

End the placement of  
children under three years  
of age in institutions



## **A CALL TO ACTION**

### **To end the placement of children under three years of age in institutions**

We urge Latin American and the Caribbean States to put an end to the placement of boys and girls under three years of age in residential care institutions.

Most countries in the region rely disproportionately on institutionalisation as a child protection strategy despite the fact that this approach should be used only in exceptional circumstances.

The lack of official data disaggregated by age obscures the issue of the institutionalisation of boys and girls under three. However, the little information that is available clearly demonstrates the seriousness of the problem for girls, boys and adolescents: it is estimated that more than 240,000 children live in institutions.

Even though all Latin American and Caribbean States have ratified the *United Nations Convention on the Rights of the Child (CRC)* and have made clear advances in the adaptation of national laws and institutions to its standards, the number of children living in institutions is still extremely

high. States that have ratified the *CRC* have specific obligations in relation to the protection of children that oblige them to take action.

Furthermore, the *Guidelines on the Alternative Care of Children*, adopted by the UN General Assembly in 2009, explicitly establish the need to prevent the institutionalisation of boys and girls under three, given the severe impact this has on their development and the fulfilment of their rights.

Consequently, in order to guarantee the rights of boys and girls to grow up in a family environment, we call upon States in the region to take action to end the placement of boys and girls in residential care institutions through the implementation of reforms to child protection systems – appropriate and respectful of the cultural characteristics of the families – that aim to prevent any further residential institutionalised care placements and accelerate the return of boys and girls currently living in institutions to family-based environments.



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Three year-old Jenny walks along the hallway of the transition centre where she now lives. The centre was initially created to provide 24-hour short-term care, but many children remain here for weeks or even months before being offered a permanent placement.

## The situation in the region

The lack of quantitative and qualitative data results from the difficulties States encounter in complying with the obligation to establish mechanisms for the preparation, registration and supervision of residential care institutions. These problems tend to be exacerbated by the lack of regulation and acquiescence that enables unauthorised private institutions to operate. The absence of disaggregated data contributes to the invisibility of the phenomenon, particularly as it affects certain groups of girls and boys, as is the case for those under the age of three who find themselves in such institutions.

Children frequently remain in residential institutional care for extended periods in inadequate conditions that make it impossible for them to receive good-quality, personalised care. These institutions



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A carer watches the children as they nap in their cots in the National Children's Home in Santiago, Chile. The centre houses 90 children in state care due to abandonment, neglect or other forms of abuse. Psychosocial support is one of the services provided.

often restrict the rights of boys and girls and their contact with family and friends, creating a situation where they become isolated.

Another concern is that very large institutions are common place, particularly for girls, boys and adolescents who require special care, as is the case for children under three and those with disabilities. The sheer size of these institutions makes it difficult to provide personalized care to children living in them and, therefore, adequately guarantee their rights, such that, in and of themselves, large institutions are a reality that must be progressively eliminated.

In many States, girls and boys with disabilities constitute a significant percentage of the total number of children living in institutions, and they are also the group most likely to stay there for the rest of their lives.



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Milagro, aged 21 months, walks hand in hand with her adoptive parents outside the front door of their house in Panama City.

As it happens, these are not the only groups to be overrepresented in child protection institutions. Girls and boys from socially stigmatised racial or ethnic groups, especially indigenous peoples, also tend to be overrepresented.

### **The damage from long-term placement in institutions**

Early childhood, and specifically the period from 0 to 3 years, is the most important developmental phase in life. In these early years, human beings form bonds and experience stimuli that enable them to acquire the skills they need to form social relationships in their surroundings.

Early and prolonged institutionalisation significantly damages the health and physical and cognitive development of boys and girls. The

emotional and cognitive damage caused by long-term residential institutionalised care can even become irreversible.

Potential damage includes a variety of serious medical problems; physical and brain growth deficiencies; cognitive problems; speech and language delays; sensory integration difficulties as well as social and behavioural disorders.

The lack of physical and emotional contact combined with the absence of stimulation and interaction generates specific developmental delays. A general rule is that **for every three months that a young child resides in an institution, one month of development is lost**. Other research shows that girls and boys who have been adopted or placed in foster families have better physical and cognitive development as well as academic performance and social integration, as independent adults, compared to those who have grown up in institutions.

Girls and boys under the age of three years living in residential care institutions also suffer serious physical harm, especially children with disabilities who require rehabilitation, physical therapy or other specialised treatment. A wide range of serious harm has been documented in such cases.

Similarly, *The World Report on Violence against Children* has documented that violence is six times more common in institutions than in foster homes, and institutionalised children are almost four times more likely to suffer sexual violence than those with access to family-based care.

In this context, it is not only necessary to avoid any form of care that could negatively affect the well-being of a child during early childhood,





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Elvire Duroseau plays with David, aged two, and Jehane, aged one, (from left to right), two of her adopted children, in the garden of her house in Port-au-Prince, Haiti. Both children were abandoned shortly after birth. They now live with Mrs. Duroseau and her husband, who are in the process of adopting them. Mrs. Duroseau also cares for Isabelle, aged six, and Gabriella, two months, while trying to convince Gabriella's mother, an 18 year-old adolescent, to take care of her daughter. "Every time I see an abandoned child, my heart bleeds," says Mrs. Duroseau. "If I could, I would care for them all. Orphanages are no good. Substitute families and national adoptions should be promoted. Children need a family environment."

but it is also critical to have mechanisms in place to be able to identify these situations in order to offer appropriate responses to reinstate rights that have been violated.

Undoubtedly, the practice of placing children under three in residential care institutions leaves them vulnerable to various rights violations and increases their risk of suffering temporary or permanent damage, depriving them of their right to protection, which States Parties to the *Convention on the Rights of the Child* are obliged to guarantee.



## From evidence to action

Ending the institutionalisation of children, particularly those under the age of three years, requires the implementation of immediate reforms to State child protection systems in the region through the following actions:

- Approve legislation to limit the placement of children under three years of age in residential care institutions, with rare exceptions for such placements for a pre-determined and very limited period of time.
- Allocate sufficient resources to support vulnerable families and develop specific programmes to avoid the separation of children from their families. States must implement, through such programmes to prevent separation, alternative measures that are appropriate and respectful of the cultural characteristics of the families in question. They must consider the diverse factors that can constrain family environments, such as mental or physical disability, drug or alcohol dependence, or the existence of armed conflict in the region. They must also give special consideration to dealings with children and families who are the victims of discrimination, including socio-economic discrimination.
- Allocate sufficient resources to develop and implement alternative family-based care programmes for girls, boys and adolescents at risk of being deprived of living in a family environment,

particularly for those under three years of age who are not in the care of their parents. States must ensure different programmes offering alternative measures to institutionalisation that are available throughout their territories, always taking into account an approach that is rights based and culturally relevant.

- Establish programmes and adopt measures explicitly directed at reuniting boys and girls with their biological or extended families wherever possible when this is in their best interests and promoting family-based placements in accordance with international human rights standards. These programmes must be available as part of general plans to end institutionalisation and should consider, in particular, the boys and girls at greatest risk of rights violations.

- Develop standards and protocols to regulate those operating in the child protection system that come into contact with girls and boys at risk of being separated from their families, especially boys and girls under the age of three.
- Launch public information and awareness campaigns in partnership with the media to promote the social inclusion of children deprived of parental care and those with disabilities, and disseminate information on the negative effects of institutionalisation and applicable human rights standards.
- Establish mechanisms to monitor conditions in residential care institutions as well as the solutions provided to girls, boys and adolescents who have been separated from their families.



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