). *Haiti earthquake*. <http://news.trust.org/spotlight/Haiti-earthquake-2010> [accessed 2 March 2017].

29 Van Doore, K. (5 May 2014). *Earthquake orphans: what Nepal can learn from Haiti*. *The Conversation*. <http://theconversation.com/earthquake-orphans-what-nepal-can-learn-from-haiti-41165> [accessed 1 March 2017].

30 Office of the Secretary-General's Special Adviser on Community-Based Medicine & Lessons from Haiti, op. cit.

the earthquake, around 2.3 million people, including 302,000 children, were out of their homes. Examples of well-intentioned but poorly executed efforts to help children made international headlines. The growing establishment of orphanages throughout the country was not covered to the same extent.

The Government of Haiti estimates that, prior to the earthquake, there were less than 300 orphanages in the country.³¹ With the 2013 assessment conducted by IBESR identifying 752 orphanages, in just three years Haiti saw at least a 150 percent increase. Of the 752, only two are run by the government – the rest are privately run and funded, for the most part, by foreign donors.³² While the construction of an orphanage is a common and well-intended response to natural disaster, research has demonstrated that it is not the best approach to protect children and their rights.³³

Though children in Haiti were separated from or lost their primary caregivers, and some were abandoned following the earthquake, many were taken in by extended family.³⁴ For others, time was needed to conduct family tracing and reunification, and some children required temporary alternative care. Yet, over seven years after the January 2010 earthquake, orphanages have become a fixture in the Haitian landscape. This phenomenon is not unique and has also been documented in post-conflict Nepal, as orphanages there continue to operate and collect more children though its 10-year civil war ended in 2006.³⁵ Haiti has similarly demonstrated that orphanages, once established, proliferate long after the disaster.

Vulnerable Haitian families need support to care for their children. Services can include vocational and other educational trainings for parents; business development; inclusive education and support to families with disabilities; programs for new mothers; and other health and service delivery to reach communities in need. A minority of children with severe disabilities may require small-scale accommodations and additional support to stay with their families.

Some Haitian children, like some children around the world, are not always safe within their families. Though orphanages are not the solution, there is a role for a wide range of alternative care options in Haiti. This includes both investment in trained and monitored foster care, as well as small, high quality group homes. For foster and small group homes to respect the rights and best interests of children they must consider the individual needs of every child and be tailored to meet them. Such homes are sometimes necessary for older children; therapeutic care homes can provide case-by-case support for children coming out of situations of abuse and trafficking; and others may be necessary as children await family reunification, particularly if they require acute medical interventions.

All the above are examples of programs currently being carried out to support vulnerable children and families in Haiti, though on a much smaller scale than the provision of orphanages. With the establishment of orphanages as a system of care, their very existence further acts as a pull factor to bring in more children as parents place their children to access basic services.³⁶ Poverty, even following natural disaster and destruction, should not be a barrier to family unity. Since the earthquake, orphanages in Haiti have become the standard not only of children's care, but a perceived viable, and desirable, solution to general poverty for families that see few other options to access health care, shelter, and education for their children.

Why Not Orphanages?

The very nature of orphanages contravenes the basic human rights of children, and the support to orphanages in Haiti goes against national level efforts by the government to protect children, international human rights law, and best practices in child development. Furthermore, the funding of an individual orphanage feeds a stand-alone effort

31 Lumos interview with Vanel Benjamin, Chief of Social Work, IBESR, Port-Au-Prince, 16 February 2017.

32 See section below on Supporting Haitian Orphanages.

33 See Save the Children UK. (2010). *Misguided Kindness: Making the Right Decisions for Children in Emergencies*. <http://www.savethechildren.org.uk/resources/online-library/misguided-kindness-making-right-decisions-children-emergencies>.

34 UNICEF. (2010). *Children of Haiti: Milestones and looking forward at six months*. [https://www.unicef.org/lac/UNICEF_Haiti_-_Six_Months_Report_Final_final_eng\(1\).pdf](https://www.unicef.org/lac/UNICEF_Haiti_-_Six_Months_Report_Final_final_eng(1).pdf) [accessed 1 March 2017], p13.

35 Over 15,000 children are believed to be living in orphanages in Nepal, and the data suggest that two out of three children are not in fact orphans. For more information, see Next Generation Nepal. (2014). *The Paradox of Orphanage Volunteering*. <http://www.nextgenerationnepal.org/File/The-Paradox-of-Orphanage-Volunteering.pdf>.

36 See Family for Every Child. (2013). *Protect my Future, Why Child Protection Matters in the Post-2015 Development Agenda*. http://www.terredeshommes.org/wp-content/uploads/2013/06/20130322_protect_our_future_summary_document_april_2013.pdf; and Save the Children UK. (2010). *Misguided Kindness*. https://www.savethechildren.org.uk/sites/default/files/docs/Misguided_Kindness_3.pdf.

instead of a wider child protection system that could better serve all children within families and address poverty, a root cause of family separation.

All children, irrespective of their background, behavior, abilities, or personal circumstances, have the right to access the full spectrum of their rights.³⁷ Under international human rights law, children have the right, as far as possible, to know and be cared for by their birth families and not to be separated from their parents.³⁸ The UNICEF Guidelines for the Alternative Care of Children further states that, "[e]very child and young person should live in a supportive, protective and caring environment that promotes his/her full potential. Children with inadequate or no parental care are at special risk of being denied such a nurturing environment."³⁹ Moreover the UN Convention on the Rights of Persons with Disabilities (CRPD) emphasizes the rights of children with disabilities to be raised in their families and included in their schools and communities alongside their peers.⁴⁰

While parents have the primary responsibility to raise their children, it is the State's obligation to support parents so that they can fulfil that responsibility.⁴¹ Children have the right to protection from harm and abuse,⁴² to an education,⁴³ and to adequate health care,⁴⁴ all of which they should be able to enjoy while living in a family. Where their family cannot provide the care they need, despite the provision of adequate support by the State, the child has the right to substitute family care.⁴⁵

Reports from a number of countries demonstrate that institutional care puts children at increased risk of violence, exploitation, abuse, and neglect by staff, officials, volunteers, and visitors.⁴⁶ In Haiti, Lumos documented human rights violations in orphanages, including cruel, inhuman, and degrading treatment, beatings, gross negligence, and avoidable death in care.⁴⁷ Orphanages are additionally known targets for adults who seek opportunities to abuse children, and children in orphanages are at further risk of human trafficking.⁴⁸

Most orphanages are established with the best of intentions. However, 80 years of research has demonstrated the significant harm caused to children in orphanages, who are deprived of loving parental care and consequently suffer lifelong physical and psychological harm.⁴⁹ Even in institutions without harsh discipline and other abuse, orphanages, no matter how 'family-like' and 'well-run', are staffed by employees and do not provide the secure attachment of family life that children require to thrive. Research demonstrates that children need families to flourish. Babies in particular fail to develop normally without one-to-one interaction, and institutionalization has a severe impact on early brain development.⁵⁰ Children who are removed from orphanages after the age

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37 UN General Assembly. (20 November 1989). Convention on the Rights of the Child. United Nations, Treaty Series 1577, ratified by Haiti 1995. <http://www.refworld.org/docid/3ae6b38f0.html> [accessed 22 March 2017].

38 Ibid., arts. 7 and 9.

39 UNICEF. (2009). Guidelines for the Alternative Care of Children. A/RES/64/142. http://www.unicef.org/protection/alternative_care_GuidelinesEnglish.pdf [accessed 6 October 2016].

40 UN General Assembly. (24 January 2007). Convention on the Rights of Persons with Disabilities. A/RES/61/106, ratified by Haiti 2009. <http://www.refworld.org/docid/45f973632.html> [accessed 22 March 2017], art. 19.

41 Ibid, art. 18. The CRC and the Guidelines for the Alternative Care of Children also call on States to ensure that families have access to forms of support in the caregiving role; UNICEF. (2009). Guidelines for the Alternative Care of Children. A/RES/64/142. http://www.unicef.org/protection/alternative_care_GuidelinesEnglish.pdf.

42 UN General Assembly. (20 November 1989), op.cit., art. 19.

43 Ibid, art. 28.

44 Ibid, art. 24.

45 Ibid, art. 20.

46 Pinheiro, P.S. (2006). World Report on Violence against Children. United Nations Secretary-General's Study on Violence against Children. [https://www.unicef.org/lac/full_text\(3\).pdf](https://www.unicef.org/lac/full_text(3).pdf) [accessed 16 September 2016], p175.

47 See section below on Abuses in Orphanages.

48 Lumos. (2016). Orphanage Entrepreneurs: The Trafficking of Haiti's Invisible Children. https://wearelumos.org/sites/default/files/Haiti%20Trafficking%20Report_ENG_web_20EP16.pdf.

49 Berens, A.E. & Nelson, C.A. (2015). The science of early adversity: is there a role for large institutions in the care of vulnerable children? The Lancet. [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)61131-4/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)61131-4/abstract) [accessed 6 October 2015].

50 Bucharest Early Intervention Project. (2009). Caring for Orphaned, Abandoned and Maltreated Children, 2009. <https://www.crin.org/docs/PPT%20BEIP%20Group> [accessed 6 October 2016].

of six months often face developmental impairments, including mental and physical delays.⁵¹ The outcomes of institutionalization are dire. Long-term effects of living in orphanages can include disability, irreversible psychological damage, and increased rates of mental health difficulties, involvement in criminal behavior, and of suicide.⁵²

The United States moved away from orphanages domestically at the turn of the 20th century, creating social welfare to support families in the United States.⁵³ Similarly many European countries and New Zealand moved away from domestic orphanages in the 1950s and onwards.⁵⁴ Official international development assistance in some instances has also come in line to move funding away from orphanages. The EU has recognized the harm that institutionalization causes and has played an instrumental role in the efforts to end this form of care in Europe.⁵⁵ Similarly, the U.S. Government's 2012 Action Plan on Children in Adversity has a commitment to putting family care first, reducing the number of children in institutional care, and does not support orphanages in its international development work.⁵⁶

The UNICEF Minimum Standards for Child Protection in Humanitarian Action state that in situations of crisis, institutions or residential care services "should only be considered as an alternative care option for the shortest possible time."

Despite these rejections of orphanage care by donor countries, the export of the orphanage system still occurs. According to an online survey conducted by Kidsave in 2012, over a third of Americans believe that orphanages, if well-run, can provide "just fine" for the overall well-being of a child.⁵⁷ Well-intentioned donors and volunteers from Canada, Europe and the United States, see orphanages as a viable option for the care of Haitian children.

Emergency situations like the 2010 Haitian earthquake do not excuse the use of orphanages to care for children. In fact, following the earthquake, the Government of Haiti's ability to care for children "was further weakened as witnessed by the suffering of children in residential care. Under-regulated options for alternate care and permanent care were severely challenged, while under-resourced child protection actors were confronted with tremendous needs."⁵⁸ The UNICEF Minimum Standards for Child Protection in Humanitarian Action state that in situations of crisis, institutions or residential care services "should only be considered as an alternative care option for the shortest possible time."⁵⁹ The standards call for preserving family unity, understanding that residential care facilities are often a pull factor leading to family separation.

The proliferation of orphanages in response to a perceived Haitian 'orphan crisis' has created a largely unregulated system – a dangerous situation for vulnerable children. Less than 15 percent of the orphanages in Haiti are officially registered with the authorities.⁶⁰ The lack of registration provides a challenge in counting the number of children, which is further complicated by the fact that there is little to no information about the flows of children entering and leaving orphanages.⁶¹ This also means that child safeguarding mechanisms are non-existent: access to children

51 Rutter, M. (1998). Development catch-up, and Deficit, Following Adoption after Severe Global Early Privation. <http://journals.cambridge.org/action/display-Abstract?fromPage=online&aid=10487&-fileId=S0021963098002236> [accessed 6 October 2016].

52 United Nations General Assembly. (2006). Report of the independent expert for the United Nations study on violence against children. A/61/299. http://www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf [accessed 6 October 2016], p16; and Holm-Hansen, J., Kristofersen, L. B. & Myrvold, T. M. (eds). (2003). Orphans in Russia. NIBR 1, p83.

53 The outcomes of the conference provided the basis of social welfare and family strengthening initiatives in the United States, concluding that "children should not be removed from their families except for urgent and compelling reasons, and, if necessary, poor families should receive financial aid to support their children. Children who had to be removed from their families should be cared for by foster families." Hart, H.H., et. al (Committee on Resolutions). (1909). Proceedings of the Conference on the Care of Dependent Children. Washington, DC: U.S. Government Printing Office.

54 The Royal Commission into Institutional Responses to Child Sexual Abuse. (n.d.). Findings. <https://www.childabuseroyalcommission.gov.au/public-hearings/findings> [accessed 30 August 2016]; and The Law Commission of Canada. (2000). Restoring Dignity Responding to Child Abuse in Canadian Institutions. https://www.attorneygeneral.jus.gov.on.ca/inquiries/cornwall/en/hearings/exhibits/Peter_Jaffe/pdf/Restoring_Dignity.pdf [accessed 30 August 2016].

55 In 2013, the EU passed a regulation which effectively prohibits the use of European Structural Funds for the maintenance, renovation or construction of large residential institutional settings. European Commission (2010), European Disability Strategy 2010-2020. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:em0047> [accessed 12 August 2015], p5-6.

56 United States Government Action Plan on Children in Adversity. (December 2012). http://pdf.usaid.gov/pdf_docs/PDACU700.pdf [accessed 30 August 2016], p10.

57 Kidsave, Congressional Coalition on Adoption Institute, et al. (2012). Unpublished research on file with Lumos.

58 UNICEF. (2010). Children of Haiti: Milestones and looking forward at six months, op.cit., p13.

59 UNICEF Child Protection Working Group. (2012). Minimum Standards for Child Protection in Humanitarian Action. http://www.unicef.org/iran/Minimum_standards_for_child_protection_in_humanitarian_action.pdf [accessed 6 October 2016], p125.

60 IBESR. (June 2013). Annuaire des Maisons d'Enfants en Haïti 2013, op. cit.

61 Ibid.

is entirely up to the orphanages; regulations are case-by-case; and staff, foreigners, and volunteers working or visiting – and in some cases living – on the premises are not subject to background checks. Such requirements would be standard in the care of children in donor countries.

The Haitian authorities have made considerable strides towards improving the policy and legislative framework regarding child protection, institutionalization, and trafficking.⁶² As the child protection agency of the Haitian government, IBESR is instrumental in implementing international human rights law to which the State is a party. This includes the CRC, the CRPD, and The Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption (The Hague Convention). Haiti also has domestic legislation protecting children, including the Haitian national law on adoption; the law on paternity, maternity and filiation; and the new law against trafficking.⁶³ In 2015 IBESR adopted a 2016-2018 strategy for child protection and social work, intending to regulate and reduce reliance on orphanage care to ensure that children can be raised in families.

There is very low capacity to adequately monitor over 750 orphanages throughout the country and investigate abuses and allegations of trafficking. According to IBESR their annual budget is less than \$750,000 and they suffer from lack of capacity to carry out their mandate.⁶⁴ The emphasis on caring for children in an orphanage setting has detracted from national efforts to protect children and find ways of supporting them in family- and community-based settings.

The orphanage phenomenon in Haiti must be examined and critically evaluated by all involved actors, including foreign funders, particularly as devastating natural disasters will continue to strike, as was seen with Hurricane Matthew in early October 2016. To adequately respect the rights of children and comply with Haitian national policy and international human rights law, donors and volunteers should shift the considerable support they provide to orphanages towards better alternative care solutions for children and to support Haitian families.

Key Points

- **Children in Haiti face multi-dimensional challenges due to poverty and insecurity, and one-quarter of Haitian children do not live with their birth parents.**
- **There are an estimated 30,000 children in 752 orphanages in Haiti, and 80 percent of them have one or two living parents.**
- **Orphanages grew by at least 150 percent in just three years following the 2010 earthquake – only two are run by the Government of Haiti; the rest are privately funded and operated.**
- **In 2015 IBESR adopted a new 2016-2018 child protection strategy to regulate and reduce reliance on orphanage care to ensure that children can be raised in families in compliance with international standards of alternative care for children and best practices.**
- **Orphanages contravene the basic human rights of children, and the support to orphanages in Haiti goes against national level efforts by the government to protect children, international human rights law, and best practices in child development. Orphanages are emblematic of short-term solutions to complex socio-economic problems in Haiti and fuel a system that takes advantage of vulnerable children and families.**
- **Despite the known harms of orphanage-based care to child development, risks of abuse, and links to human trafficking, well-intentioned donors and volunteers from Canada, Europe, and the United States continue to see orphanages as viable options for the care of Haitian children. Many of these donor countries no longer use orphanages domestically, and the European Union and United States have enacted policies promoting family-based care, not orphanages, in their official international development assistance.**

⁶² Regulation of orphanages has been traditionally dictated by the revised Decree Law of December 22, 1971, which regulates the functioning of orphanages. The rights of children in Haiti are also protected under the following national legislation: The 1987 amended Constitution of the Republic of Haiti; the Haitian Civil Code; the Haitian Civil Procedure Code; the Haitian Penal Code; The Decree-Law of 19733 on birth certificates and children's homes; the 4 April 1974 decree on adoption; the 4 November 1983 degree on the Ministry of Social Affairs; and the 15 May 2003 law against all forms of abuse, violence and inhumane treatment of children. See the revised adoption law, IBESR. (November 2012). Mesures d'application des articles 125 et 126 du Décret du 4 novembre 1983: Procédure administrative d'adoption. <https://www.bj.admin.ch/dam/data/bj/gesellschaft/adooption/herkunftslaender/ld-haiti-prozedere-f.pdf> [accessed 22 March 2017].

⁶³ UNICEF. (2016). UNICEF Annual Report 2015: Haiti, op. cit.

⁶⁴ AlterPresse. (10 June 2014). Droits humains: Plus de 600 maisons d'enfants en dehors des normes réglementaires en Haïti. http://www.alterpresse.org/spip.php?article16572#.WLdSa_krLIV [accessed 21 February 2017].

Supporting Haitian Orphanages

Faith-Based Organizations in International Development

U.S. religious support to Haiti is important and reflects a tradition of humanitarian relief and international development assistance. As a Christian country with Roman Catholic roots and physical proximity to the United States, Haiti is a destination for evangelism and mission trips. According to Catholic Relief Services (CRS), as many as 500 U.S. Catholic parishes are linked with counterparts in Haiti.⁶⁵ This parish twinning provides money, resources, or volunteers for Church-related projects.

The world over, faith-based individuals and organizations are known to contribute substantial resources – not just financial but also technical, human, and in-kind donations – to poverty alleviation, health care provision, and emergency relief.⁶⁶ In the early 2000s it is estimated that groups affiliated with the World Council of Churches mobilized over \$1 billion per year for international relief and development, and that Caritas Internationalis members mobilized at least that same amount in over 162 countries.⁶⁷ These sums reflect the efforts by large membership organizations and do not include locally raised funds – such as collections within churches – nor the many other religious donations to secular organizations.⁶⁸

Governments and world financial organizations support faith-based development organizations as partners in development and humanitarian relief. Faith-based organizations, churches, and congregations are uniquely positioned as “vital and effective partners in international efforts to reduce poverty. Their perceived closeness to poor communities and their highly motivated staff and volunteers prove them indispensable.”⁶⁹

The generosity of private citizens from around the world was unprecedented in response to the 2010 earthquake. Americans contributed \$1.4 billion to the relief and recovery efforts within the first year following the disaster.⁷⁰ Though not all the earthquake-related relief came from faith-based communities, part of the faith-based response came from American Catholics who gave over \$85 million to Haiti earthquake relief efforts in a single weekend.⁷¹ It is likely that comparable, unidentified millions came from other denominations.

It is unsurprising that many donors to orphanages in Haiti are Christian; the core tenets of their faith commits them to supporting vulnerable populations – ‘to look after orphans and widows’ James 1:27.⁷² While orphanages are still perceived to be a viable option to support vulnerable children, a number of Christian organizations – including ACCI Missions and Relief, Bethany Global, CRS, and the Faith to Action Initiative, among others – promote family preservation and orphan prevention through their interpretation of scripture. In its manual on protecting children in short-term missions, ACCI sets forth that “every child deserves the opportunity to be raised in a loving permanent family; ‘God sets the lonely in families’ Psalm 68:6.”⁷³

This investigation highlights the vast and, for the most part, well-intentioned drive to support children in need, and suggests the possibility of transforming that funding for better outcomes for children. With a concerted effort and awareness raising, faith-based funders and other religious actors could more efficiently and safely support children

65 Catholic Relief Services. (October 2014). Twinning in the Best Interest of Children: Promoting Family Life, Not Orphanages. <http://ovcsupport.org/wp-content/uploads/2016/11/CRS-Twinning-Child-Protection-Documents-Final.pdf> [accessed 31 March 2017].

66 Hudson Institute. (2013). The Index of Global Philanthropy and Remittances, With a Special Report on Emerging Economies. http://www.hudson.org/content/researchattachments/attachment/1229/2013_indexof_global_philanthropyand_remittances.pdf [accessed 1 February 2017].

67 There are sharp differences within the world of Christian organizations – particularly among the Catholic and Protestant traditions. There is a separation between religious actors who see themselves providing “assistance and evangelization and those which, as primarily evangelical groups, see their humanitarian work as an integral part of their missionary activities.” Heist, D. & Cnaan, R.A. (25 February 2016). Faith-Based International Development Work: A Review. Religions. <http://www.mdpi.com/2077-1444/7/3/19> [accessed 1 February 2017], p13.

68 Ibid, p13.

69 Ibid.

70 The United Nations earmarked over \$13 billion in earthquake relief through 2020 and Haiti received more than \$9 billion in public and private donations for disaster relief following the earthquake. Ramachandran, V. & Walz, J. (14 January 2013). Haiti's earthquake generated a \$9bn response – where did the money go? The Guardian. <https://www.theguardian.com/global-development/poverty-matters/2013/jan/14/haiti-earthquake-where-did-money-go> [accessed 2 March 2017].

71 United States Conference of Catholic Bishops. (January 2014). Current Situation in Haiti After the 2010 Earthquake. <http://www.usccb.org/catholic-giving/opportunities-for-giving/latin-america/reconstruction-of-the-church-in-haiti.cfm> [accessed 2 March 2017].

72 The New Oxford Annotated Bible. (2007). Coogan, M.D (ed). New York: Oxford University Press, James 1:27.

73 ACCI Missions and Relief. (2016). Protecting Children in Short-Term Missions. <http://www.bettercarenetwork.org/sites/default/files/Protecting%20Children%20in%20Short%20Term%20Missions.pdf> [accessed 9 May 2017], p31.

within their families than the model of orphanages. Given a tradition of commitment to children's issues, the impact of a change in faith-based support to alternative care could be immense and long-lasting.

Tracking Faith-Based Funding to Haitian Orphanages

Worldwide data is limited on the amounts and allocations of the contributions of faith-based groups to international development generally. The Evangelical Council for Financial Accountability (ECFA) found in its 2016 annual report that cash giving from its members to "children's homes and orphan care" grew by over 11 percent from the previous year, though further disaggregated data was unavailable.⁷⁴ For Catholic churches, CRS estimates that significant amounts of the support from twinned parishes are directed towards children in orphanages, though amounts are unspecified.⁷⁵ A similar survey of Protestant churches is unknown. Tracking funding from these sources is extremely difficult since the types of funders vary greatly and have different, if any, reporting requirements.⁷⁶

To estimate the scope of international funding to Haitian orphanages, Lumos examined the most current tax information and public reporting of donors to orphanages for the most recent fiscal years. This process proved challenging as financial data is recorded and reported in different ways, or in the case of some individuals and groups, not reported at all. Countries' financial reporting requirements differ and data varies greatly. Few organizations were clear on sums dedicated to orphanages versus other programs, which can include community health, education, and nutrition, among others.⁷⁷

Lumos was able to identify 260 funders that supported projects in over 280 orphanages in Haiti with at least \$70 million dollars per year. Lumos found that 92 percent of the funders were from the United States and 90 percent of all orphanage funders identified as faith-based of Protestant or Catholic denominations.⁷⁸ Organizations in Canada, France and the United Kingdom also were identified, though their support was substantially less significant.

Lumos estimates that the total amount of support to Haitian orphanages exceeds \$100 million annually, and that Christian, North-American funding to orphanages is one of the most significant forms of foreign development assistance to Haiti. The United States Government provides the largest amount of development and humanitarian assistance to Haiti overall, though aid has significantly decreased in the last few years. Since the 2010 earthquake, U.S. assistance in Haiti targets long-term recovery, job creation, access to basic services (including health and education), government capacity building, food security, and other developmental programs that aim to tackle poverty and promote economic growth.⁷⁹ **The \$100 million from private funding to Haitian orphanages is the equivalent of nearly half of all U.S. official foreign aid to Haiti planned for 2017.**⁸⁰ The estimate exceeds the annual total development assistance earmarked for Haiti by the European Commission – aid that also supports a wide-range of programs and beneficiaries.⁸¹ It is more than 130 times the IBESR annual budget⁸² and nearly five times the Haitian Ministry of Social Affairs (MAST) annual budget.⁸³

Orphanage funders vary greatly in their funding amounts and level of involvement in the orphanage they support. **Lumos identified orphanage projects that ranged extensively by funder – from a minimum of \$1,000 annually in donations to an extreme of \$34 million annually.** While Lumos identified 260 funders to 280 orphanages, only 176 funders had available budget data broken down by project – the other 32 percent of the budgets were not detailed and do not figure in the \$100 million estimate.⁸⁴

74 'Orphan care' activities range the spectrum of family strengthening to supporting orphanages. ECFA data is not disaggregated between 'children's home' and orphanage, nor by country. ECFA. (17 January 2017). Christian Investment in Orphan Care and Adoption Continues to Climb Dramatically. <http://www.ecfa.org/Content/Christian-Investment-in-Orphan-Care-and-Adoption-Continues-to-Climb-Dramatically> [accessed 20 April 2017].

75 Catholic Relief Services. (October 2014). Twinning in the Best Interest of Children, op. cit.

76 Hudson Institute. (2013). The Index of Global Philanthropy and Remittances, op. cit.

77 For more information on the methods used in this report and quantitative data, please see Annex 2.

78 2016 data on file with Lumos.

79 U.S. Department of State. (March 2017). U.S. Relations with Haiti. Bureau of Western Hemisphere Affairs, Factsheet. <https://www.state.gov/r/pa/ei/bgn/1982.htm> [accessed on 23 May 2017].

80 \$218,050,000 in U.S. foreign assistance is planned for 2017, almost half of what it was in 2015. Foreignassistance.gov. (2016). <http://beta.foreignassistance.gov/explore/country/Haiti> [accessed 23 March 2017].

81 For 2014–2020, the Commission allocated €420 million, or €70 million per year. European Commission. (7 February 2017). The European Commission adds €35 million to its post Hurricane Matthew Support. http://europa.eu/rapid/press-release_IP-17-229_en.htm [accessed 30 March 2017].

82 IBESR's annual budget is \$750,000. AlterPresse. (10 June 2014). Droits humains: Plus de 600 maisons d'enfants en dehors des normes réglementaires en Haïti, op. cit.

83 The Ministry of Social Affairs (Ministère des Affaires Sociales et du Travail, MAST) 2016–2017 budget allocation was 1.5 billion gourdes, or \$21 million. Haiti Libre. (4 August 2016). Haiti – Economy: Overview of budget allocations (2016–2017). <http://www.haitilibre.com/en/news-18226-haiti-economy-overview-of-budget-allocations-2016-2017.html> [accessed 22 March 2017].

84 2016 data on file with Lumos.

Additionally, not all registered NGOs have reported their latest financial data as required by tax law,⁸⁵ while other faith-based entities – churches or other denominational bodies and thousands of congregations and faith communities engaged in Haitian mission and ministry – are not required to file annual financial data. Lumos identified additional potential funding mechanisms for orphanages, including in-kind donations, cash transfers, mission trips and church twinning, among others, though dollar amounts are not predictable given their unknown quantities. A variety of innovative methods using social media, including crowdfunding, can also raise funds directly for orphanages or for mission trip participants and volunteers to go to Haitian orphanages. In this way, this new form of web-based fundraising bypasses traditional channels of funding that would require greater oversight and accountability.

There is likely a crossover between the different funding mechanisms. The funding from established faith-based organizations (FBOs), other forms of support, and new fundraising mechanisms all suggest orphanages remain a preference for private, faith-based U.S. philanthropy and Haiti as a country.

A breakdown of known funding to Haitian orphanages includes:

\$ Identified International Funding Sources

Tax and other official reporting by registered organisations, including NGOs, FBOs, and foundations.



The bottom 155 funding sources make up less than \$19 million in orphanage support, just 27 percent of the total support identified: 55 funders of less than \$50,000; 63 funders between \$50,000 and \$200,000; and 37 funders between \$200,000 and \$500,000.



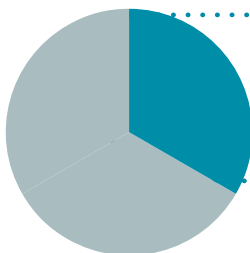
Sixteen funders had annual orphanage projects ranging from \$500,000 to \$1 million, totalling over \$10 million.



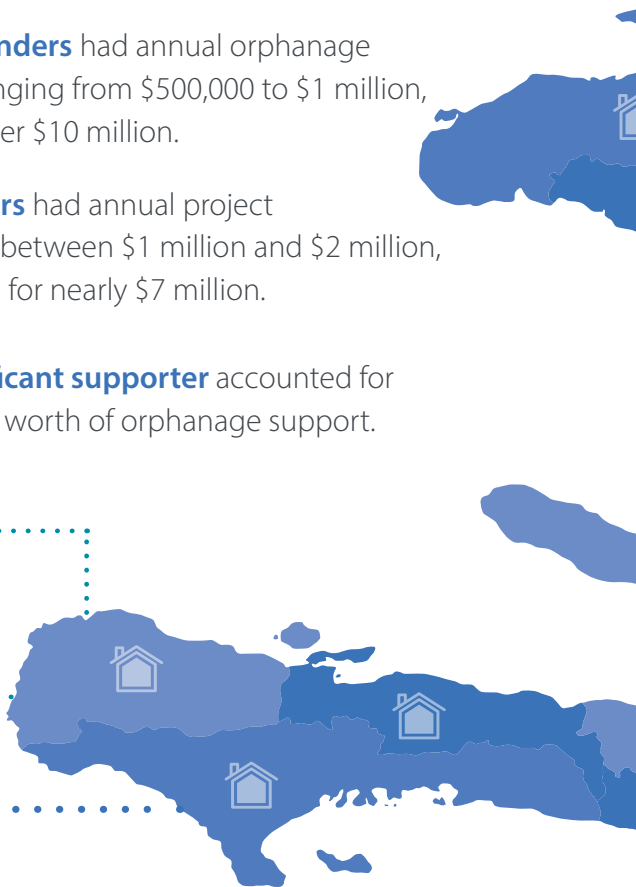
Five funders had annual project allocations between \$1 million and \$2 million, accounting for nearly \$7 million.



One significant supporter accounted for \$34 million worth of orphanage support.



\$70 million to one-third of orphanages in Haiti.



⁸⁵ Four U.S. funders to six orphanages did not have tax information available for the last three years despite current U.S. registration and operational websites with fundraising. 2016 data on file with Lumos.

\$ Known Sources, Unknown Quantities

Not all registered NGOs have reported their financial data as required by tax law, while other faith-based entities – churches or other denominational bodies and thousands of congregations and faith communities engaged in Haitian mission and ministry – are not required to file annual financial data. Lumos identified additional potential funding mechanisms for orphanages, though dollar amounts are not predictable given their unknown quantities. **These sources include:**



Web donations through entities that do not report their financials (not registered NGOs).



Support by foreign Catholic churches (Canadian, European and U.S.) through twinning programs - and related support.



Funds sent back from the Haitian diaspora in the United States, particularly from Florida and the New York area.

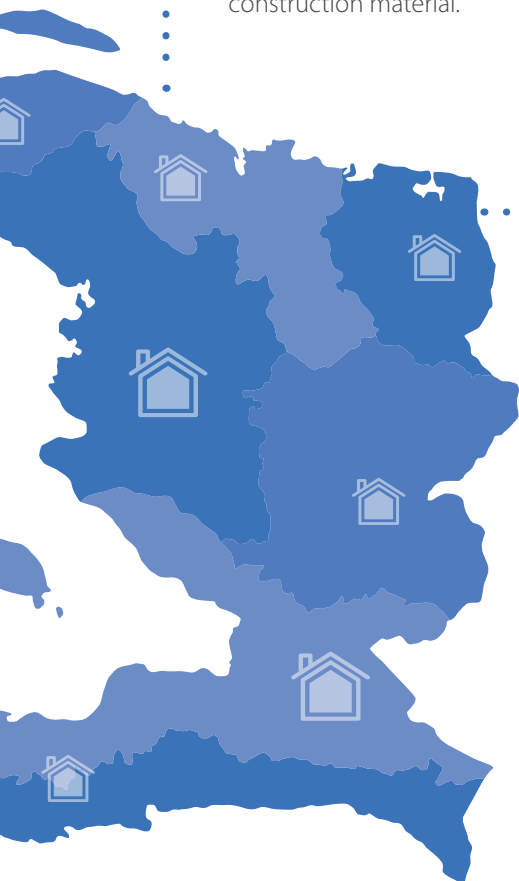


Events (church events, school fundraisers, concerts, bake sales, etc.), which raise untracked donations and wire funds to orphanages.

In-kind donations, as reported in interviews and seen by Lumos in-country, include food, clothes, toys, blankets, appliances, and even vehicles and construction material.

Evidence from Lumos interviews of cash donations to orphanage staff by volunteers, tourists, prospective adoptive parents, and mission trip participants.

Support by Haitian faith-based organizations and other local actors, including pastors and Haitian congregations, who fund and run orphanages, and raise untracked donations.



\$ Other Funding Sources

There are various, innovative methods to support orphanages that either raise funds directly or for mission trip participants and volunteers to go to Haitian orphanages:



Searching the term **"orphanage"** and **"Haiti"** in **Amazon Smile**, provided 209 hits of organizations in Haiti that a buyer could select for their charity donation.



Other crowd-funding platforms, which users create to fund their projects. Many were for self-sourced mission trips to volunteer with Haitian orphanages.

A search of references to **"orphanage"** and **"Haiti"** included:

GoFundMe: 3,223 projects

Crowdrise: 1,029 results, with 5 "events," 24 "fundraisers" and 1,000 "charities"

Global Giving: 68 projects

The unknown and untraceable aspects of this financial support is deeply unsettling as it is destined for the care of children, which, in other country contexts, would be rigorously supervised to ensure child safety, optimal outcomes for children, and efficient use of funds.

Though they represent the overwhelming majority, faith-based actors are not the only ones supporting and funding orphanages in Haiti. An example from February 2015 describes how a contingent of Canadian police deployed to the United Nations Stabilization Mission in Haiti (MINUSTAH) supported an orphanage for years – a troubling case given the work MINUSTAH has done on child protection in the past and the current work UNICEF is doing in Haiti to prevent institutionalization.⁸⁶ Lumos additionally identified non-faith-based NGOs and individuals, including celebrities, who support orphanages in Haiti. However, their involvement was simply not to the extent of the support from the North-American Protestant and Catholic communities.

While some of the orphanages identified through the research were not all specifically named, others were not found in the IBESR assessment at all. This means that, as suspected by IBESR, new orphanages have opened in the last four years without its knowledge.⁸⁷ Based on that and the above illustration of unknown funding amounts, the annual support of **\$70 million identified in this research represents a significant underestimate of total funding to all Haitian orphanages** because:

- It accounts for just over a third of the total estimated number of orphanages in Haiti and there may be more than the 750 orphanages identified in the 2013 government assessment;
- It does not include known funders whose detailed budgets were unavailable; and
- It does not account for the other funding streams and methods of support to orphanages in Haiti.

With this information, in discussion with an economist, an estimation could indicate that:

- Using the traceable average of \$70 million across 280 identified orphanages, the total funding to 750 orphanages would be closer to **\$190 million**.
- If outliers are removed, such as the over \$500,000 funders, the total annual funding to Haitian orphanages would be closer to **\$100 million, a conservative estimate**.

The dearth of publicly available information on unreported donations and support to orphanages from the faith communities indicates that the real support to Haitian orphanages could easily be in the realm of hundreds of millions of dollars. The unknown and untraceable aspects of this financial support is deeply unsettling as it is destined for the care of children, which, in other country contexts, would be rigorously supervised to ensure child safety, optimal outcomes for children, and efficient use of funds.

The model of raising funds for an orphanage varies extensively by orphanage. For example, while some orphanages are run and funded by a single, international organization, others are run locally by Haitians who receive funding from multiple sources. The estimated \$100 million identified in this report is not equally distributed across the identified 280 orphanages that receive the support. Some orphanages provide higher quality services, while others are in dire conditions. The remaining two-thirds of orphanages in Haiti that were not identified through funders and online searches likely operate on a significantly smaller scale. They may suffer from a lack of consistent funding, struggling to provide for the children in their care. This irregular funding likely results in the higher risk of violence, exploitation, abuse, and neglect of children in orphanages. (More details are provided later in this report.) Dependency on irregular, foreign financing and lack of oversight of donations means that orphanages are not sustainable long-term, and in the short-term, funds often do not reach the intended beneficiaries – the children.

86 MINUSTAH. (3 January 2014). De nouveaux sanitaires pour les enfants d'un center d'accueil de Tabarre. <http://minustah.unmissions.org/de-nouveaux-sanitaires-pour-les-enfants-d%E2%80%99un-centre-d%E2%80%99accueil-de-tabarre> [accessed 15 January 2016]; and MINUSTAH. (2016). Activités: Protection de l'enfance. <http://minustah.unmissions.org/protection-de-l%E2%80%99enfance> [accessed 15 January 2016].

87 Lumos interview with Vanel Benjamin, Chief of Social Work, IBESR, Port-Au-Prince, 16 February 2017.



'Love on Orphans'

A 2006 national study found that nearly half (41.6 percent) of religious congregations in the United States held gatherings to consider "travel to another country to provide assistance to people in need." Mission trips to Haiti seek to support vulnerable populations through service work and evangelizing. In the case of orphanage visits, former mission trip volunteers described to Lumos wanting to "love on orphans."

Profiting from the Orphanage Model

Once established, orphanages require sustained funding, which means they need to house children to raise those funds. This has incentivized the unnecessary separation of children from their families, where orphanages actively seek out children simply to continue operating. Thus, the orphanage operates as a business, where children are the commodity.

Other actors profit from orphanages and are invested in their continued operations. For example, orphanages are lucrative for the travel industry, which targets faith-based groups, universities and students, and others who want a 'voluntourism' experience. More and more travelers seek opportunities to "do voluntary work to help communities or the environment in the places they are visiting."⁸⁸

An estimated 4 million U.S. volunteers abroad work in orphanages or with children every year.⁸⁹ Though it is difficult to determine the exact numbers, studies have demonstrated that the number of these volunteers are in the millions, and it is a growing 'market.' Volunteering abroad in orphanages often raises funds that go directly to orphanage directors and not necessarily the children in care.⁹⁰ Orphanage volunteers reported cases where sums of \$50 to \$100 were exchanged between visitors and orphanage directors, and in some extremes of \$600 to \$2,000 in cash.⁹¹ Some volunteers and mission trip participants are told to bring specific sums of money or other goods. One orphanage volunteer described the practice to Lumos: "The orphanage was supported by many NGOs that held frequent mission trips, open to volunteers and adoptive parents. Each visitor paid a 'humanitarian donation' of at least \$350 and was required to bring two 50 pound suitcases of 'supplies'. Approximately 120 such volunteers visited the orphanage annually."⁹²

A 2006 national study found that nearly half (41.6 percent) of religious congregations in the United States held gatherings to consider "travel to another country to provide assistance to people in need."⁹³ Mission trips to Haiti seek to support vulnerable populations through service work and evangelizing. In the case of orphanage visits, former mission trip volunteers described to Lumos wanting to "love on orphans."

88 Next Generation Nepal. (April 2014). Orphanage Trafficking and Orphanage Voluntourism: Frequently Asked Questions.

<http://www.bettercarenetwork.org/sites/default/files/Orphanage%20Trafficking%20and%20Orphanage%20Voluntourism%20FAQs.pdf> [accessed 7 March 2017].

89 Tucker, W. (n.d.) Evidence Review: Evidence Review to inform Better Care Network's upcoming orphanage volunteering campaign. On file with Lumos, p7.

90 Moran, T. & Jesko, J. (9 August 2016). The Dark Side of Orphanage 'Voluntourism' in Nepal That's Putting Children at Risk.

<http://abcnews.go.com/International/dark-side-orphanage-voluntourism-nepal-putting-children-risk/story?id=41239651> [accessed 7 March 2017].

91 Lumos phone interview with clinical nurse, 21 December 2016.

92 Lumos. (2016). Orphanage Entrepreneurs, op.cit., p18.

93 The National Congregations Study drew from a representative sample of U.S. places of worship. See National Congregations Study (2006).

<http://www.soc.duke.edu/natcong/explore.html> [accessed 7 March 2017].

Over 160 organizations, including orphanages, FBOs, and for-profit travel agencies, were identified as organizing mission trips to Haiti with a chance to spend time with children in orphanages.⁹⁴ Lumos found that the cost of a mission trip to Haiti for one week could range from \$500 to over \$3,000. Some organizations offer mission trips only a few times per year, while others offer them once or twice a week to the same orphanage, amounting to upwards of 50 to 100 trips for teams per year to that orphanage.⁹⁵ While mission trip fees can cover lodging and sometimes travel, some agencies charge a fee for their services, and part of the expense generally goes to the orphanage as a donation.

Care leavers, orphanage staff, and former volunteers interviewed for this report described mission trip visits to their orphanages, usually during the winter and summer holidays. Others had mission trip visits on a weekly basis with anywhere from 20 to 60 participants at a time.⁹⁶ The participation in orphanage mission trips is problematic as they: fuel the orphanage industry; perpetuate the cycle of attachment and abandonment among highly vulnerable children; and put children at risk of potential abuse with the unregulated access of visitors.⁹⁷

Relationships between adoption agencies and crèches – children's centers with the goal of adoption – also provide a form of support to maintain the orphanage system in Haiti.⁹⁸ Crèches can be run independently or by foreign adoption service providers (ASPs),⁹⁹ and Lumos has previously documented prospective adoptive parents providing orphanages "money as 'humanitarian aid' in addition to adoption and visiting fees."¹⁰⁰ In recent years, IBESR made considerable improvements in regulating international adoption, and in 2012, Haiti ratified The Hague Convention on adoption.¹⁰¹ But adoption agencies have been suspected of investing in orphanages and children's homes to support the recruitment of children away from parents in order to adopt them internationally.¹⁰²

Fundamentally, the research demonstrated that transparency and accountability of the financial flows and other forms of support to Haitian orphanages from the private sector and faith-based community are extremely obscure. This is particularly problematic given the unknown situations of care in hundreds of Haitian orphanages. The haphazard support to orphanages and lack of systematic or enforceable regulations cannot ensure consistency and quality of care and puts thousands of children at risk.

Key Points

- **An estimated \$100 million are being used to support Haitian orphanages annually. The funds come predominantly from North American faith-based actors, making this form of assistance one of the largest of all development activities in Haiti.**
- **The motivations of private actors, FBOs, and other faith-based supporters to invest in orphanages may be influenced by inaccurate information about child vulnerability in Haiti.**
- **Child sponsorship, mission trips, adoption, and online fundraising play crucial roles in sustaining Haitian orphanages.**
- **The fundraising scheme surrounding orphanage care in Haiti can be used for profit by agencies and individuals and not in the best interest of the children in care.**

94 2016 data on file with Lumos.

95 Ibid.

96 Interview with care leaver #38, Arcahaie, 21 February 2017.

97 ACCI Missions and Relief. (2016). *Protecting Children in Short-Term Missions*, op.cit., p31.

98 Lumos. (2016). *Orphanage Entrepreneurs*, op.cit.

99 In the case of the United States, an American accredited or approved adoption service provider "facilitates adoptions by U.S. prospective adoptive parents in Haiti. U.S. Department of State. (9 March 2016). *Intercountry Adoption: Haiti*. <https://travel.state.gov/content/adoptionsabroad/en/country-information/learn-about-a-country/haiti.html> [accessed 7 March 2017].

100 Lumos. (2016). *Orphanage Entrepreneurs*, op.cit.

101 The U.S. Department of State warns prospective adoptive parents that "not all children in orphanages or children's homes are available for adoption," and "that birth parents place their child(ren) temporarily in an orphanage or children's home due to financial or other hardship, intending that the child return home when possible. In such cases, the birth parent(s) have rarely relinquished their parental rights or consented to the adoption of their child(ren)." U.S. Department of State. (9 March 2016). *Intercountry Adoption: Haiti*. <https://travel.state.gov/content/adoptionsabroad/en/country-information/learn-about-a-country/haiti.html> [accessed 7 March 2017].

102 Belt, R. (17 December 2013). *A Form of Child Trafficking in Haiti: The Orphanage Business*. Oxford Human Rights Hub. <http://ohrh.law.ox.ac.uk/a-form-of-child-trafficking-in-haiti-the-orphanage-business/> [accessed 2 March 2017].

Abuses in Orphanages

An estimated \$100 million dollars and more is being invested in Haitian orphanages annually. However, that extraordinary investment does not necessarily translate to high quality of care and the best interest of children. In fact, what is being done in the name of care often comes at the high cost of the rights of children and their long-term prospects as independent, successful adults.

Lumos recognizes that not all orphanages maintain comparable standards and that some orphanages invest considerably in children's care. Others demonstrate the worst forms of violence, exploitation, abuse, and neglect. The evidence below is based on interviews with key stakeholders – including evidence from care leavers as well as individuals, church groups, and organizations that have reported abuse to Lumos – and Lumos' own projects in Haiti. Clear patterns emerge regarding quality of care in the orphanages and the reality of post-orphanage quality of life for children and young adults.

Children have been placed in orphanages by parents who hope they will receive education, basic services, and better care than they believe they can provide. But, too often, this is not the case. The bare minimum amount of care, let alone the education and nutrition parents believed their children would receive in an orphanage, is often severely lacking. 140 of the assessed orphanages by IBESR had unacceptable conditions of care. Children living in these orphanages are vulnerable to malnourishment and outbreaks of diseases, and are at risk of exploitation, physical and sexual abuse, and even trafficking.¹⁰³

Available survey data on violence against children conducted excludes children and young people in orphanages.¹⁰⁴ Lumos is currently working with IBESR and other partners on a reassessment of all the orphanages throughout Haiti. Until that is complete, other than the 2013 IBESR survey, current statistical information has not been collected on the treatment and quality of care of children in orphanages in Haiti.

Orphanage registration, according to IBESR, consists of an operational permit that is good for a year if orphanages meet established conditions. The IBESR survey classifies orphanages in Haiti along the following spectrum of quality of care:¹⁰⁵

- Green: meeting minimum standards;
- Yellow: meeting some of the standards but requiring improvement; and,
- Red: failing to meet any standards, requiring immediate closure.

However, as the following section reveals, these ratings often do not reflect the realities inside orphanages. Lumos' work in Haiti has demonstrated that even 'green' and 'yellow' rated orphanages provide unacceptable quality of care. The research also reflects the experiences of individuals from over 55 orphanages, and the specific experience of 44 young adults and children from 15 of those orphanages.¹⁰⁶ The orphanages mentioned by over 35 other witnesses reflect a range along the spectrum and confirm descriptions provided by care leavers.¹⁰⁷ These other witnesses included members of organizations providing assistance to children in orphanages and care leavers; current and former orphanage staff; health service providers (including licensed nurses and psychologists); international humanitarian and development organizations (including faith-based organizations); government officials from IBESR; and former mission trip participants and orphanage volunteers who spent from two weeks to several months working in orphanages throughout the country.

103 UNICEF. (6 January 2012). In Haiti, improving care for children on the streets and in residential care. https://www.unicef.org/protection/haiti_61249.html [accessed 7 March 2017].

104 CDC et al. (June 2014). Violence Against Children in Haiti: Findings from a National Survey 2012. <https://www.cdc.gov/violenceprevention/pdf/violence-haiti.pdf> [accessed 7 March 2017], p163.

105 See Annex 3 for a detailed explanation of IBESR's standards of care in orphanages.

106 Of the 15, two were 'green', five 'yellow', one 'red', and seven more had not been assessed by IBESR. All but one were faith-based.

107 Some witnesses chose not to name the orphanages they visited, so Lumos was not able to breakdown the ratings of these additional facilities.

Violence Against Children

All children are protected under international law from “neglect or negligent treatment, maltreatment or exploitation, including sexual abuse” while in the care of any person.¹⁰⁸ International evidence suggests that children in orphanages are at a much greater risk of all forms of abuse than their peers raised in families. With 60 percent of Haitian girls and 57 percent of boys having experienced physical abuse before the age of 18,¹⁰⁹ children in orphanages are as, if not more, likely to be subjected to violence.¹¹⁰ Lumos evidence demonstrates systematic physical abuse of children in orphanages with the worst conditions.¹¹¹

A young woman from another orphanage told Lumos, “I think [the orphanage director] was scared we would tell the Americans how she treated us. She would use anything [to beat us] – sandals, pieces of wood.”

Care leavers described regular corporal punishment, and former orphanage volunteers and mission trip participants witnessed different forms of physical abuse. One 19-year-old with a physical disability told Lumos that he was regularly beaten at an orphanage that he left in 2015. “They would use a stick or an electric cord to hit you, wherever on your body. One of the kids when they were hitting him fainted. There were many examples like that. Sometimes they would hit you and you would bleed.”¹¹² A young woman from another orphanage told Lumos, “I think [the orphanage director] was scared we would tell the Americans how she treated us. She would use anything [to beat us] – sandals, pieces of wood.”¹¹³ Over 35 of the 44 care leavers interviewed described comparable ‘punishments’ for allegedly misbehaving.

In one orphanage where children were regularly beaten, the director would also use other forms of physical punishment, including dumping cold water on the toddlers who slept on the floor at night.¹¹⁴ The situations described by older care leavers could amount to cruel, inhuman, and degrading treatment. “She would beat us at night, always.

She would take us to her room, put us on our knees with our arms outstretched holding rocks. Or sometimes she left us out in the sun until she remembered about us.”¹¹⁵ A similar situation was described by a former mission trip participant at a different orphanage:

“I asked about deep scars on one of the girl’s knees. They made her kneel in the hot sun as a punishment. They do that for hours as a punishment. It got so hot, it’s like it melted the skin to the bone. They had to remove all the skin, all the way down. She was [...] around five when it happened. They were always getting disciplined, the children. There was such aggression towards the children.”¹¹⁶

Though most abuse described to Lumos was typically carried out by the orphanage director, or by adult members of staff instructed by the director, in one case older children at the orphanage were ordered to beat the younger ones.¹¹⁷ A former orphanage volunteer now working with care leavers described how those boys displayed violent behavior long after they had left the orphanage.¹¹⁸ Other care leavers described threats and verbal and psychological abuse from orphanage directors or staff. These intimidation tactics and beatings cause severe pain or suffering and are intended to punish or intimidate children, which amounts to cruel, inhuman, and degrading treatment.¹¹⁹

108 UN General Assembly. (20 November 1989). Convention on the Rights of the Child. United Nations, op. cit., art. 19.

109 CDC et al. (June 2014). Violence Against Children in Haiti: Findings from a National Survey 2012, op. cit., p52.

110 Berens, A.E. & Nelson, C.A. (2015). The science of early adversity. op cit.

111 Lumos (2015). Confidential, non-published data, on file with Lumos.

112 Lumos interview with care leaver #35, Arcahaie, 21 February 2017.

113 Lumos interview with care leaver #38, Arcahaie, 21 February 2017.

114 Group interview with care leavers, Chambellan, 17 February 2017.

115 Lumos interview with care leaver #25, Chambellan, 17 February 2017.

116 Lumos interview with volunteer #3, Port-Au-Prince, 9 December 2016.

117 Lumos follow-up interview with volunteer #8, Les Cayes, 18 February 2017.

118 Lumos follow-up interview with volunteer #8, Les Cayes, February 2017.

119 The CRC, the International Covenant on Civil and Political Rights (ICCPR), and the Convention against Torture require states to prevent torture, as well as other cruel, inhuman, or degrading treatment or punishment. This prohibition applies “not only to acts that cause physical pain but also to acts that cause mental suffering to the victim,” and the infliction of such treatment can never be justified. UN General Assembly. (16 December 1966). International Covenant on Civil and Political Rights. United Nations, Treaty Series 999, ratified by Haiti 1991. <http://www.refworld.org/docid/3ae6b3aa0.html> [accessed 22 March 2017]; and UN General Assembly. (10 December 1984). Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. United Nations, Treaty Series 1465, signed by Haiti 2013. <http://www.refworld.org/docid/3ae6b3a94.html> [accessed 22 March 2017].

Of the 14 orphanage volunteers and mission trip participants Lumos interviewed, 11 suspected sexual abuse of children by either staff, visiting mission trip participants, or members of the community who had access to the children in the orphanage.¹²⁰ Where there is unfettered access to children, large volumes of foreign visitors who do not have to undergo background checks; and where children are mixed by gender and age, the risk of sexual abuse is very high. Recent news articles have reported on sexual abuse in Haitian orphanages, particularly by expatriates, including American pastors and volunteers.¹²¹ Lumos has additional evidence of sexual abuse perpetuated by Haitian staff from its interventions in two orphanages over the last two years.¹²² Cases of sexual abuse in orphanages rarely come to light, and foreign nationals are often able to operate with impunity. If cases are even reported, let alone investigated, they rarely result in justice for victims.¹²³

Global evidence suggests that children living in orphanages are more likely to go missing than children in families.¹²⁴ Care leavers, former orphanage volunteers and mission trip participants, and members of international NGOs as well as IBESR staff all described children disappearing from orphanages. Some were said to have run away, others reportedly went home, while some simply could not be accounted for, even when their parents went looking for them. The lack of enforceable processes in place to admit children to and discharge them from orphanages facilitates their disappearance. The challenge in tracking children is exacerbated by the lack of an effective system for birth registration and documentation of all children.

IBESR suspects networks of traffickers involved in the recruitment of children to and through orphanages, as well as from points of child abandonment, like hospitals.¹²⁵ The unregulated nature of the orphanage system in Haiti makes children in care particularly vulnerable to trafficking.¹²⁶ In June 2014, Haitian authorities enacted the Anti-Human Trafficking law, which prohibits all forms of human trafficking,¹²⁷ though, according to the 2015 Trafficking in Persons report, no convictions have taken place to date.¹²⁸ The law also obliges orphanage management to inform IBESR when children leave and where they move. As yet, there is no evidence to suggest this happens systematically.

It is ultimately the responsibility of the Government of Haiti to protect children from all forms of violence, exploitation, and abuse.¹²⁹ The current strategy by the government and NGOs is to make sure abuse victims are removed from the orphanage where the abuse has taken place. However, the lack of alternative care services, such as foster families, makes this extremely difficult in practice and children remain for long periods at risk.¹³⁰ Continued investment in orphanages derail efforts to develop other forms of alternative care that could better serve children.

Cases of sexual abuse in orphanages rarely come to light, and foreign nationals are often able to operate with impunity. If cases are even reported, let alone investigated, they rarely result in justice for victims.

120 2016 and 2017 Interviews on file with Lumos.

121 In 2010, an American man who founded the Haiti Fund for homeless boys, was investigated and prosecuted for having sexually abused at least 18 Haitian children in his care over a ten-year period, with 140 additional alleged victims. U.S. Justice Department. (8 July 2015). Services Case United States v. Douglas Perlitz. <https://www.justice.gov/usao/priority-areas/victims-rights-services/servicescase-united-states-v-douglas-perlitz>. In another case, another American man, was sentenced to 165 years in prison for traveling to Haiti to sexually abuse children who lived in a group home he ran. NPR (31 July 2013). 165 Years In Prison for US Man in Haiti Sex Abuse. <http://www.npr.org/templates/story/story.php?storyId=207457993> [accessed 7 March 2017].

122 Lumos. (2015). Confidential, non-published data, on file with Lumos.

123 Pinheiro, P.S. (2006). World Report on Violence against Children, op.cit., p182.

124 European Commission. (2013). Missing Children in the European Union: Mapping, Data Collection and Statistics. http://ec.europa.eu/justice/fundamental-rights/files/missing_children_study_2013_en.pdf [accessed 23 March 2017].

125 Lumos interview with IBESR staff, Les Cayes, 20 February 2017.

126 U.S. Department of State. (2015). Trafficking in Persons Report. <http://www.state.gov/documents/organization/243559.pdf> [accessed 4 March 2016].

127 Journal Officiel de la République d'Haiti. (June 2014). Loi sur la Lutte Contre la Traite des Personnes. Loi No. CL/2014-0010. http://www.healthpolicyproject.com/pubs/740_HaitiAntiTraffickingLawFINAL.pdf [accessed 7 March 2017].

128 U.S. Department of State (2015). Trafficking in Persons Report, op. cit.

129 UN General Assembly. (20 November 1989). CRC, op.cit., art. 34.

130 Currently, IBESR views orphanages as a necessary aspect of the child protection system. It requires orphanages to maintain 10 percent of free bed space if they need to place children in temporary care.

Severe Neglect of Children with Disabilities

Not all Haitian orphanages have children with disabilities, and not all that do mistreat them. However, orphanages are generally ill-equipped to meet the needs of children with disabilities in their care. They often care for both adults and children in the same setting, creating further child protection concerns.¹³¹

Globally, the harm caused by institutionalization to children with disabilities is significant.¹³² Many countries lock away or physically restrain children with disabilities.¹³³ Impairments and health problems may be exacerbated or even caused by the institutional setting and research suggests that children with disabilities are at an increased risk of mortality in orphanages compared with their peers without disabilities.¹³⁴ In 2016, the Committee on the Rights of the Child noted with concern that children with disabilities in Haiti are marginalized and socially excluded.¹³⁵ Due to lack of accessible services and because of social stigma associated with disability,¹³⁶ children with disabilities are at increased risk of becoming institutionalized in Haiti.

Care leavers, former volunteers and mission trip participants, and other witnesses described the mistreatment of children with disabilities in orphanages. The levels of neglect and mistreatment ranged greatly. One 'yellow' orphanage, which several witnesses reported as properly caring for children with disabilities, still struggled to meet the needs of the children and adults in its care. Local, trained staff did not always understand the nature of the disabilities nor the proper individual care required.¹³⁷ In a 'green' crèche, a former volunteer reported worse quality of care. She described how it was not until her arrival in 2014 that she and other volunteers eventually "got [staff] to sit the children with disabilities up to feed them, instead of shoving food into their mouths while they were lying down. Unless we were there," she told Lumos, the children in care were not exercised. "One had an upright chair for class, but sometimes was left in his wheelchair or lying down all day."¹³⁸ Some care leavers described children with disabilities interacting and attending school alongside them, while others told Lumos said they did not go to school with the other children.¹³⁹

Other witnesses reported far more disturbing circumstances. In the case of a 'green' orphanage, children with disabilities were reportedly locked in a room overnight without supervision, often unfed, and left in their own excrement.¹⁴⁰ Multiple interviewees corroborated this type of scenario. A former orphanage volunteer described the 2016 death of a girl with cerebral palsy who died of starvation in a crèche with a 'green' rating.¹⁴¹ The girl was severely malnourished and left to die in a locked room with other disabled infants.¹⁴² In a 'yellow' orphanage "the kids with disabilities were in a separate room, kids of all ages. They kept them locked in there."¹⁴³ In that particular orphanage, care leavers described the frequent deaths of children with disabilities and having to attend the children's funerals.¹⁴⁴

A 23-year-old care leaver, who lived in the above orphanage for 16 years, told Lumos: "A lot of the children with disabilities died – 20 to 30 children died [while I was] there, some in hospital, most at the house. I was afraid. Why does it happen? I was afraid to sleep because someone had died. [The staff] would just tell us we would be alright 'if you keep your promise to God'"¹⁴⁵ The orphanage, which is run by U.S. pastors, has a \$2

131 Save the Children. (2009). Keeping Children Out of Harmful Institutions: Why We Should be Investing in Family-Based Care.

https://www.savethechildren.org.uk/sites/default/files/docs/Keeping_Children_Out_of_Harmful_Institutions_Final_20.11.09_1.pdf [accessed 4 March 2016].

132 Jones, L. et al. (2012). Prevalence and risk of violence against children with disabilities: a systematic review and meta-analysis of observational studies. *The Lancet*, 380 (9845).

133 Human Rights Watch. (May 2016). Children Behind Bars: The Global Overuse of Detention of Children.

https://www.hrw.org/sites/default/files/supporting_resources/children_behind_bars.pdf [accessed 2 May 2017].

134 Browne, K. (2009). *The Risk of Harm to Young Children in Institutional Care*. London, UK: Save the Children.

http://www.crin.org/en/docs/The_Risk_of_Harm.pdf [accessed 23 February 2016].

135 Committee on the Rights of the Child. (2016) Concluding observations on the combined second and third periodic report of Haiti. CRC/C/HTI/CO/2-3, op. cit., p13.

136 Lumos phone interview with clinical psychologist #1, 6 January 2017.

137 Lumos interview with volunteer #9, Port-Au-Prince, 21 February 2017; and with clinical psychologist #2, Port-Au-Prince, 22 February 2017.

138 Lumos interview with volunteer #6, Port-Au-Prince, 13 December 2016.

139 Lumos group interview with four care leavers, Chambellan, 17 February 2017; and interview with care leaver #14, Port-Au-Prince, 14 December 2016.

140 Lumos interview with volunteer #10, Port-Au-Prince, 22 February 2017; and with care leaver #8, Port-Au-Prince, 10 December 2016.

141 Lumos interview with volunteer #10, Port-Au-Prince, 22 February 2017.

142 For more on the maltreatment of children with disabilities, see Lumos. (2016). *Orphanage Entrepreneurs*, op. cit.

143 Lumos interview with care leaver #6, Port-Au-Prince, 10 December 2016.

144 Lumos interview with care leaver #5, Port-Au-Prince, 10 December 2016; with care leaver #6, Port-Au-Prince, 10 December 2016; and with care leaver #8, Port-Au-Prince, 10 December 2016.

145 Lumos interview with care leaver #11, Port-Au-Prince, 10 December 2016.

million annual budget and is known by IBESR. The government has tried unsuccessfully to shut it down but cannot compete with the orphanage's lawyers funded by its foreign donors.¹⁴⁶

Standards of Health and Medical Treatment

While many care leavers described having some access to health services, others described situations in which children suffered from illness and injury without medical support. In the case of three separate yellow and red orphanages, care leavers said they feared beatings from the orphanage directors too much to ask for help when they were unwell.¹⁴⁷

Some care leavers and other witnesses described the deaths of children who were not taken to the hospital or were not adequately cared for.¹⁴⁸ One young woman told Lumos that "a lot of the little babies died; it gave me problems sleeping at night."¹⁴⁹ In another case, an American-run crèche allowed mission trip participants with no medical training to care for premature babies.¹⁵⁰ A former staff member told Lumos that the orphanage itself "was very well-funded. There was clean water, food, formula, they didn't lap (sic.) on resources."¹⁵¹ In 2011, the crèche had only one nurse on staff working with the untrained U.S. mission teams. She saw 15 babies die that year because of lack of adequate medical support.

Many care leavers, former orphanage volunteers, and staff described adequate facilities. However other witnesses and some children described unsanitary conditions, rampant with disease.

Many care leavers, former orphanage volunteers, and staff described adequate facilities. However other witnesses and some children described unsanitary conditions, rampant with disease. Care leavers from two different orphanages described outbreaks of what was later confirmed to be cholera.¹⁵² One adult care leaver described leaving school for a month when he was 17 to care for three younger children from the orphanage who contracted cholera. The orphanage director refused to help, believing the children "had indigestion." The young man found support on his own to bring the children in for medical treatment and they spent several weeks to a month in a cholera clinic.¹⁵³

Orphanage volunteers described similar situations of caring for children when orphanage staff or directors refused to help. In one case, a boy broke his arm and the staff said he was lying. When a volunteer finally took him to hospital doctors had to break the arm to reset it.¹⁵⁴ A different boy from the same orphanage had been living with undiagnosed HIV.¹⁵⁵ It was another volunteer who insisted the boy see a doctor and receive treatment.¹⁵⁶ Other volunteers described taking children to hospital following beatings from the orphanage staff. "We have a lot of medical bills. Kids begged us to take them to the hospital. But the last six months she [the orphanage director] wouldn't let us take them to the hospital."¹⁵⁷ Five former volunteers described orphanage staff preventing them from taking children for medical help, insisting on receiving cash directly or underplaying the gravity of illness or injury.

Care leavers, former orphanage volunteers and mission trip participants, and medical professionals visiting orphanages all described regular signs of malnutrition (orange hair), as well as skin and other types of infections in yellow and red orphanages. In 2016 Lumos and IBESR found that most of the 40 children housed in one orphanage

146 Lumos interview with Vanel Benjamin, Chief of Social Work, IBESR, Port-Au-Prince, 16 February 2017.

147 Lumos interviews with care leavers from orphanage #1, #5, and #15.

148 Lumos interview with care leaver #14, Port-Au-Prince, 14 December 2016; with volunteer #8, Les Cayes, 16 February 2017; with care leaver #31, Les Cayes, 18 February 2017; with care leaver #32, Les Cayes, 18 February 2017.

149 Lumos interview with care leaver #5, Port-Au-Prince, 10 December 2016.

150 Lumos interview with volunteer #2, Port-Au-Prince, 9 December 2016.

151 Lumos interview with volunteer #2, Port-Au-Prince, 9 December 2016.

152 Lumos interview with care leaver #31, Les Cayes, 18 February 2017; with care leaver #32, Les Cayes, 18 February 2017; follow-up interview with care leaver #2, Les Cayes, 18 February 2017; with care leaver #33, Les Cayes, 19 February 2017

153 Lumos follow-up interview with care leaver #2, Les Cayes, 18 February 2017.

154 Lumos interview with care leaver #13, Port-Au-Prince, 12 December 2016.

155 Lumos interview with volunteer #12, Port-Au-Prince, 12 December 2016; with care leaver #6, Port-Au-Prince, 12 December 2016; and care leaver #36, Arcahaie, 21 February 2017.

156 Lumos interview with volunteer #5, Port-Au-Prince, 12 December 2016.

157 Lumos interview with volunteer #14, location withheld, 5 May 2017.



Despite their predominantly good intentions, orphanage volunteers and mission trip participants provide the demand for opportunities to visit 'orphans', which increases the need for supply: children. This demand incentivizes trafficking.

were malnourished and lacked medical care. There was no potable water in the orphanage, only one toilet, and no food in storage.¹⁵⁸ In the case of four other orphanages identified in this research, witnesses also reported no potable water, and care leavers described having to go fetch water in heavy metal cans to bring back to the orphanage. Care leavers also reported going to bed hungry, and former volunteers described watching children having to eat water mixed with flour and sugar or other inadequate nutritional substitutes.

Several care leavers knew that the quality of their food depended on whether the orphanage director had "secured aid" – outside donor assistance – or that if foreigners would be visiting the orphanage soon they would often eat better quality meals. Orphanages themselves often do not have the resources to provide for all a child's needs and rely on third parties to provide pro bono support.¹⁵⁹ Care leavers described outside organizations coming to their compounds to provide them with food and medical assistance. During the course of its desk-based research, Lumos came across websites for orphanages and organizations that explicitly stated that they were not adequately equipped to feed their children.

Long after they stopped officially volunteering with an orphanage, former volunteers reported continuing to check in on the children. Some still provided food, water, and other support to the orphanages out of fear for the health and lives of the children. One former volunteer continues to support the 'yellow' crèche she first visited after the earthquake in 2010. "I still come down to check on the kids," she told Lumos. "I want them to know they weren't given up on. I just show up, by myself, with food."¹⁶⁰ The inability of certain orphanages to sustainably support the children for whom they are responsible is indicative of the short-term thinking of the orphanage model: dependency on irregular, foreign financing puts children at greater risk.

Trafficking and Corruption

Lumos has received testimony of orphanage directors who paid 'child-finders' to recruit children for the orphanage.¹⁶¹ Children reunited with their families reported having either the orphanage director or a local pastor recruit them away from their families.¹⁶² Other care leavers confirmed that their parents often knew the orphanage director who came from their same village. Parents believed their children would receive an education and have a better life,¹⁶³ though in some instances, families were paid \$75 to give their children away.¹⁶⁴

158 Lumos. (2015). Confidential, non-published data, on file with Lumos.

159 Lumos has chosen not to reveal the names of these third-party organizations providing orphanages support. Some continue to provide support to orphanages, while others have since stopped.

160 Lumos interview with volunteer #1, Port-Au-Prince, 7 December 2016.

161 Lumos. (2016). Orphanage Entrepreneurs, op. cit.

162 Lumos group interview with care leavers, Chambellan, 17 February 2017.

163 Lumos group interview with parents, Chambellan, 17 February 2017.

164 Lumos. (2015). Confidential, non-published data, on file with Lumos.

As part of an orphanage business model, child recruitment into orphanages for the purpose of exploitation is a form of human trafficking that is currently largely unchecked.¹⁶⁵ The process of 'papering orphans', the fabrication of orphans with fraudulent documentation, and the subsequent exploitation children experience in orphanage care, meets the current interpretation of the definition of trafficking as outlined in the international UN Trafficking in Persons (TIP) Protocol.¹⁶⁶ Online fundraising using child sponsorship feeds into this model as orphanages attempt to show continued perceived need of children by increasing their numbers.

Despite their predominantly good intentions, orphanage volunteers and mission trip participants provide the demand for opportunities to visit 'orphans', which increases the need for supply: children. This demand incentivizes trafficking.

Mismanagement of Funds

In some orphanages, the sums received greatly exceed the money spent on looking after children. Given the significant financial flows from donors, and the responsibility of staff and funders to the care of children, there is no excuse that children do not receive assistance. All the former orphanage volunteers described levels of corruption and the misuse of donations. Funding designated for the care of children went to the building costs, usually involving high quality orphanage rooms to be used exclusively by mission trip participants, or the orphanage directors, while children continued to live in squalid conditions. Volunteers additionally reported better quality of food for mission trip participants than that for the orphanage staff and the children.

Many children knew they would eat better quality food and more often if mission trip participants were visiting. Care leavers from several different orphanages described seeing depots of donations cycle through being full and then emptied, without they themselves benefiting from the donations. Care leavers also described orphanage staff, usually the directors, taking away donations that had been given to the children directly by foreign visitors, usually mission trip participants.

One orphanage volunteer at a 'green' crèche where she worked and was involved for nearly two years until late 2015 regularly reviewed financial documents. She estimated that the orphanage received between \$80,000 to \$145,000 per year in support. "That was just accounting though. There's no telling how much the Americans handed over to the director in person. One woman gave \$600 in cash once. We knew [...] the director would pocket it. There were also two to three depots for donations. They'd be full one day, empty the next. I can only guess they would sell items. Considering how infrequently they changed the babies' diapers, I doubt they went through that much inventory. We would also see how much they noted for the cost of charcoal, or plantains, and then compare it at the market. It was very different prices. Plus, we didn't see any plantains ever in the food."¹⁶⁷ She told Lumos that the orphanage director reported to donors that there were between 75 and 100 children in the orphanage when there were actually 60 children in care during her time.

In one case, an orphanage volunteer spoke with the members of the orphanage board in the United States who had sent \$20,000 for electricity in 2013. When she visited, there was no electricity, and despite seeing cash donations, the children went without potable water.¹⁶⁸ At yet another orphanage, a volunteer saw records of \$1,000 donations per child to feed 20 children in the orphanage. "I know for a fact they were spending \$200 per child," she told Lumos. "[The donors] did that for two years without a clue. They would visit and stay in hotels, and just pass by the orphanage, which would put on a good show for them."¹⁶⁹ Two orphanage volunteers described funds that were meant to go to education – in one case from 2016, only 10 of the 40 children in the orphanage attended school

165 Van Doore, K. (2016). Paper Orphans, op. cit.

166 Ibid; and Belt, R. (December 17, 2013). A Form of Child Trafficking in Haiti, op. cit.

167 Lumos interview with volunteer #6, Port-Au-Prince, 13 December 2016.

168 Lumos interview with volunteer #1, Port-Au-Prince, 7 December 2016.

169 Lumos interview with volunteer #8, Les Cayes, 19 February 2017.

outside its walls;¹⁷⁰ in another case from 2015, funders claimed they “were sponsoring 42 children to go to school every month and providing a housing stipend. But the orphanage only had 26 children.”¹⁷¹

In 2014, a U.S. organization made an unannounced visit to the orphanage in Les Cayes they were funding and found children with “reddened hair, distended bellies, naked, and living in filth.”¹⁷² They have since worked with IBESR to reunify the children with their families.

Looking the Other Way

There is a need for funders to conduct due diligence and monitor orphanages properly through trained professionals who can assess both how the funds are being spent and safeguarding the children in their care. And yet, it seems to fall to former volunteers and others to report alleged corruption, mismanagement of funds, and cases of violence, abuse, or neglect. The reliance on volunteers means that they are the ones who see more consistently what is happening “on the ground.”

When volunteers told Lumos they reported concerns to their U.S. organizations or funders, they were at best met with skepticism and ignored; at worst they were threatened. “The Americans seemed more concerned about protecting their reputation than the safety of the kids,” one former volunteer told Lumos.

When volunteers told Lumos they reported concerns to their U.S. organizations or funders, they were at best met with skepticism and ignored; at worst they were threatened. “The Americans seemed more concerned about protecting their reputation than the safety of the kids,”¹⁷³ one former volunteer told Lumos. When she raised awareness of the dire conditions in the orphanage, one donor pulled tens of thousands of dollars in intended funding. Subsequently, the volunteer’s life and the lives of the children in the orphanage were threatened by the Haitian orphanage director, and the U.S. organization running the orphanage refused to believe her.¹⁷⁴

In April 2017, IBESR, with support from Lumos, closed an orphanage that was suspected of abusing children in care since 2012. As of May 2017, the children have been reunified or moved to a safer orphanage while waiting for alternative options. A U.S. faith-based organization had been supporting the orphanage with U.S. sponsors for every child. The organization had refused to believe allegations of abuse, mainly because it was at a loss as to what to tell its sponsors.¹⁷⁵

In other cases, orphanages raise funding from international donors for orphanages that do not exist. Several witnesses relayed a similar story: mission trips would visit a location with children, and the next day the building would be empty.

So-called orphanage directors would ask children from the community to simply come for the day when they knew that foreign groups would come through. In 2016 Lumos helped IBESR close an orphanage in Port-Au-Prince, and children were reunified with their families. As of February 2017, the orphanage website was still operational and requesting donations for those children. The orphanage no longer has ties to the children or their families.

It is deeply concerning that “volunteers, church groups and small agencies donate into what can be a corrupt and dangerous enterprise for children.”¹⁷⁶ As one former orphanage volunteer told Lumos, “I will never understand how you can learn that those kids weren’t eating properly and weren’t getting good care, and the other Americans, they don’t do anything.” She had reported abuses in the orphanage in 2014 to the donors in the United States. “I’ll never understand how someone could hear these things and not do anything about it.”¹⁷⁷

170 Lumos interview with volunteer #2, Port-Au-Prince, 7 December 2016.

171 Lumos interview with volunteer #1, Port-Au-Prince, 7 December 2016.

172 Lumos interview with former orphanage funder, Port-Au-Prince, 16 March 2017.

173 Lumos interview with volunteer #5, Port-Au-Prince, 12 December 2016.

174 IBid.

175 Lumos phone interviews with organization, name withheld, May 2017.

176 Belt, R. (17 December 2013). *A Form of Child Trafficking in Haiti*, op. cit.

177 Lumos interview with volunteer #1, Port-Au-Prince, 7 December 2016.

It should not fall on unqualified volunteers to monitor donor projects and report suspicions of abuse and mismanagement. And yet, while occasionally impromptu visits by donors reveal funds not being used for the care of children, many donors appear to remain willingly oblivious to abuse and mismanagement of funds, whether because they themselves are corrupt or due to their fears of having invested significantly and losing face with their donors, supporters, and communities. Regardless, foreign organizations running orphanages are responsible for the children in their care. They must respond and investigate allegations of abuse of children with the involvement of IBESR.

Quality of Life After Care

In Creole, children from orphanages are referred to as *sanfanmi*, which literally translates to 'without family'.¹⁷⁸ The term carries a negative connotation – someone who has no one to keep an eye on them, no one to help them avoid getting caught up in trouble, no one to look out for them.

Accessing education is central to the choice of child placement in an orphanage. Many care leavers said that they willingly went to the orphanages in order to go to school. Some children seem to feel that they help their families by going to orphanages. "My mom has six kids," a 19-year-old care leaver told Lumos. "I thought it would help her to pay the others' school fees."¹⁷⁹ In a country where an average family has five children,¹⁸⁰ care leavers knew their parents were struggling, and believed that by leaving they themselves would have a greater chance of accessing education and gaining a skill or trade to later help their parents. However, even when children are in the safest quality of care and go to school, they often do not have the opportunity to finish. Of the 44 care leavers Lumos spoke with, 31 were over 18 and no longer living with their families. Only three had finished high school.

Orphanages are meant to inform IBESR whenever a child is going to leave its care.¹⁸¹ There is no requirement or official age where children must leave orphanages. The orphanage should develop an exit plan for every child to ensure proper transition to independent living or reunification with their families. Young men and women, however, described how orphanage staff told them to leave because they want additional space or no longer want to spend resources on them. Some of the care leavers were still under 18 at the time they were forced to leave the orphanages.

"We realized they wouldn't pay for university. [...] When I was in my last year at school they [the orphanage] were pushing us to get out, but I resisted because I wanted to finish my studies."¹⁸² A young woman from the same orphanage had been forced to leave a year earlier, "We cried a lot, it was our home. It was the only place we knew. We didn't understand why we were being made to leave."¹⁸³ She and four other girls, who were all forced to leave, have not finished school, are all over the age of 20, and were living together and supported by another care leaver. In an example from a different orphanage, "Eight of us left in 2011. Once you turn 16, you have to leave. It was unbelievable, no help, no support." Children were turned out on the street, allowed in some cases to leave with only the clothes on their backs.¹⁸⁴

Some of the children reunited with their parents are being supported through NGOs to return to school. Other care leavers struggle to try to go back and finish their studies. "My brother made first and second payments for school this semester, but I don't know how I will pay for next semester. My mom can't afford it."¹⁸⁵ Care leavers over age 18 appear to be wholly dependent on their parents and family, if the latter can afford to provide help, or third parties for support after leaving the orphanage. Of the 31 care leavers over the age of 18 that Lumos spoke to, only six were living independently and had employment. The others relied on each other for survival, housing, and the payment of school fees.

178 Lumos follow-up email with clinical psychologist #1, 7 January 2017.

179 Lumos interview with care leaver #36, Arcahaie, 21 February 2017.

180 Lumos interview with Vanel Benjamin, Chief of Social Work, IBESR, Port-Au-Prince, 16 February 2017.

181 Lumos interview with Vanel Benjamin, Chief of Social Work, IBESR, Port-Au-Prince, 16 February 2017.

182 Lumos interview with care leaver #43, Arcahaie, 21 February 2017.

183 Lumos interview with care leaver #38, Arcahaie, 21 February 2017.

184 Lumos interviews with care leavers from orphanage #12 and orphanage #13, Port-Au-Prince, December 2016.

185 Lumos interview with care leaver #14, Port-Au-Prince, 14 December 2016.

Dependent, adult care leavers who do not live at home were living off and on in safe houses, either established by foreign NGOs or those organized by other care leavers. The latter find help and support where they can, from churches and ties with former mission trip volunteers who continue to support them after they have left the orphanage. A 23-year-old care leaver who spent 12 years in an orphanage and was forced to leave told Lumos: "My situation isn't stable. I had sex with someone who was helping me. I didn't want to, but I needed to. [...] I liked him a lot because he paid for my school."¹⁸⁶ She has placed her three-year-old son in a different orphanage in Port-Au-Prince. She did not know how she would pay for the next semester at school – she still has two years of high school to finish – but she visits her son every Sunday at the orphanage and hopes to take him home someday.

A clinical nurse with six years' experience in over 17 Haitian orphanages described the situation as "a generation of people [from orphanages] who expect someone else to care for their children. Now it's a second generation of that cycle."¹⁸⁷ These older children, now young adults, find themselves without a place to live, some not having finished a high school education, and unemployed.

As mentioned above, some orphanages provide high standards of care, and the children and young adults who leave care were cognizant of that. One orphanage director who spoke to Lumos highlighted that children from his 'green' orphanage went on to be employed, though they were still struggling to find the best way of supporting young adults once they left care.¹⁸⁸ Twenty-five care leavers over 18 described leaving the orphanage without a skill or trade with which they could survive. The ability to thrive after leaving an orphanage was succinctly summed up by one young man, who, upon exiting care, was trying to support his sick mother:

"We had everything in the orphanage: play, clothes, we ate every day, but we don't have anything in our minds, we can't go to university, we don't understand computers. I feel better now that I'm out of the orphanage, but not for mom. I can't do the things to take care of her. It was supposed to be my future to help my family, to grow up with my family. Every day I cry because my mom is sick, and I can't do anything for her. Because of the way that I am."¹⁸⁹



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186 Lumos interview with care leaver #5, Port-Au-Prince, 10 December 2016

187 Lumos phone interview with clinical nurse, 21 December 2016.

188 Lumos interview with orphanage director, Port-Au-Prince, 23 February 2017.

189 Lumos interview with care leaver #11, Port-Au-Prince, 11 December 2016.

Conclusions

The misconception surrounding orphans in Haiti has led to extensive funding and volunteer activities in orphanages since the 2010 earthquake. Though for the most part well-intentioned, investment in orphanages reflects the short-term thinking of foreign funders. In the best-case scenarios, funding orphanages shows a lack of understanding of the lifelong impact of institutional care on child development and the poor outcomes for young adults leaving care. In the worst cases, orphanages are rampant with abuse, violence, and neglect, and are actively trafficking children.

Haiti will always face natural disasters, therefore, more must be done to tackle the manufactured ones, which include lack of transparent and accountable foreign interventions. All donors must be accountable for their financial commitments and the impact of their investments. This extends beyond bilateral and multilateral donors to the private organizations and individuals, including the faith-based community, sending money and other forms of support overseas.

Unfortunately, without proper oversight of this tremendously large funding stream, faith-based groups and others can open or fund orphanages without proper registration. Money can easily end up being put to poor use on programs that are not in the best interests of children, while well-intentioned faith-based groups and individuals feel that they cannot discontinue funding without risking the welfare of the children in their care, or losing their own donors and supporters.

Vast sums of money are funneled to Haitian orphanages annually, without adequate checks and balances. Legislation to control such funding is insufficient, and laws that exist are bypassed. In Haiti, the scale of the sums involved attract people who are motivated primarily by profit, including child-traffickers. As a result, many orphanages are run as businesses, funded 'per child', which incentivizes the recruitment of more children who are taken from their parents through deception, coercion or purchase. This is a form of trafficking in children, driven in part by the good intentions of faith-based donors and volunteers.

Lack of Government Capacity

The Haitian government has demonstrated the will to transition away from orphanages and instead support family-based care. IBESR, alongside Lumos and other actors including UNICEF, is updating data on orphanages in Haiti with a focus on standards of care and a reassessment of the orphanages throughout the country. This is a first step to understand the current situation of children in care.¹⁹⁰

There is a need for an increase in available alternatives to orphanages. Currently, the only means of family-based, alternative care available in Haiti is foster care, though its use is limited. The Foster Care Family Framework provides the administrative process and procedure for developing foster care in the country.¹⁹¹ Certain international NGOs, faith-based actors, and UNICEF have supported foster care development in Haiti. Bethany Global, in partnership with the Haitian government, launched a foster care program in 2015, working with the local church in Haiti to recruit families. They also work with vulnerable families to support children at home.¹⁹² Since mid-2014, the European Union funded UNICEF foster care programs that have been piloted in the South and West departments. Through a partnership with Terre des Hommes, 38 vulnerable children were placed in foster care families, 15 of which were identified, trained, and accredited by IBESR.¹⁹³ Other faith-based actors and some NGOs, including Lumos, are supporting family-strengthening efforts to ensure that children reunified with their families from orphanages can remain at home.

190 UNICEF (2016). UNICEF Annual Report 2015: Haiti, op.cit., p26.

191 Committee on the Rights of the Child. (24 February 2016). Concluding observations on the combined second and third periodic report of Haiti, op. cit.

192 For more information, see Bethany Global. (2017). Bethany in Haiti. <https://www.bethany.org/global-services/countries/haiti>.

193 UNICEF. (2016). UNICEF Annual Report 2015: Haiti, op. cit., p27. 185 AlterPresse. (10 June 2014). Droits humains, op.cit.

While the Government of Haiti is central to care reform initiatives, it relies heavily on NGOs to support and deliver child protection services. The funding for child protection comes from external sources such as UNICEF, the United States Agency for International Development (USAID), and other bilateral donors. As IBESR has worked to close orphanages throughout Haiti that do not respect its standards of care, the efforts are hindered by new orphanages that pop up, sometimes established by the directors of those closed by the government. Support to orphanages in Haiti significantly outweighs IBESR capacity – as of 2014, IBESR had only 200 social workers in the field.¹⁹⁴ Faith-based assistance to children, therefore, has a huge impact on child protection.

Possibility of Care Reform

With diminishing bilateral and multilateral donor investment, private actors have an even more important role in orphan care and prevention.¹⁹⁵ It is vital that U.S. faith-based and other donors continue to provide support to children, but direct their funding to appropriate programs in Haiti, which includes preventing the separation of children from their families in the first place. Donors can also influence orphanages run or funded by faith groups to begin the process of transition to family-based care. Donor influence could be used to ensure that orphanage staff are not misusing funds, recruiting children, or allowing abuse in their care.

Faith-based NGOs, including ACCI Missions and Relief, Bethany Global, CRS, and the Faith to Action Initiative, support faith-based family strengthening programming. While some large international faith-based organizations operate in Haiti, a number of smaller-scale faith-based actors have developed programs to ensure children are raised in families. These programs include foster care within Haitian families; small therapeutic group homes; programs for children coming out of *restavek* situations; maternal health programs designed to keep mothers and babies together; and vocational training for young adults leaving orphanages.

These faith-based programs also include children with disabilities. Lumos visited one faith-based organization in the South department that has been working in Haiti on foster care for children with disabilities for five years. Foster parents are supported to care for children with disabilities, and the children go to school in the community and have access to high-quality therapeutic care.¹⁹⁶ Other efforts are at a wider community-level. A group of clinical psychologists goes into communities to work with parents who had sought to give up their children up to orphanages. "We help them access the services they need. All the kids with disabilities are staying home and accessing community services. All of the parents, if given the tools and opportunity, can care for their children with disabilities."¹⁹⁷

Former orphanage volunteers, staff, and mission trip participants are also instrumental in care reform. Of the 14 former volunteers and mission trip participants interviewed by Lumos, all stayed on in Haiti to continue to serve communities outside the orphanage system. They are now involved in activities including child health and nutrition, education, agribusiness, and family tracing and reunification.

In addition to the work being done in Haiti, there are efforts within donor countries to transition support away from the orphanage model. A number of advocacy campaigns in the United States address the need for better care practices within faith-based communities. The Faith to Action Initiative provides resources and tools for donors who wish to make a change from funding orphanages to funding family-based care.¹⁹⁸ In addition, the Christian Alliance for Orphans hosts a Haiti collaborative for faith-based groups working on care issues in Haiti and hosted a six-part workshop on transforming care services.¹⁹⁹ These and other faith-based initiatives are instrumental in transforming care and developing services in the best interests of children.

194 AlterPresse. (10 June 2014). Droits humains, op.cit.

195 Siegfried, K. (21 October 2016). Will Hurricane Matthew reset Haiti's aid relationships? <https://www.irinnews.org/analysis/2016/10/21/will-hurricane-matthew-reset-haiti%E2%80%99s-aid-relationships> [accessed 2 March 2017].

196 Lumos phone interview with organizational director, 26 January 2017; and visit to foster family program for children with disabilities in Haiti, 15 March 2017.

197 Lumos interview with clinical psychologist #2, Port-Au-Prince, 16 February 2017.

198 The Faith to Action Guidance Manual provides information and tools for churches, faith-based organizations, donors, and others who are transitioning children's care away from orphanages to care within families. Faith to Action Initiative. (2016). *Transitioning to Family Care for Children: A Guidance Manual*. <http://www.faithtoaction.org/wp-content/uploads/2016/12/Transitioning-Care-Guidance-Manual.pdf> [accessed 7 March 2017].

199 Christian Alliance for Orphans. (2017). <https://cafo.org/> [accessed 7 March 2017]. 191 UNICEF. (2016). UNICEF Annual Report 2015: Haiti, op. cit., p5.



Recommendations

There has been a significant reduction of spending on children in Haiti between 2008 and 2013, which has potential adverse effects on a multitude of sectors, including child protection.²⁰⁰ And as Haiti continues to grapple with food insecurity following Hurricane Matthew and the continued impact of the cholera epidemic, many international development actors are withdrawing from Haiti.²⁰¹

If \$100 million were used to reunite children with their families: all 30,000 children in orphanages could be cared for in a family, as well as more than half of the 207,000 children in the most unacceptable situations of domestic child labor.²⁰² In Haiti, Lumos has found that it costs \$680 to reunite a child with his or her family and provide that child with support to care for their children.²⁰³ That is comparable to the cost of one mission trip participant's week-long visit to Haiti. Or, if \$100 million were used on education, 770,000 children in Haiti could have their school fees paid for a year.²⁰⁴

In the context of diminished international assistance, the estimated \$100 million currently sustaining the orphanage system in Haiti could be shifted and better allocated to provide cross-sectoral support to Haitian families. This money could and should be used to provide community based healthcare, education services, therapeutic care for children with disabilities, income generation schemes, sanitation, and housing. Such services would make it possible for most families to care for their own children. Good quality foster care and local adoption programs are also necessary. The examples above demonstrate potential alternatives, but coordinated and consistent investment is needed to scale up best practices.

The prevention of separation of children from their families requires a shift in the behavior of donors and volunteers from abroad. There is a need for much more rigorous oversight of programs supported by international donors, to ensure their well-intended funds and time are not invested in abuse, neglect, trafficking and other crimes against the most vulnerable children in Haiti. The investment of faith-based actors has the great potential to improve the lives of hundreds of thousands of vulnerable children in Haiti, but it requires respecting the rights of children and strengthening their families.

To donors currently, or thinking of, funding orphanages:

- **Assist orphanage leadership, including U.S. or other internationally-based, in moving towards more appropriate forms of care and support, to ensure all children can live with families. This should include funding activities such as: family tracing and reunification; provision of support to families to access healthcare and education for their children and to become economically self-sufficient; employing adequate social workers to assess the needs of each child; providing therapeutic care and rehabilitation for children; equipping foster families and preparing young adults for the transition to independent living.**
- **Identify strengths and assets in the community (education services, health services, social work services, etc.) which can be useful as the orphanage begins to plan a transition to a family-based care model of support.**
- **Research the best forms of care for children living outside families. Encourage learning, open communication and linkages with other organizations and ministries operating high quality family support and alternative care services.**
- **Do not cease funding to a partner orphanage until a full transition has been made to family-based care services, to minimize the risk of placing the remaining children in an even more damaging situation. Loss of funding can lead to poor nutrition, reduced staffing, loss of school fees, and more.**

200 UNICEF. (2016). UNICEF Annual Report 2015: Haiti, op. cit., p5.

201 Siegfried, K. (21 October 2016). Will Hurricane Matthew reset Haiti's aid relationships?, op. cit.

202 UNICEF (2016). UNICEF Annual Report 2015: Haiti, op. cit.

203 Lumos. (2016). Orphanage Entrepreneurs, op. cit., p32.

204 In 2013 the World Bank estimated that it cost families \$130 per year to send their children to school. World Bank. (12 March 2015). Four Things You Need to Know About Education in Haiti. <http://www.worldbank.org/en/news/feature/2015/03/12/four-things-you-need-to-know-about-education-in-haiti> [accessed 22 March 2017].

- **Ensure that partner orphanages are not involved in harmful practices by instituting better oversight and systematic monitoring, including the development of an effective complaints procedure for children, families, staff, and volunteers. In the short-term, invest in trained and skilled staff to oversee operations and management, and in particular, do not allow untrained medical staff to administer treatment to children.**
- **Orphanages must meet the national standards of care. Ensure partner orphanages are properly registered with the Haitian government, inspected regularly, and classified as a 'green' orphanage without any significant immediate risks to the children living there. Even orphanages listed by the government as 'green' may have child abuse and protection concerns and require funders to monitor and evaluate the quality of care. Reports of child abuse from orphanages, including concerns raised by volunteers, must be investigated.**
- **Work together with the relevant national or local authorities and consider forming coalitions with other organizations to ensure a coordinated, joined-up approach to the provision of services for children and families.**
- **Develop a child protection and safeguarding policy that is implemented within the orphanage. Everyone who has contact with children, including mission trip participants and other visitors, should understand the policy and have restricted access to the children.**
- **New donors and their churches should support local projects that help families provide for their children. They can learn from Haitian churches and other local organizations about the existing alternatives to supporting orphanages.**
- **Invest in care leavers who are now young adults and are in need of skill-building and other forms of training to succeed and become fully independent, contributing members of society.**
- **Promote within their communities, churches, ministries, and other groups that children should be in families, not orphanages. Funds could be better spent on preventing the separation of children from their families and services that ensure the best interest of children.**

To volunteers and mission trip participants:

- **Volunteers should not volunteer in orphanages, unless they can contribute specific skills and expertise that are not available in the country. Despite good intentions, volunteering in orphanages may inadvertently create a demand for children to be unnecessarily separated or trafficked from their families to fill up orphanages. Orphanage volunteering often involves a high-turnover of volunteers which evidence shows can create psychological attachment disorders in children. Children need long-term stable carers to ensure their life-long physical, cognitive and emotional and well-being.**
- **Volunteers should reflect on the skills they have and how they could be used most effectively to support local needs. Volunteers should approach their placement with a 'learning mindset'; remaining open to learning from the people they are helping, their culture and the problems they face.**
- **Volunteers should never have to pay fees for volunteering in orphanages, or bring cash to give to the orphanage. This increases the potential of money being misused and not going directly to children.**
- **Wherever possible, volunteering placements should directly or indirectly support families and communities to remain together. There are many types of projects which contribute to these aims, such as:**
 - Income generation projects for families so they can adequately care for their children;
 - Community preparedness activities for mitigating the impact of disasters such as floods and earthquakes, so children are not left vulnerable when these events happen;
 - Education projects supporting local schools and local teachers so that children do not have to leave their villages to be educated; and
 - Women's empowerment projects to ensure that women can contribute to supporting their families, girls can attend school, and mothers can advocate for their children's rights.
- **Volunteers and mission trip participants should ask the company, mission organizers, or other church members informed questions and only accept trips and placements where they can ensure their participation is ethical. This will create a market demand for a more ethical volunteering industry.**

- Those currently volunteering in orphanages should consider taking the message home to their communities, ministries, and universities that children should be in families, not orphanages. Consider joining an advocacy campaign to discourage others from voluntourism. Raise money for family preservation efforts in the community where the orphanage was located, or encourage churches, schools or organizations to stop sending short term missions teams to the orphanage and instead focus on community development.
- Anyone currently volunteering in an orphanage and is concerned about harmful practices to children, should first contact IBESR and follow their official processes, and contact reputable local organizations working in child protection for advice. Consider ending the volunteer placement early, to minimize risk to self or others.

To multilateral and bilateral government partners (including Canada, the European Union, France, United Kingdom, United Nations, and the United States):

- In an emergency, issue appropriate, widely communicated travel advisories to citizens to discourage orphanage funding and volunteering. State the recognized dangers, including trafficking and child abuse.
- Investigate claims of abuse from domestic organizations and individuals.
- Present clear policies among agencies operating in Haiti on orphanages and child safeguarding.
- Ensure that no international development assistance is used to build, renovate, or support orphanages, and develop internal regulations to prohibit this practice. Encourage other donors to do the same.
- Ensure all international development assistance and programs in Haiti consider their impact on social development, child protection, and trafficking reduction. For example, food security and education programs should be organized to reach the most vulnerable families.
- Prioritize investment in the strengthening of health, education and community based support services that make it possible for families to care for their own children.
- Prioritize investment in IBESR to implement the goals of their Child Protection Strategy. Support the implementation of the strategy to close approximately 140 orphanages where children are at the greatest risk of harm, abuse and trafficking.
- Prioritize investment in the Anti-Trafficking Committee in the development and implementation of its National Strategy and Plan of Action.
- Ensure all personnel of multilateral and bilateral partners are aware of the trafficking of children in orphanages. Ensure any voluntary work by personnel is in line with best practice and the stated foreign assistance policy of their governments. For example, the European Union has stated that the transition from institutions to community-based services is a priority. Similarly, the U.S. Government's Action Plan on Children in Adversity has a commitment to putting family care first, reducing the number of children in institutional care and does not support orphanages.
- Ensure that guidelines are enforced and that employees, including MINUSTAH peacekeepers and future operational personnel, do not volunteer or invest in orphanages.
- Advertise on official websites that volunteers to Haiti should not support orphanages and educate their citizens of the risks to children, including trafficking.²⁰⁵ In the event of future humanitarian crises, such as hurricanes and earthquakes, embassies and other agencies should advertise promptly on their website, travel alerts, and other social media that support to orphanages in emergencies can further endanger children.
- Engage the faith-based community as part of development activities.

205 An example of how to do this was the response of the U.S. embassy in the Nepal following the 2016 earthquake. The embassy now has a resource page for American volunteers in Nepal. U.S. Embassy in Nepal. (2017). Volunteering in Nepal. <https://np.usembassy.gov/u-s-citizen-services/local-resources-of-u-s-citizens/volunteering-in-nepal/> [accessed 10 May 2017].

To the Government of Haiti:

- Put in place a ministerial moratorium prohibiting the opening of any new orphanages with accompanying awareness raising efforts.
- Ensure those who run orphanages for profit or who use child-finders to recruit children through deception, coercion or purchase are prosecuted for trafficking children.
- Work with donors, including the international and local faith-based community, to shift major resources currently spent on orphanages instead to support the transition to community-based services.
- Develop an inspection system, with powers of sanction and prosecution of offenders, so that no one can establish or run an orphanage without government accreditation.
- Develop a proper system for recording daily the admissions to and discharges from institutions, as well as a digital system for tracking the movement of children through the care system.
- Increase the number of frontline social workers, to support families and ensure their access to services, thereby reducing the numbers of children in institutions (prevention and reunification).
- Ensure that all reports of abuse of children in institutions are documented and investigated in a timely manner. Develop and implement a simple complaints mechanism for children and families.
- Develop a community awareness program and behavior change communication strategies aimed at a range of stakeholders, warning families of the dangers of placing their child in an orphanage and educating communities and volunteers not to support orphanages.
- Invest in the promotion of family planning.

Annex 1: KEY DEFINITIONS

Orphan

An 'orphan' is traditionally understood as a child whose parents are both deceased. However, according to global development indicators used by some organizations, the definition of an 'orphan' is a child who has lost either one or both parents. The growing use of this latter definition has meant that the number of 'orphans' has been overestimated, resulting in the widespread belief that there is an 'orphan crisis' globally, and in particular in Haiti. This interpretation is misleading, as it implies that the child has neither parent available to look after him/her. Of the estimated 30,000 children in orphanages in Haiti, more than 80 percent have at least one living parent and, on this basis, most of these children should not be considered to be orphans.²⁰⁶ In fact, parents or other family members often visit their children at the orphanages and, given the right support, could safely look after their children at home. Most children are placed in orphanages for a complex combination of socio-economic reasons – poverty, disability, lack of housing, and lack of access to health and education services, highlighting the urgent need for better support for families.

Orphanage

'Orphanage' is a term commonly used to describe an institution that houses children who have been separated from their parents, due to parental death, child abuse and neglect at home, but more often due to a combination of socio-economic reasons. The terms 'orphanage' and 'institution' are often used interchangeably because orphanages, like institutions, tend to be characterized by a prevailing institutional culture. An orphanage can be said to have an institutional culture when: children are isolated from the broader community and compelled to live together; children and their parents do not have independent control over the children's lives and over decisions which affect them; the requirements of the orphanage itself take precedence over the children's individual needs; and the nature of the environment means that children struggle to form attachments crucial to healthy physical and emotional development.²⁰⁷ For the purpose of this report and the Haitian context, the term 'orphanage' is used.

Crèche

IBESR defines a crèche as a children's center that allegedly receives abandoned children in need. Unlike an orphanage, a crèche's goal is to facilitate national or international adoption of the children in their care.²⁰⁸ In crèches the children are generally under five years of age, whereas orphanages house older children.²⁰⁹ For the purposes of this report, the definition 'orphanages' includes crèches.

Family-based Care

Family-based care refers to care within a family environment. This includes: care from the child's birth family; kinship care, where the child lives with members of their existing family or a close family friend; foster care, where the child lives with another family in that family's home and adoption, where a family legally adopts the child. In family-based settings, children live within the community and have access to community life, as well as receiving the kind of individualized care and consistent caregiver support that orphanages are unable to provide. Orphanages and orphanage funders are increasingly referring to their orphanages as 'family-based care,' even though most of the important features of family life are absent and an institutional culture prevails within them. In some cases, orphanages are divided up into smaller group-style homes within a compound, giving the impression of 'family-like'

206 Institut du Bien Etre Social et de Recherches. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*, op. cit.

207 European Commission. (2009). *Report of the Ad Hoc Expert Group on the Transition from Institutional to Community-based Care*. <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=614&furtherNews=yes> [accessed 2 March 2017].

208 IBESR. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*, op. cit, p2.

209 Lumos interview with UNICEF staff, Port-Au-Prince, 22 February 2017.

care. However, again, these cannot provide the important features of a family environment, and children in them are at risk of harm from the persisting features of an institutional culture, such as segregation from the community and a lack of individualized care. These should not be confused with small group homes, which in any country's care system are likely to be necessary for a very small minority of children – these should be very small units, each housing around four to six children, integrated into the community, taking the form of a regular house or apartment on a regular street, and staffed with sufficient numbers of highly-trained personnel able to provide for the specific needs of the children.

Faith-based Organization

Historically, faith-based organizations have played a huge role in international development, providing services through church networks and intervening where no government services are available. There is no widely-accepted definition of a faith-based organization (FBO). However, FBOs are characterized by having one of the following: 'affiliation with a religious body; a mission statement with explicit reference to religious values; financial support from religious sources; and/or a governance structure where selection of board members or staff is based on religious beliefs or affiliation and/or decision-making processes based on religious values.'²¹⁰

210 Ferris, E. (June 2005). Faith-based and secular humanitarian organizations. *International Review of the Red Cross* 87(858). https://www.icrc.org/eng/assets/files/other/irrc_858_ferris.pdf [accessed 9 February 2017], p312.

Annex 2: METHODS

This report relied on desk-based data analysis; research carried out by Lumos in-country from October 2016 to February 2017, including interviews with key witnesses; and documentation of Lumos operations in Haiti, including the evaluation of 140 children in four orphanages alongside the government's child protection agency – the Institut du Bien-Etre Social et de Recherches (the Institute for Social Welfare and Research, IBESR).

Over the past 18 months, Lumos has worked closely with IBESR and the Brigade de Protection des Mineurs (the police department responsible for child protection, BPM) in closing four orphanages with poor care practices and extreme detrimental conditions.

Key Informant Research

To establish patterns in the treatment of children in some orphanages in Haiti and quality of life upon leaving care, Lumos interviewed over 80 individuals with experience in Haitian orphanages. Of those, Lumos spoke to 44 care leavers in four different locations: Arcahaie and Port-Au-Prince in the West department; in and around Jérémie in the Grand'Anse department; and in Les Cayes in the South department. Children and young adults were identified by social workers, partner nongovernmental organizations (NGOs), and former orphanage volunteers. Lumos also spoke with six parents who had been reunited with their children.

To further understand international development assistance to Haiti and private, faith-based support to orphanages, over 30 of the interviews were conducted in person in Haiti, by telephone, or by email correspondence with members of organizations providing assistance to children in orphanages and care leavers; current and former orphanage staff; health service providers (including licensed nurses and psychologists); international humanitarian and development organizations (including faith-based organizations); government officials from IBESR; and former mission trip participants and orphanage volunteers who spent at least two weeks to several months working in orphanages throughout the country.

The 44 care leavers (23 men and boys and 21 women and girls) came from 15 separate orphanages predominantly from the West department where 69 percent of the orphanages in the country are located, according to a 2013 government survey.²¹¹ The additional key informant interviews confirmed patterns from 45 more orphanages in different departments. The vast experience of IBESR staff and other social workers who have worked across the country for decades on the issue of child protection and children in Haitian orphanages provided valuable insight.

Quantitative Data

This report relies on a 2013 assessment of Haitian orphanages conducted by IBESR.²¹² No other national-level survey data is available on orphanages. Additionally, no data sets exist on orphanage-related private funding.

To estimate the scope of international funding to Haitian orphanages, Lumos conducted data collection that included a review of donors to Haitian orphanages. Lumos examined the most current tax information and public reporting of nearly 260 identified donors to orphanages in Haiti for the most recent fiscal years.

Lumos determined funding amounts to orphanages by examining registered NGOs and foundations; project information on donor websites, including NGOs, Haitian orphanages with online presences, and other private organizations such as travel agencies, mission trips organizations, and churches; and documents provided by interviewees. Organizations and other private actors were identified through consultation with former mission trip volunteers, online aggregators using relevant search terms, and NGO certifying entities and their search engines.

211 519 of the 752 known orphanages at the time of the 2013 IBESR survey were from the Ouest department. IBESR. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*, op.cit.

212 IBESR. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*, op. cit.

Lumos relied on U.S. 990 tax forms, Canadian and UK charity reports, and other tax information identified above. This process proved challenging as financial data is recorded and reported in different ways, or in the case of some organizations, including churches, not reported at all. Data between different countries' financial reporting requirements varies greatly and few organizations were clear on sums dedicated to orphanages versus other programs, which can include community health, education, and nutrition, among others. This creates challenges when comparing or aggregating financial data across sources. The analysis draws reasonable conclusions from data available using the most conservative estimates possible.

A brief description of the quantitative data collection methods follows:

- **Web research began by compiling a list of foreign donors starting with registered Canadian, UK and U.S. NGOs using the search terms 'Haiti' and a combination of: 'orphanage', 'orphan', and 'child' – Lumos did not begin with a search based on any faith to eliminate bias. Following this, research further extrapolated information, including whether the organization was faith-based; the names and number of orphanages that received support; the breakdown of projects to identify funding levels; and if the organization provided mission trips, among other collected data.**
- **Additional donors were identified and added to the donor list through: donors mentioned during interviews; donors listed on orphanage websites; a search of the U.S. Evangelical Council for Financial Accountability; and through news articles that listed donors, funding amounts, and donation dates. These were crosschecked to ensure no duplication.**
- **In addition to the donor list, using the IBESR 2012-2014 assessment of orphanages in Haiti, a random sample of orphanages was taken (100 of 752). Lumos attempted to verify the web presences of these orphanages and their links to foreign donors. This search provided significantly less data as only 46 percent of the sampled orphanages had a web presence, and only 42 percent named funding sources. However, all were FBOs or churches, and 86 percent of the donors were from North America.²¹³**
- **Volunteer, mission trip agencies, and tour companies offering "orphanage visits or volunteering" were compiled using online research and added to from groups identified during further in-country research.**

Ethical Considerations

Lumos interviewed children and young adults in safe houses or transitional homes, in their homes or their caregivers' homes, or at the Lumos Haiti office in Port-Au-Prince. Interviews with children and young adults were conducted individually, with the presence in some cases of Haitian social workers who knew and introduced the interviewees to Lumos, or as a group when the care leavers felt more comfortable doing so. Interviews were conducted in English, French, or Creole, with an interpreter for Creole translation when necessary. Lumos did not seek to conduct interviews with children currently living in orphanages to ensure their safety and avoid the risk of reprisals.

Lumos staff discussed the purpose of the interview with all witnesses, its voluntary and confidential nature, the way the information would be used, and that no compensation would be provided for participation. Interviews typically lasted between 45 and 90 minutes.

The research required addressing sensitive subjects, including sexual and physical abuse, which the care leavers may not have answered honestly due to a variety of fears and mistrust. Care was taken with victims to minimize the risk that recounting their experience could further traumatize them or put them at physical risk. Lumos staff corroborated information gathered from children and young adults with information from other sources, including interviews with parents and former orphanage volunteers.

Throughout the report, names and identifying information of the interviewees have been withheld to protect their privacy. Pseudonyms have been used in place of the names of all the children and young adults quoted or described in this report. Lumos has further chosen not to name the orphanages identified in interviews to protect the care leavers and their families, as well as former orphanage volunteers or staff members. The only identification of actors involved in abuse in orphanages and the orphanages themselves is when the source is public, such as in a news article.

²¹³ 34 funders were from the US; 6 were French; 2 Canadian; and 1 German. All were faith-based organizations or churches. The discrepancy in higher French funding could indicate more funding from French actors that are not official NGOs.

Annex 3: IBESR Minimum Standards of Care for Orphanages

According to the 1971 Law's articles on standards of care within a children's home, the Government of Haiti sets out the following conditions for quality of care.²¹⁴

Condition of children:

- Children are clean;
- Children have clean clothing;
- Children are in good physical and mental health;
- Children are well fed with 3 regular, balanced meals per day.

Condition of the building:

- The building must be secure;
- Every child must have her/his own bed;
- The dorms must be aerated and managed in such a way so that children are separated by age and gender.

Available services:

- The center must have a school (or the children are sent to school outside the center);
- The center must have an infirmary with appropriate medical supplies;
- The center must facilitate family reunification;
- The center has a program of leisure activities.

Staff:

- The center has qualified and sufficient staff;
- The center has at least one social worker;
- The center has at least one nurse;
- The center has an affiliated doctor.

Treatment of children:

- Corporal or inhumane punishment is prohibited and a dismissible offense (for example beatings, isolation, harsh work);
- No child neglect (malnutrition, lack of supervision, risk of accidents).

214 Translated from the original French: IBESR. (June 2013). *Annuaire des Maisons d'Enfants en Haïti 2013*, op. cit., p217.

Evaluation of residential centers and their classification:

- Standards for 'Green' quality of care: the standards are respected, even though they could be improved upon. Temporary placement of a child in the center could be in their best interest and contribute to their well-being.
- Standards for 'Yellow' quality of care: the majority of the standards are not respected, but the most important are (sanitation conditions, health, nutrition, protection, and education). With support, the conditions could contribute to the well-being of children in the event of temporary placement. Standards that require improvement must be outlined for the center to address them and ensure better quality of care.
- Standards for 'Red' quality of care: the center does not respect any of the most important standards. The temporary placement of children in such a center would not be in their best interests and could not contribute to their well-being in the existing conditions. Comment: quality of care standards would equally be considered 'red' in the event of suspected abuse (sexual, physical, or psychological) and/or if there is gross neglect (malnutrition, lack of supervision, unsanitary conditions).





About Lumos

Lumos, an international non-profit organisation founded by J.K. Rowling, is dedicated to ending the institutionalisation of children – a practice that decades of research have shown is harmful to child development. We are working with many others and at all levels to ensure the right of every child to family life and transform the lives of eight million children currently living in institutions and orphanages. We help countries transform education, health and social care systems for children and their families, and help move children from institutions to family-based care.

By advocating at all levels, collaborating widely and running evidence-based demonstration projects that prove reform can work, we are able to achieve maximum impact from our funding to benefit some of the most vulnerable children in the world.

Lumos is founder member of the European Expert Group on the Transition from Institutional to Community Based Care (EEG) and has been instrumental in the development of guidelines and toolkits in 13 European languages in order to guide national governments through the process of deinstitutionalisation and transitioning to community-based care services. For more information see: <http://deinstitutionalisationguide.eu>.

We are also a founding member of the Global Partnership for Children with Disabilities in Development, and member of the Leaders Council for the US-based Global Alliance for Children.

For more information visit our website wearelumos.org
find us @Lumos on Twitter or email us on info@wearelumos.org

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