PUTTING AN END TO THE CONFINEMENT OF CHILDREN
to fulfil their right to family and community life

Breakthroughs and challenges identified at the
INTERNATIONAL SEMINAR
RELAF
FOR THE RIGHT TO FAMILY AND COMMUNITY LIFE
SALVADOR/BAHIA-2019

Martin James Foundation
The authors of this document would like to thank all attendees to the Seminar for their participation and contributions, all entities involved in the event’s organisation, and all speakers who generously shared their valuable knowledge for the production of this report.

Disclaimer. This document was produced from presentations and expositions made by professionals and organisations. Therefore, the opinions and proposals expressed in it do not necessarily reflect the views of RELAF.

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Buenos Aires, Argentina - September 2019.

Producing this document would not have been possible without the generous support provided by the Martin James Foundation.
# INTRODUCTION

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INTRODUCTION

RELAF, the Latin American Foster Care Network, is a non-governmental organisation with the mission to lead a change in the childcare policies in Latin America and the Caribbean (LAC) so that all children in the region can grow up in a family.

The organisation focuses especially on fulfilling the right to family life of children who live in public or private institutions. It also promotes non-institutionalisation and is against unnecessary family separations.

RELAF’s managing team and Latin American Consultative Council are pleased to introduce the systemisation of the ‘2019 RELAF Seminar: For the right to family and community life. Putting an end to the confinement of children deprived of parental care’.

Like previous RELAF seminars, this year’s Seminar comes as a result of joint advocacy work for the fulfilment of children’s rights.

In order to put this document together, all presentations have been grouped by theme, with their main ideas, breakthroughs, challenges and data reproduced here. This way, each theme represents a different chapter, and each chapter includes hyperlinks to every presentation mentioned.

This document is intended for those who want to better understand the work and progress regarding the fulfilment of the children’s right to family life, while also being a reference document. Producing it would not have been possible without the generous support provided by the Martin James Foundation. This report will be available in three languages: Spanish, Portuguese and English.
Previous RELAF Seminars

Since its foundation and before this year's Seminar, RELAF had conducted five international seminars: Mar del Plata, Argentina, in 2007; Buenos Aires, Argentina, in 2009; Foz do Iguaçu, Brazil, in 2010, whose opening ceremony included the participation of then-president Luiz Inácio Lula Da Silva; Guanajuato, Mexico, in 2013; and Panama City, Panama, in 2016. All these Seminars emerged as relevant settings for trainings, exchanges, advocacy, and creation of consensus for the production of a roadmap towards deinstitutionalisation and the guarantee of the right of children to family life.

Many people attended these Seminars, counting more than 2000 participants from 26 countries: Argentina, Austria, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, the Czech Republic, the Dominican Republic, Ecuador, El Salvador, England, Guatemala, Haiti, Mexico, the Netherlands, Panama, Paraguay, Peru, Romania, Spain, Uruguay, the USA, and Venezuela. High government authorities participated in these events, as well as professionals, experts and researchers.
2019 RELAF Seminar

More than 240,000 children in LAC live in institutions. Approximately 10% of them are under 3 years old, which severely hinders their development and upbringing. Likewise, the increase in human mobility observed in the last years has brought more and more challenges regarding the proper care of migrant children in the region.

LAC countries are currently undergoing a reform process of the systems that aim to protect children deprived of parental care, in line with the Convention on the Rights of the Child and the UN Guidelines for the Alternative Care of Children. These transformations are meant to strengthen families, improve already-existing institutional care, and to achieve a full interconnection and articulation of the different sectors and actors who work to prevent unnecessary family separations, institutionalisation, and child abandonment.

To achieve its mission, RELAF is committed to promote the improvement of the situation of children deprived of parental care, both on a public and private level. Thanks to a constantly growing expertise developed during more than a decade, and to close joint work with strategic partners, governments and civil society organisations, RELAF guides and provides technical support to these reform and improvement processes. Although the path is long and there is still a long way to go, concrete results reveal the possibility of achieving significant change in the region.

In the same way, important global childcare entities have begun to involve themselves in deinstitutionalisation processes in the region by offering their knowledge and tools. Even though these resources are the result of experiences and processes carried out in other social, political and cultural contexts, they are very valuable to our region.

Participants

Many actors with different levels of responsibility took part in the Seminar. Diversity, articulation, dialogue and exchange allow to move forward in order to meet short-, medium- and long-term commitments towards the fulfilment of the right of all children to family and community life.

Different regional and global organisations sent representatives, such as: the UNICEF agencies of Argentina, Chile, Guatemala and Peru; SOS Children’s Villages Bolivia; Chemonics-USAID; UNICEF LACRO; Buckner; Lumos; the Martin James Foundation; Legal Services for Children; Hopes and Homes for Children; and Family for Every Child.
The RELAF Seminar is a part of the advocacy strategy prepared by the Network along with its global partners to promote the full implementation of the UN Guidelines for the Alternative Care of Children.

In the same way, it represents a valuable opportunity to hold bilateral and multilateral meetings between countries and organisations facing common issues, such as the situation of migrant children.

We would like to thank all participants and speakers, as well as those who work every day to strengthen families and fulfil the children’s right to family life, with the determined conviction that accomplishing this will help build healthier, freer, stronger societies.
PUTTING AN END TO THE CONFINEMENT OF CHILDREN

New tools for change

Presentation of the RELAF Method, which is being used as the basis for the creation of local tools in countries such as Panama, Guatemala and Chile. Presentation of the study on the costs of and investment in alternative care, aimed at decision-makers and carried out in six LAC countries: Argentina, Paraguay, Guatemala, Panama, Mexico and Uruguay.
The RELAF Method for fulfilling the right to family life

The children’s right to be cared for by their families or in a family setting within their communities of origin has not been properly addressed in the countries’ internal laws and practices. It took 20 years since the signature of the Convention on the Rights of the Child for this subject to be tackled in the Guidelines for the Alternative Care of Children (2009), which set the minimum standards for the assistance of children deprived of parental care. In this respect, RELAF vigorously sought out to include the importance of family-based childcare on the Latin American and Caribbean (LAC) public agenda. It did so by showing that the institutionalisation of children is a violation of their rights that is used as a direct consequence to other violations of their rights.

RELAF’s mission is to lead this necessary change in the child protection systems so that all children in Latin America and the Caribbean can enjoy their right to family life. To accomplish this, it relies on an advocacy network of actors from the civil society and from the public and private sectors.

The document explaining the RELAF Method is a result of the systematisation of the intervention strategy that RELAF has been developing for over 10 years throughout LAC with the collaboration of partners and associates in order to fulfil children’s right to family life.

This section’s objective is to identify and transmit the characteristics of the methodology used by RELAF to achieve the reform of the subsystems that aim to protect the rights of children deprived of family care or at risk of losing it, emphasising on deinstitutionalisation processes.

It is important to note that the Method is a result of the fieldwork carried out in LAC countries. It is not an abstract method that is to be imposed, but rather a construction out of praxis.

The fieldwork undertaken by RELAF, from the creation of the network until now, has resulted, among other things, in the progressive construction of three original models that provide the Method’s foundation:

- The deinstitutionalisation model. [document]
- The foster care model [document]
- The model for the prevention of abandonment and institutionalisation [document]
The RELAF Method incorporates theoretical elements stemming from two different approaches: dialectical analysis and the theory of change. Likewise, certain aspects of the theory of institutional analysis are also relevant, as they allow for a better understanding of the theoretical framework of RELAF’s work.

Jointly with RELAF, each country defines a roadmap towards its goals and, taking its initial diagnosis into account, determines which of the three models will be implemented first.
The document includes components of interventions carried out in different countries, which show how the Method works and how it is flexible and adaptable to each country’s context. It presents practical examples and refers to and quotes research papers, new tools and systemisation reports made by RELAF that allow for a better understanding and learning. Some examples of the implementation of the method that have been presented during this Seminar are Chile, Guatemala, Panama, and Tucumán province in Argentina.

According to an analysis by Guatemalan expert Jaime Tecú, after the Hogar Seguro tragedy, RELAF provided Guatemala with the essential technical and humanitarian support needed to carry out a deep reform of its child protection system. In this context, the Guatemalan government identified the need of producing an alternative care model that would include the necessary standards for the reform, as well as the mobilisation and training of actors. Thus, it was possible to create the technical tools required to diagnose the situation of children in institutions throughout the country, to develop a family-based childcare model, and to make recommendations for its implementation. Key actors (from the judicial and administrative sectors, from the civil society, from the Attorney General’s Office for Children, from the Social Welfare Secretariat, etc.) were mobilised and sensitised towards the reform; everything being done regarding childcare was reviewed and the proper course of action for each situation was analysed. These analyses exposed the many flaws of the system and the chain of decisions that ended up with all children being placed in institutions. As a result of the analyses and of the actors’ dedication and responsibility, it was possible to achieve a strong position and commitment: many actors acknowledged that it was their own decisions what led to the massive confinement of children. It is important to highlight that, in Guatemala, the model was implemented in its entirety. Decision-makers and their counterparts have documents on Diagnosis, Model and Recommendations at their disposal for further implementation.

Chile is another example of the Method’s application. The country hosted a pilot test of deinstitutionalisation of children under the age of 3, guided by the National Service for Minors (SENAME) and UNICEF and with support from RELAF.

According to Chilean expert Soledad Larraín, the main visible improvements are a substantial decrease in the number of children in institutions (which are called ‘residences’ in Chile) and a steady increase in the number of foster families. This allows for children entering the alternative care system to be placed primarily under the care of their extended families. RELAF’s role was fundamental towards this achievement: the organisation trained the personnel involved, worked alongside the institutions’ authorities, presented evidence on the harms of institutionalisation, and proposed a working plan that was later systemised and incorporated in the RELAF Method.
Yasmin Cárdenas, the person in charge of conducting Panama’s childhood policy, analyses and shares the results of the Method’s application in her country. RELAF actively supported a 3-year process aimed at reforming the alternative care policies and transforming Panamanian institutions in order to promote deinstitutionalisation processes. With support from UNICEF and RELAF, it was possible to diagnose the situation of childhood in the country and to observe that it did not comply with the UN Guidelines for the Alternative Care of Children. Based on this, a 10-year roadmap was produced and issued through a presidential decree that sets short-, medium- and long-term goals.

### Panama: 2019-2023 roadmap towards the deinstitutionalisation of children

<table>
<thead>
<tr>
<th>Strategic Action</th>
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<tbody>
<tr>
<td><strong>Result 1.</strong> For 2023, to sensitise the following audiences to the right of children to family life and to the harms caused by family separation and institutionalisation: at least 50% of decision-makers and technical teams who work in child protection for the governments’ executive, legislative or judiciary branches; the families of institutionalised children; the local governments’ child protection agencies; and the local communities.</td>
</tr>
<tr>
<td>To carry out workshops aimed at key actors which will raise awareness of the right of children to family life, international and national legal frameworks, deinstitutionalisation processes, and restitution of children’s rights. Key actors targeted include families of institutionalised children, foster families, and technical personnel of all government branches who work to protect children.</td>
</tr>
<tr>
<td>To prepare an Annual Inter-Sectorial Communication Schedule with tools and material to disseminate the right to family and community life and problematise the institutionalisation of children. This Schedule has been prepared and is being executed.</td>
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<tr>
<td>To build a section in SENNIAF’s website with information on the issue and make it accessible to professionals, researchers, students and the general public.</td>
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<td>To conduct annual trainings for judiciary and administrative officials who issue protection measures. These trainings shall focus on the right to family and community life, the consideration of the best interests of the child, and the harms of institutionalisation at young ages and for long periods of time.</td>
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**Impact**

**Dimension 1: Advocacy to promote the right to family and community life**

To promote the right of children to family and community life, prevent their separation and institutionalisation, and strengthen families so that they can properly care for them, while developing the child’s ability to actively take part in their own protection.

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**Strategic goals**

**Result 2.** For 2022, to strengthen families and communities in order to guarantee adequate, sustained parental care, and develop the children’s abilities so that they can actively take part in their own protection. This will come as a result of joint work between institutions, local governments, community and family networks, and the civil society.

To extend the reach of the Family Support and Strengthening Programmes and of all programmes intended to improve the situation of institutionalised children and their families.

To contribute to the establishment and building up of Child Protection Municipal Agencies (MMPNA) in order to implement priority deinstitutionalisation actions at local level.

To identify and articulate community services that provide support to the families of institutionalised children. This will require the preparation of family support centre maps at provincial level, and will be a preparatory stage for pilot deinstitutionalisation experiences.
It is thereby proven that the Method is a solid evidence-based tool that will enable LAC countries to move towards the goal of fulfilling all children’s right to family and community life.

RELAF’s Latin American identity is an asset that has been commended by several governments and international organisations. This asset plays a key role in the creation of methodologies, as this requires constant dialogue between all counterparts and a commitment to the production of regional knowledge and to the region’s social and cultural realities.

Planning financial investments to provide better childcare

At this stage, RELAF presents the study on the Costs of and investment in alternative care. This study is aimed at key actors and decision-makers from the civil society and the public sector, especially at those who can allocate funding and who are committed to improving childcare and protection systems in LAC within the framework of deinstitutionalisation processes.

The study represents a methodological reference model that provides territory-specific information from which other local or regional pieces of research can benefit. It outlines financial arguments in favour of the deinstitutionalisation processes that, each at its own pace, are being carried out in each region. It is also an advocacy tool for the creation of new strategies that aim at reallocating public funds; for instance, by transforming the role of the institutions’ personnel so that they can work in the implementation of the new alternative care standards and in the new family and community strengthening programmes instead.

This research, which is in line with the Convention on the Rights of the Child and particularly with the UN Guidelines for the Alternative Care of Children, was completed using an exploratory and inductive approach. This approach included the case study of six LAC countries: Argentina, Guatemala, Mexico, Panama, Paraguay and Uruguay.

In order to gather the necessary information, the directive or coordinative personnel of 11 organisations were interviewed by the researchers using an especially prepared set of questions.

The study shows the costs of and investment in the alternative care system in the countries analysed.
Programmes that favour deinstitutionalisation are not sufficiently funded. On the contrary, current funding promotes the entrance and retention of children in institutions.

Institutional care is costlier than foster care. Not only are its overall costs higher but also those regarding human resources.

Institutional care receives more public funding than foster care programmes.

The overuse of institutional care results in an inefficient allocation of available resources due to its higher costs. Placing children in institutions is not always a last resort decision: sometimes, it is the only funded option available.

Institutional care is more resorted to than foster care, as more funding is allocated to it.
The study includes examples from every country involved and identifies and details the costs and investments needed to develop foster care programmes.

It was prepared considering three different countries (Guatemala, Mexico and Argentina) and 50 foster families available, each able to foster two children. The programme’s implementation has seven consecutive stages, which increasingly overlap and nurture each other as the experience advances.

We invite you to read the full document and to apply its method in local pieces of research that may later turn into ‘advocacy handbooks’ for the restitution of the right of all children to family and community life.
2

CALL TO ACTION

Challenges, results and projections of two calls to action:

- The initiative to eradicate the institutionalisation of children under 3 years of age.
- The call to put an end to the violation of children's human rights.
The violation of the rights of institutionalised children remains invisible until something happens that draws the attention of the workers and decision-makers who place children in institutions. Determined to improve the lives of these children, RELAF is an active participant in two calls to action that question this child ‘protection’ practice.

Regional initiative to eradicate the institutionalisation of children under the age of 3 in Latin America and the Caribbean

It is estimated that a child under the age of 3 loses 4 months of development per every year they spend in an institution. Likewise, violence suffered by children in institutions is six times greater than in family-based alternative care, while sexual violence is four times greater.

As of 2013, RELAF, UNICEF, the Inter-American Commission on Human Rights (IA-CHR), the Global Movement for Children (GMC) and the UN General Secretary Office are conducting this call to action. Its main objective is to put the issue of institutionalised children under 3 on the public agenda of the LAC governments. The ultimate goal of this collaboration is to prevent children from being separated from their families and to place them in family-based alternative care options when family unity is not possible, rather than in institutions.

Considering their commitment to this call to action, countries such as Chile have begun working to achieve the deinstitutionalisation of children under 3 and prevent new institutionalisations. Incidents that took place in the country over the last few years, e.g. severe rights violations in institutions, caused a mobilisation that resulted in the creation of Investigating Commissions within the Chamber of Deputies (2014-2016). These Commissions made a Constitutional Accusation that promoted debate inside both legislative chambers and amongst the Judiciary. In addition to this, Chile was given a warning in a Report of the Committee on the Rights of the Child due to ‘severe, systematic rights violations within its residential (institutional) childcare system’.

Different national governments (Piñera in 2010-2014 and 2018-2022, and Bachelet in 2014-2018) have acknowledged the long-standing childcare crisis and have assumed the responsibility to improve the situation, starting with speeches in which they expressed their commitment to the proper development of children.
The acknowledgement of rights violations in institutions was followed by a change of mindset regarding institutionalisation as a standard or natural protection measure. This brought broad consensus on the need to change the national childcare model and promote a legal framework to support it. New laws seek to ban the institutionalisation of children under 3 as a protective measure in situations of family separation.

**Opportunities for change**

1. **Civil society**: Independent organisations with support from a political leader.
2. **Political leader**: Senator Ximena Rincón (PDC) introduces the draft law in the Senate.
3. **Opportunity structure**: The Senate has a Commission on Childhood. The Government creates a Working Committee on Childhood, which has the goal of recruiting and training foster families. The Commission fully supports the idea of reforming laws on the matter.
4. **Alliance between pro-foster care judges and the political leader**: Debate reveals the resistance to change; additional actions are required to prevent the incorporation of broad exceptions to the prohibition from distorting the motion. The National Association of Family Judges is invited to speak.
5. **Involvement of the Ministry of Finance in the discussion**: Achieved thanks to a request by Carlos Montes, outgoing president of the Senate and member of the Commission on Childhood. The current president, Senator Jaime Quintana, is also a member of the Commission.

Several deinstitutionalisation experiences precede this law proposal. First, a pilot test carried out by the National Minors Service (SENAME), UNICEF and RELAF in 2012 that applied the RELAF Method and resulted in family reintegration for 50% of the children involved. Second, a programme by San Carlos de Maipo Foundation conducted at Casa del Cerro institution in 2013 that concluded with 82% out of 50 children being reintegrated to their families. Lastly, a programme coordinated by the Children’s Council in the Valparaíso and Bio-Bio region from 2015 to 2017, with support from the United Nations Development Programme (UNDP); it led to 67% of children being reintegrated to their families, while 5% were placed in foster families.
In Argentina’s Tucumán province, RELAF’s and UNICEF’s Model for the Prevention of the Abandonment and Institutionalisation of Young Children has been implemented. This has been done with the intention of creating and setting up the Provincial guidelines for the progressive eradication of the institutionalisation of young children and for the prevention of abandonment and unnecessary separations. A provincial law for the comprehensive protection of children’s rights (No. 8293/10) and an inter-institutional protocol for its application (2017) provided a proper context.

The first stage of this process included a diagnosis. Through it, it was possible to characterise the measures that ended up with young children being separated from their families, identify the people responsible for issuing them, and determine which protection paradigms were being applied.

The diagnosis made it possible to observe:

- A lack of co-responsibility between the different sectors that make up the Comprehensive Protection System.
- Overlapping proceedings.
- Poorly or insufficiently trained government officials and personnel.
- Poor mechanisms to interconnect and articulate the different sectors involved.
- Late or delayed interventions.
- The practices rarely resort to rights-, gender-, inclusion-, or system-based approaches.
- Inadequate mechanisms to register, monitor, control and supervise the practices.

Thanks to these findings, an early detection procedure flowchart was prepared with the aim of identifying situations and contexts that increase the risk of children being deprived of parental care. A second flowchart, about the procedures to prevent the early deprivation of parental care (comprehensive protection measures), was also produced.

Following an inter-sectorial, participative methodology allowed for a better dialogue, understanding and interconnection between the different sectors involved. This contributed to the construction of a comprehensive child rights protection system and to the
strengthening of its governing body. The actors’ co-responsibility and awareness of the issue of institutionalised young children helped to reach different commitments. The approved guidelines are a valuable public policy tool for decision-makers and agents, and their implementation is being coordinated by the Childhood, Adolescence and Family Directorate (DINAF).

In other countries, such as Brazil and Panama, work is being done within the framework of this call to action in order to eradicate the institutionalisation of children under 3. More information on these countries’ experiences can be found in Chapter 4.

**Putting an end to the violation of the human rights of children placed in institutions**

During the first week of March 2017, a tragedy took place in Guatemala that resulted in the death of 41 girls and caused severe psychological and physical trauma to other 15. The site of the catastrophe was Virgen de la Asunción institution, managed by the government and paradoxically named ‘Hogar Seguro’ (Safe Home). The institution housed around 1,000 children at the time. A group of them, tired of overcrowding, violence and sexual abuse, set their mattresses alight to protest, which led to a fire that could not be controlled in time.

A year after the massacre, on March 8, 2018, the CEN, a joint initiative by RELAF and Hope and Homes for Children, launched a call to action through a webinar in which 205 people from 19 different countries took part. 125 global, regional, and Guatemalan organisations joined the call, as well as international and local experts and professionals. Several experts and organisation representatives spoke during the call’s launch: Ana Patricia Contreras, Guatemala’s Social Welfare Secretary; Esmeralda Arosemena de Troitiño, Commissioner of the IAHCR; María Cristina Perceval, UNICEF’s Regional Director for the LAC region; Luis Pedernera, president of the United Nations Committee on the Rights of the Child; and Claudia Maselli, Guatemala’s General Attorney for children’s rights.

The speakers expressed their sadness and impotence regarding the tragedy and favoured the conduction of strong advocacy processes in the LAC region to promote the deinstitutionalisation of children, beginning with the eradication of massive, large-scale institutions. In the same way, they showed their preference for family reunification and for foster care as the primary option when reunification is not possible. To effectively achieve this, deinstitutionalisation processes must be developed and executed.
In the context of the call, the Attorney’s Office for the Protection of Children of Sonora, Mexico, which is part of the National System for Integral Family Development (DIF), put forward a political intervention strategy, as the state’s government recognises the violation of children’s rights. This intervention shall focus in family reintegration and in the quality of the services provided to children in alternative care, while determining different levels of responsibility amongst directive and technical teams.

According to the Attorney’s Office, sexual violence and the use and/or sale of drugs are the most urgent right violations against children that need to be resolved, with drug abuse further worsening all right violation situations. <video>

The Office proposes: continued training for the professional and technical teams that work with these kinds of situations; individualised attention and support; taking the voices of children and their families into consideration; supporting and strengthening families; and promoting foster care, not only as a way to take children away from institutions but also to prevent the institutionalisation of more children. Sonora’s strategy to search for families concluded with a first deinstitutionalisation experience that resulted in reintegration with their families of origin for 88% of children and foster care for the remaining 12%.

Sonora is conducting the following actions to prevent separation: interdisciplinary work; social and domestic mappings; articulation with educational and healthcare entities and with job centres; toxicology screens (when necessary); and psychological interviews and examinations for possible cases of right violations. <presentation>

RELAF upholds the view that governments are responsible for childcare in LAC, and that they must take the right political decisions to achieve a substantial change in the lives of all children in the region. That is why it urges governments, global organisations, and societies to get involved in the process of improving the care of children in the region, complying with their human rights and with the UN Guidelines for the Alternative Care of Children deprived of parental care.

Coordination and commitments at national and international levels are required to prevent this call to action from petering out. <presentation>

This call to action is open to signatures. You can join by sending an email to webinar8demarzo@relaf.org
3 CURRENT CHALLENGES: MIGRANT CHILDREN

The situation of separated and unaccompanied migrant children. Working models for assisting, receiving and protecting them.
RELAF has treated the issue of migrant and refugee children who are unaccompanied or separated from their families in several documents and activities. In 2010, the organisation published a document entitled *Latin American Paper. Children and adolescents without parental care in Latin America. Contexts, causes and consequences of being deprived of the right to family and community life*, which identified migration as one of the situations that can deprive children of parental care. In 2011, the organisation produced the document *Migrant children and adolescents: framework and situation for the fulfilment of their human rights*. This document included information that was later used within the framework of the discussion to identify IACHR recommendations. In 2014, RELAF published a *Handbook of International Human Rights Standards Applicable to Migrant Children and Adolescents* and led a study named *Returned children. Analysis of the contexts, political answers and protection services in El Salvador, Guatemala, Honduras and Mexico*, which was published in 2015.

Some numbers to give context to the issue:

- **12 million** Mexican immigrants in the USA. Amongst them, 38% of men and 15% of women have sons or daughters currently living in Mexico.
- **41,435** unaccompanied children and **75,622** families were detained in the US border in fiscal year 2017.
- **50,000** children returned from Mexico to Honduras, El Salvador and Guatemala in 2016 and 2017.
- **7.7 million** internally displaced people were registered in Colombia in 2017.
- **500,000** irregular Haitian immigrants in the Dominican Republic.
- **3 million** Venezuelans left their country and are currently living in other Latin American and Caribbean states, with a notorious increase in emigration since 2015. 30% of Venezuelan immigrants in Colombia are minors.

Following this line, RELAF offers new contributions at the 2019 Seminar by identifying migration changes at regional level and current approaches. It also summons persons of reference from Europe and other regions so that they can know and learn from other realities.
It is deemed as necessary to broaden knowledge and update information on the issue. To this end, all conceptual, technical and legal developments are identified and refreshed, which leads to reveal the current situation, in which the Venezuelan migration crisis emerges. In addition to this, information on the situation of migration in Haiti and in the Northern Triangle of Central America is updated.

From the detailed framework, the premise of non-detention of children on the basis of their migration status is strengthened, emphasising on guaranteeing their right to freedom. UNICEF’s regional office has produced a guidance document on the matter that identifies six priorities and six recommendations.

Recent strategic analyses by UNICEF Mexico allow for the design of a model that aims to transform the protection of children and families in the context of migration in the short-, medium- and long-term. UNICEF Mexico is committed to achieve effective protection and to generate childcare alternatives for unaccompanied migrant or refugee children respecting their right to freedom. It intends to do so within the framework of its work with public entities, and with RELAF as an ally for the creation of foster care programmes. In their presentation, they show the concrete results obtained on account of their work at institutional care centre ‘El Colibri’ of Tabasco, and the establishing of new commitments with key actors.

Recent studies register the approach and monitoring carried out by a ‘clinic’ that provides legal support to children and families in San Francisco, California, United States. The ‘zero tolerance’ towards the entrance of immigrants in that country worsens family separation situations. Statistics reveal an increase in the number of children detained in the US-Mexico border.

Unaccompanied children detained in the US border

Data from the Office of Refugee Resettlement (ORR) from 2003 to 2018
A group of organisations that are part of the **Family for Every Child** network are currently designing different strategies in order to establish ‘safe migration corridors’. By using the ‘Photo Voice’ methodology, the group aims at better knowing young people in order to sensitise them to the situation of migrant children within the migration corridor between **Guatemala**, **Mexico** and the **United States**. presentation

An approach model for the situation of refugee children implemented in **Guatemala** provides guidelines and shows the results of a long period of work. Unaccompanied migrant children suffer a violation of their rights that causes important long-lasting trauma. This approach model involves a comprehensive therapeutic and restorative component: the participation of highly qualified specialists in mental health, in legal protection and in social and cultural integration, so that protection processes can be carried out appropriately. presentation

The **Red Cross’s** experience in **Spain** shows an increasing tendency in the number of immigrant children in that country.

### Arrival of unaccompanied migrant children in Spain

In 2017, 17.75% of children that arrived in Spain by boat were aged between 0 and 3 years old and were accompanied by adults who claimed to be their biological parents (Europa Press, 2018).

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Children</th>
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<tr>
<td>2015</td>
<td>414</td>
</tr>
<tr>
<td>2016</td>
<td>588</td>
</tr>
<tr>
<td>2017</td>
<td>2,500</td>
</tr>
<tr>
<td>2018</td>
<td>5,500</td>
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The causes of child migration (extreme poverty, political persecution, war conflicts), the different ways to enter the country (by airplane, by boat, etc.) and the violations of children’s rights that take place during the journey (recruitment for armed conflicts or criminal groups, human trafficking, forced labour, etc.) are identified. It is important to individualise the different situations and countries of origin in order to point out the children’s needs, keeping in mind that migration contexts bring a higher chance of post-traumatic stress disorders and depression. Spanish specialist Adriana Díaz Argüello shares the findings of her research, which help define the ap-
appropriate profile required of foster families of migrant children. These families are described to have a ‘social parenthood’ role. Providing foster care for migrant and refugee children is a current challenge that must be addressed and improved everywhere, including Spain.

The massive migration of Venezuelan children, mostly to other South American countries, is a significant challenge. Children, whether they are left behind in Venezuela by their migrant parents or travel with them, are exposed to several rights violations, including the violation of their right to family life.

3.7 million people have left Venezuela. 80% of them have migrated to other LAC countries.
In 2018, the count of Venezuelan migrants included 500,000 children. This massive migration responds to the country’s political and economic crisis: the poverty rate raised from 48.4% in 2014 to 94% in 2018; 77 adolescents were indicted for protesting against the government in 2018; the infant mortality rate in 2016 was of 11,466, 30% more than during the previous year; 40% of children are not currently attending school. These statistics represent the state of ‘humanitarian crisis’ undergone by the country.

Venezuela’s neighbouring countries face the difficult task of receiving these migrants. Colombia, Brazil, Ecuador and Peru have received the most migrants, while Argentina, Chile and Uruguay have received fewer. This is an open, live issue and requires several strategies so that the situation of families and children does not worsen.

The Venezuelan Táchira State, located next to the border with Colombia, is the one with the highest human mobility: it observes the migration of thousands of Venezuelans and is also home to many other nationals who seek shelter in its territory. Child protection entities in Táchira are completely overwhelmed, not only by a lack of necessary resources but also because their own authorities and workers are affected by the general situation. They are witnesses –many times, impotent witnesses- to child trafficking, prostitution, gender-based violence, and abandonment. However, their conscience, sensitivity and social responsibility drive them to call all Tachirans and the international community for the creation of child protection strategies. The Tachiran Women’s Institute, a governmental organization, has identified institutionalisation’s severe consequences on children deprived of their families' care in the aforementioned traumatic situations. Consequently, it has designed a specialised foster care programme entitled ‘Corazones grandes’ (Big hearts) that is currently in the first stages of implementation. In such a difficult context, the programme brings great challenges to the local and international communities. Its development requires sustained, joint hard work that is capable of overcoming this adversity.

Human mobility is a part of South American culture and history. Nevertheless, this mobility transforms and its causes and consequences change, which brings new and several risks to the well-being of children and their families. This issue requires attention, knowledge and the creation of new strategies; mostly, it requires that the detention and confinement of undocumented migrant children no longer be seen as normal or standard practice.
Experiences, breakthroughs, challenges, and results regarding deinstitutionalisation, foster care and prevention of abandonment, as part of the process to restore the right of children to family life.
This chapter shows all relevant material and information presented during the Seminar regarding the alternatives to confinement, with an emphasis on specialised foster care. It also includes the experiences presented at the Seminar that aim to guarantee the right of all children to family-life. Additionally, their particular contexts, results, and improvement opportunities are explained.

The preliminary implementation report of the Tracking Tool in Costa Rica, RELAF’s pilot tests in Mexico, and the experience in Uruguay show remarkable innovation and provide important lessons that can be used as a reference for the future.

Abandonment prevention

Each country has its own laws, policies and strategies to prevent unnecessary separations and the abandonment of children.

Venezuela is currently undergoing a Complex Humanitarian Emergency (CHE). PROADOPCIÓN organisation provides attention and support to pregnant women who have a difficult time carrying on with their pregnancies within the country’s difficult context. The profile of the programme’s current users differs significantly from the profile that was most common before the CHE. First, most current users have received a university education. Second, they rely on some kind of state benefit (such as access to the Homeland Card or to subsidised food). In addition to this, they are aged between 20 and 35 and 95% of them are not first-time mothers (they average more than two children per mother). They contact PROADOPCIÓN searching for guidance and support to put their children up for adoption within the law and human rights standards.

There is an increasing tendency in the number of domestic partnerships, married couples and even families who think that giving up their soon-to-be-born babies for adoption is the best course of action. They come to support this idea due to the lack or high cost of contraceptives, the circulation of doctored or expired medication, undeclared sexual abuse, amongst other reasons.

On account of this, PROADOPCIÓN’s programme brings several benefits, including: giving high value to gradual processes, so that women can take their time to come to permanent decisions; involving certified, trained families that can take proper care of the children given to them for adoption; access to professional support in order to prevent the direct adoption of children (direct adoption has no legal, technical or humanitarian basis and is performed outside the law). This way, the programme helps to prevent the abandonment and institutionalisation of babies in highly difficult situations. In many cases, women who initially had a difficult pregnancy decide to go through with it and raise their soon-to-be-born children.
In Perú, Buckner NGO provides support to children from violent families. Between January and July, 2018, 8,998 children suffered psychological violence. More than half of these children were between 6 and 11 years old. This information can be found in the National Surveys on Social Relationships and Demography and Family Health of 2015 and in a profile developed by the Women’s Centre.

Buckner works for the strengthening, protection and development of families by providing them with specialised, direct support. This support focuses on creating cordial family bonds in order to promote dialogue and reflection between family members. Its ultimate goal is that every family member can build their own life project and play their role in full exercise of their rights and duties. This will allow families to develop and to be able to face their own particular challenges (e.g. poverty, internal crises, etc.).

Buckner’s model indicates that certain protection components help families to strengthen, overcome adversity and adequately protect their children. These components include: parents’ knowledge about the child’s upbringing and development; parents’ resilience; social connections; social and emotional skills; substantial support during crucial times in the children’s lives.

Some of Buckner’s achievements:

- **300** children have built a life project and developed self-protection capabilities.
- **300** children were incorporated into the education system.
- **200** children passed their school year, both in elementary school and high school.
- **80** adults studied IT and got their certified diploma.
- **200** children were dewormed. Head lice prevalence was reduced by 80% and anaemia was reduced by 95%.
- **37** healthy homes built, 27 biodigester toilets installed.
- **Families** developed hygiene and tidying habits, which helps prevent the proliferation of slums.
Ciudad del Niño is a Panamanian organisation whose priority is to reestablish the right of children to family and community life. In order to do so, it facilitates contact between the children housed there and their families and provides parents with tools to guarantee the children’s best possible living conditions.

The organisation, which used to house an average of 90 children, is still committed to the promotion, protection and exercise of the rights of children in vulnerable situations. However, it now uses a different approach, which includes the involvement of the children’s families and communities. With technical support from RELAF, Ciudad del Niño has bolstered its own deinstitutionalisation process and is currently transforming itself into an organisation that provides community support by helping prevent unnecessary separations.

The organisation’s projects on deinstitutionalisation focus on working together with the families. The following graph shows the programme’s progress in its different modalities:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Full institutionalisation</th>
<th>Daily or preschool support</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Number of children</td>
<td>%</td>
</tr>
<tr>
<td>2015</td>
<td>155</td>
<td>109</td>
<td>70%</td>
</tr>
<tr>
<td>2016</td>
<td>142</td>
<td>97</td>
<td>68%</td>
</tr>
<tr>
<td>2017</td>
<td>101</td>
<td>50</td>
<td>58%</td>
</tr>
<tr>
<td>2018</td>
<td>87</td>
<td>43</td>
<td>49%</td>
</tr>
</tbody>
</table>

Ciudad del Niño uses a Daily Support modality (Atención Diurna), in which children over 6 can visit their homes every day. This method provides families with guidance, training, support, and, if necessary, material assistance. It also resorts to the Preschool Support modality (Atención Preescolar). This one is aimed at children aged between 3 and 5, preferably at those who have relatives in the Daily Support modality or who are in extreme poverty; they receive nutritional, psychological, pedagogical and medical assistance.
This programme makes it possible to observe that permanent contact between institutionalised children and their families allows for direct, pertinent intervention. In addition to this, it shows that, through the same contact, children develop social skills and autonomy and strengthen their family bonds, while their families’ involvement increases.

In Brazil, Terra Dos Homens NGO looks after the bond between children and their imprisoned parents. It analyses the social and personal setbacks and the psychological trauma that separation can cause on children. Even though the country has a broad set of laws to tackle the issue while keeping parents in prison, there is also legislation that considers the possibility of house arrest; however, it is not used as often.

Research was conducted to measure the following aspects:

- The impact on children caused by their living in prison with their mothers, and the psychological effects of separation in these cases.
- The impact on children caused by their parents’ participation in all stages of due legal processes: detention, investigation, pre-trial, trial, conviction, imprisonment, release, and reinsertion into the family and into the community.
- The general impact on children caused by their parents being imprisoned.

The research’s results made it possible to find a promising course of action to prevent separations:

- Sensitising Judiciary and child protection system members to adequately maintain the bonds and contact between imprisoned parents and their children (e.g., implementing visitation schedules).
- Providing guidance to childcare services so that they can support children in this situation appropriately.
- Allowing for imprisoned parents to be present in custody hearings.

The research confirmed that this issue is invisible to public policy.

‘A family member’s imprisonment affects other family members. It exposes them to situations of social and personal risk and vulnerability, or to a worsening of such situations.’

(SNAS, 2018)
Projeto Axé was created in 1990 in Salvador de Bahia. The organisation works with homeless children using an artistic, community-focused approach, which was the first of its kind in Brazil. Axé’s objective is for these children to understand why they are homeless, what happened to their families, who were their ancestors, among other things. The approach understands that this information can help children create a new, better future for themselves and for their potential descendants.

Inserting children into the labour market is not a goal. Axé aims at having them try different things so they can decide what they want to do when they grow up; it does not force them to decide on something just because they have to.

Capoeira, carnival ‘blocos’, and African percussion groups such as Olodum, Ile Aye, Muzenza, Maleku Bale and Circo de Petacu are very important in Salvador. Working with them so children could learn how to play instruments and dance allowed for the creation of a network and the conduction of new activities. It also made it possible for children to study with Bahia’s official ballet company.

Axé works in Brazilian streets every day, respecting the local people and their roots in the continuing struggle to provide better opportunities for children.

Aimorés municipality carries out campaigns and actions against the sexual abuse of girls, within the framework of the National Campaign instituted by Federal Law No. 9970/2000. In 2018, the campaign reached more than half of all Aimoresan girls. Among
others, its activities include: diffusion through mainstream media, social and local networks; inter-sectorial talk circles; town square film screenings; drawing and writing contests.

The campaign provides direct support to more than 5,000 children and reaches more than 15,000 people indirectly. Expectations for 2019 seek to: perform the aforementioned activities at the town hall and in the rural areas; create a local committee with the participation of children; strengthen the families’ role in the protection of children as well as family and community bonds; prevent situations that may lead to children being placed in institutions.

The **National Movement for Family and Community Life in Brazil** (Movimento Nacional CFC) is formed by civil society organisations that work in the field of family and community life with a human and, particularly, with a children’s rights approach. The movement promotes advocacy, training and research, and monitors governmental progresses and setbacks regarding the fulfilment of the children’s right to family life.

The Movement’s organisations have performed a thorough research and gathered information about the country’s legal corpus, which gives priority to family life. This research intends to lay the groundwork for the prevention of unnecessary separations and to promote a comprehensive protection policy that includes foster care in special circumstances.

From its Model Home (‘Hogar Modelo’) in **Mexico City, JUCONI Foundation** works with families in contexts of violence to prevent separation. The Foundation applies an intervention model based on the Theories of Trauma and Attachment in order to integrate these families back into society and their communities. The model includes the implementation of a therapeutic strategy to develop a change process inside these families by having them analyse their previous experiences, develop life goals and achieve positive interpersonal relationships. This process involves parallel work with each individual family member and with the family as a whole and results in family strengthening, which promotes deinstitutionalisation and helps prevent unnecessary separations.
Deinstitutionalisation

In 1999, the Paraguayan government created the first foster care programme to promote deinstitutionalisation and prevent the placement of children in institutions. This programme is being implemented since 2003 in civil society organisations (Fundación Corazones por la Infancia and ENFOQUE Niñe). It is important to note that poverty was one of the main causes of institutionalisation.

Between 2003 and 2019, the Family Reintegration Programme (PINFA), which answered to the Supreme Court, was subsequently enforced.

Between 2009 and 2010, with RELAF’s support and in alliance with the civil society, the process to close down Adoption Centre’s Hogarcito institution was carried out. This process was systemised in the document Evaluation of the evolutionary development. Model transformation proposal. Financial analysis of the care models. In 2010, a Presidential Decree on Foster Care was issued and, in 2011, the necessary actions towards deinstitutionalisation were identified and agreed on. All of this made it possible to prepare a Special Protection Policy in 2012 that was in line with the UN Guidelines for the Alternative Care of Children. The Special Protection Directorate (Diproe) was created in that year as well. In 2013, the ‘Contra Reloj’ (Against the Clock) campaign was launched at national level to promote the deinstitutionalisation of children. In that same year, Paraguay joined the Call to Action to put an end to the institutionalisation of children under 3, together with RELAF and UNICEF. At this time, 2,411 children are housed in institutions throughout the country, including educational institutions where children live in the Paraguayan Chaco.

Guatemala’s National Commission Against the Maltreatment and Sexual Abuse of Children (CONACMI) explains its own experience.

It begins by recalling the Hogar Seguro Virgen de la Asunción tragedy, which took the lives of 41 girls on March 7 and 8, 2017. After the events of those tragic days, the Social Welfare Secretariat (SBS) opened new institutions to house and protect smaller groups of children in smaller environments, intending to put an end to large-scale institutions. Nevertheless, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has noted that the national child protection system still resorts primarily to institutionalisation and separation, causing a high risk of rights violations.
### Considering the above, the following actions towards deinstitutionalisation were performed:

1. **Hogar Seguro Virgen de la Asunción** was transformed into the Directorate of Special Residential Protection (DPER). The childcare model was applied in several institutions located in different parts of the country.

2. To monitor the state of children housed in SBS’s institutions, the First Court of Childhood and Adolescence of the Metropolitan Area has started carrying out measure supervision audiences.

3. The SBS, CONACMI, CNA, Refugio de la Niñez and the Human Development Programme (PDH) have started working together to create and implement processes to outline the condition of institutionalised children and the institutions’ infrastructure. They also intend to develop new therapeutic programmes and training opportunities for the personnel of the institutions involved.

4. With RELAF’s advising and USAID’s cooperation, the SBS created and implemented its Alternative Childcare Model. The Federal Attorney’s Office, the Supreme Court and CNA also provided their assistance.

5. A National Childcare Institution Census was carried out.

6. Prepared by the high-level round table and with support from 8 organisations for its implementation, the National Deinstitutionalisation Plan was launched.

7. Through its Child Protection and Juvenile Justice Secretariat, the Judiciary proposed the creation of a National Deinstitutionalisation Commission.

8. Child protection indicators were created and implemented within the SBS.

To achieve all of the above, different organisations and international entities, such as RELAF, provided technical support.
In **San Luis province, Argentina**, children’s institutions have been closed for good thanks to Law No. I-0536-2006 (Prohibition of the institutionalisation of children, adolescents, the elderly, the disabled and the mentally ill). The full text of the law can be found here: [full law text](#).

Until 2003, most cases of children’s institutionalisation in the province were caused by poverty. In that year, three institutions housed 180 children and adolescents up to 21 years of age: Hogar Materno Infantil, Hogar del Niño and Colonia Hogar. The Irregular Situation system, defined by Law No. 10903 (Guardianship of Children), and the principles of the Convention on the Rights of the Child were both enforced back then.

Political conviction led to all institutions being closed in the province. In practice, this was accomplished by a deinstitutionalisation process that enhanced the province’s social protection policies and allowed for most children to live back with their immediate or extended families. Those children who did not have a family to return to were received by families of the Solidary Families programme, created by Law No. IV-0871-2013. This law includes financial support to the families participating in the programme and respects the best interest of the child (its full text can be found here: [full law text](#)).

Since 2006, **Brazil** has a National Plan for Family and Community Life. Three key aspects were identified when outlining the Plan’s goals: the value of family and family protection policies; the reorganisation of the Foster Care Network; and the implementation of foster care and adoption programmes that would focus on the best interest of the child.

To meet these goals, progress was made to establish a new set of public policies:

- The Unified Social Assistance System (SUAS) and the Bolsa Familia Programme (PBF) were created. The former promotes family bonds and the upbringing of children within a family context, while the latter guarantees the income of families with children.
- National standards for children’s reception services were prepared. A register of housing services, a register of institutions and a national census were carried out to better understand the general situation.
- Legal changes arose, such as the prohibition to separate families because of poverty, the priority of returning children to their immediate or extended families, and the priority of family life over life in institutions.
A guide for the reception of children in institutions and housing services was produced in order to no longer have ‘forgotten’ children in institutions. A maximum period of institutionalisation (except for justified cases) was established, as well as the obligation of reviewing each case every three months.

Federal funding to reorganise the system was determined along with inspections of the Protection Measures (MP) twice a year. Reception services for children and adolescents up to 21 years of age were established in order to fill the vacancies of municipal and regional services. To achieve this, it was necessary to increase the federal funding available. Areas that concentrated these services were decentralised, which led to proportionate availability throughout the country.

Municipalities started providing more and more reception services. Existing services were reorganised to comply with Resolution Nº 1/2009 (technical guidelines) of CNAS and CONANDA.

The priorities regarding this reorganisation process include: infrastructure, human resources, service management and methodology, and management of child protection networks.

Also in Brazil, Campinas Municipality has performed this reorganisation and achieved a three-level interconnected management of the services, involving:

- The Special High-Complexity Social Protection Coordination.
- The Control and Evaluation Commission for High-Complexity Social Protection - CSAC. This Commission works on ways to recover special, high-complexity social protection, in accordance with Resolution No. 109 of November 11, 2009, which tackles the national classification of social assistance services. It is formed by the following children’s institutions and shelters: Hogar, Casa Lar, Casa de Passagem, Acolhimento Familiar, República para Jovens and Residência Inclusiva.

The Affective Protection Programme developed by AEDHA (Associação de Educação do Homem de Amanhã) is a complementary service. For 2019, the Programme aims at reaching 40 children aged between 7 and 17 or under 12 months who have difficulty in being assigned a foster family due to disability or health issues.
A general diagnosis of the situation resulted in the following findings: overcrowded children’s shelters and institutions; services that received children of specific ages only; institutions with goals higher than originally planned; increased demand for the placement of babies; demand for vacancies by pregnant women or mothers with children; a need to develop, in alliance with the Ministries of Health and Education, guidelines for the reception of adolescents with mental health issues associated with drug abuse; a need to analyse and organise the available resources; high financial cost of the system; high number of brothers and sisters deprived of the right to family life due to difficulties in assigning them a foster family; obstacles to find foster families for different children’s profiles. A need to create more ‘youth republics’ (institutions that seek to progressively increase the autonomy of the young adults housed there).

This diagnosis was taken into consideration for the creation of child protection policies in the municipality. Today, Campinas has continuous childcare services in which public resources account for more than half of all resources. It has also reorganised its services and set new goals for them, while reducing the number of children living in institutions (from 504 in 2006 to 404 in 2019). The following facilities are active in the municipality: 2 ‘youth republics’ for young people from 18 to 21 years of age; 3 inclusive institutions for young people with disabilities; 1 shelter that provides social assistance to pregnant women or mothers in vulnerable situations; 1 shelter that provides health services to women struggling with drug abuse problems. The municipality also provides special attention to women in vulnerable situations in its maternity wards.

**Foster care results (from 2014 to 2017):**
The following aspects also came as a result of the reorganisation: creation of medium-complexity programmes and services (PAEF, SESF, socio-educational measures); classification of childcare service facilities and human resources; preparation of memorandums of understanding; participation of high-complexity management in all discussions in order to avoid institutional reception; children from 0 to 6 are primarily sent to foster families.

However, there are still some challenges to overcome: implementing the subsidised Guardian Families Programme (currently under study); reviewing and enhancing the foster care services’ methodology; setting up a shelter for people between 18 and 21; reviewing and updating the protocol for the reception of newborns (currently in preparation); producing a Reception Service Classification Plan.

The Inter-American Children’s Institute (IIN/OAS) is a regional organism formed by all Member States of the Organisation of American States. It specialises in childhood policy, with emphasis on the improvement of the Comprehensive Child Protection Systems.

Its work is based on two international instruments: the Inter-American Democratic Charter and the Convention on the Rights of the Child. Recently, regarding the children’s right to family life, the IIN has:

- Launched a campaign entitled ‘The right of children to a family’ (2017).
- Conducted a survey regarding the situation of childcare in five countries of the region: Chile, Costa Rica, Panama, Paraguay and Uruguay (2018).
- Formed a round table of experts to discuss the governments’ challenges to enforce the National Deinstitutionalisation Strategies (2019).

The IIN is currently analysing different possibilities to improve the way in which national states handle this issue.
Foster care

This section presents different foster care programmes implemented in Latin American countries.

In Chihuahua, Mexico, the implementation of the Foster Care programme presented some obstacles, such as: the lack of a protocol to implement foster care; the lack of a multidisciplinary, highly-trained foster care team; the social assistance centres’ resistance against foster care; society’s unawareness of regarding the programme and inaccurate assumptions regarding adoption.

While searching for alternatives during the implementation, it was decided to include the participation of the civil society, considering:

- The programme’s long-term duration, despite changes in the government.
- The mutual supervision of the programme’s management by both parties (government and civil society).
- The direct contact established with Chihuahuan families.
- The easier detection of new opportunities.
- The guarantee of transparency regarding the results.

Thanks to RELAF’s and UNICEF’s cooperation, and in alliance with the civil society, it was possible to achieve the results shown in the following graph.

Results of the pilot programme’s first year of implementation

- Foster families certified: 15
- Girls benefited: 11
- Boys benefited: 11

As a result of this installed capacity, the programme is now progressing in two aspects: decentralising the programme outside of Ciudad Juárez and focusing in children from 10 to 17 who have been victims of abuse and maltreatment and/or are migrants.

Also in Mexico, the RELAF team tackles complex foster care situations. Oscar Melchor, RELAF’s coordinator in that country, explains that, although all cases are complex, they can be hampered even more due to:
a) Poor official interpretation and approach. To overcome this, it is necessary to perform comprehensive diagnoses; to prepare monitored, evaluated plans with modest goals; to seek a logical approach in each case; to achieve a better interconnection between the effective support mechanisms; to properly identify alarming situations.

b) Lack of interconnection between the organisations, entities and actors of the child protection system. To counter this, it is necessary to implement special protection measures; to provide broader access to programmes and services; to provide in-field training to families; to promote the actors’ involvement in the implementation of new or previously existing plans.

c) Particularities of different cases (severe abuse, disability, harms caused by institutionalisation). To face this, it is necessary to acknowledge the relevant role of families in the comprehensive protection process.

In Cali, Colombia, Fundamor Foundation provides institutional care for children with HIV since 1992. The evidence of the harm caused by the long stay of children in the institution, in addition to fear and prejudices regarding HIV, led the foundation to look for support in order to find foster families. The results of this process were very positive and allowed the foundation to prepare a set of recommendations aimed at key actors of the government, child advocates, NGOs, and donors.

In Brazil, Fazendo História Institute centres its work on foster care for babies since 2008. Its strategy focuses on systematic work with the babies, their foster families and their families of origin, respecting the babies’ and their families’ history and tending towards family reintegration.

One of the main lessons learnt by the institute is that the failure of foster care in extended family is caused by a lack of proper support and monitoring, and not by poor family evaluation. That is why Fazendo História focuses especially on supporting, monitoring and training foster families.

Some of the results include 34 babies placed in foster care since 2016, 10 of which were returned to their extended families; 19 babies were adopted and left the institution; 5 babies are currently in foster care; 15 volunteer foster families work with the institution.
Since 2009, **Família Guardiã** focuses on financially supported foster care in extended family. Its intervention model centres on two key aspects. First, on working with each family member separately and with the family as a whole. Second, on providing families with monthly financial support, whose purpose is decided jointly between the organisation and each family involved. The total costs of this programme are lower than the ones of regular foster care or foster care in extended family, and even lower than those of institutional care. Família Guardiã’s experience reveals the importance of training the personnel involved, of the connection between professionals and families, and of the way professionals carry out the intervention. Getting to know each family’s context and history is essential.

Meanwhile, **AEDHA** presents its pedagogical monitoring and support model aimed at children in foster care, foster families, and families of origin. The model, entitled ‘Marco Zero’, applies Piaget’s genetic epistemology, whose main aspects are intellectual maturity, the construction of knowledge, and the understanding of child development processes.

**Chile’s National Service for Minors (SENAME)** is a governmental organisation responsible for the protection of children before the country’s judiciary system.

SENAME proposes alternative care programmes through its Specialised Foster Family project (FAE). This project aims at placing children who have been separated from their families due to severe violations of their rights in foster families instead of in institutions. The intention of this programme is to provide children with psychotherapeutic and psychosocial attention to repair the abuse they suffered, and to do so while they are in a safe, supportive environment in which they can be effectively protected. In addition to this, the programme works to better the caring skills of the children’s families (extended or of origin) in order to accomplish sturdy family reintegration.

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**Milestones on the road to family-based alternative care in Chile**

- **1990**: Ratification of the CRC
- **1990**: CHANGE OF APPROACH
  - Institutional care as a temporary, exceptional, last-resort measure.
- **2005**: START OF THE FOSTER FAMILY PROGRAMME
  - Subvention regime, network of collaborating entities.
- **2010**: NEW GUIDELINES
  - Families as the best environment for the development of children.
- **2015**: DEINSTITUTIONALISATION
  - Directly administered foster care programme for the deinstitutionalisation of children from 0 to 3 years.
- **2018**: FAE AS THE PRIMARY OPTION
  - Emphasis on family-based alternative care: working to boost and redesign this modality.
Argentina’s Federal Foster Care Network has carried out a survey to determine the reduction in the number of children placed in alternative care (Exceptional Measures) and the increase in the number of babies from 0 to 3 years placed in institutions. Once finished, the survey made it possible to identify challenges (see diagram below). These actions include:

1. Building consensus among all actors of the child protection system.
2. Reviewing and improving foster family registers and the training, support and evaluation process of potential foster families, to prevent the appropriation of children by their foster families.
3. Adapting the duration of Exceptional Measures so that children can live in temporary, not permanent foster families or institutions.
4. Guaranteeing the participation of children in the whole process.
5. Improving the articulation among the programmes that work with foster families and with families of origin, while including the participation of children.
6. Reforming existing legislation on alternative care so that it can consider the best course of action for each particular case.
7. Promoting a sense of social responsibility through local sensitisation and awareness campaigns.

Familias Abiertas is an Argentine organisation that is part of the Federal Foster Care Network. Its approach model agrees in several ways with the aforementioned models, but also includes the participation of external family assistants. These assistants provide foster families with specific support, when necessary, and are part of the foster process since the beginning, as both they and the foster families meet the child for the first time at the same moment.
Spain’s University of Salamanca reached many conclusions following the analysis of parenting processes, including: that the parent-child relationship is symbolically invisible; that public services ignore how to incorporate this relationship into their processes; that the roles of guardians and mentors are mixed up; and that the duration of foster care is usually indefinite. The analysis also found that the continuity of the relationship between children and their foster families is not guaranteed, and that the affective setting is shared between the children’s foster families and families of origin. This produces ambivalent feelings in foster families.

The fact that children have lived in a family before is a starting point to build a relationship with them. This means that the support, upbringing and education process is not linear or sequential, since the children involved are undergoing a separation process. Foster families must understand the different times involved, e.g. human, judicial, emotional times, which rarely converge in harmony.

Innovative experiences

The foster care pilot programmes carried out in Mexico and another one that is currently undergoing in Uruguay are explained in this section.

In Mexico, the context has been advantageous due to several reasons: the federal government has shown its interest in the matter of children deprived of parental care; national articulation in the implementation of the UN Guidelines for the Alternative Care of Children has been achieved; a favourable legal framework has been developed; society has been strengthened by the formation of a national network of key actors and organisations that strive to fulfil the right to family life.

This context has made it possible to identify several challenges:

• Lack of family-based alternative care programmes. Institutional care is the first option.
• Poor prevention mechanisms and poor family reintegration efforts.
• Qualification of the personnel involved in foster care programmes. Their role in the implementation of the programmes is essential to achieve success.
• Very limited information regarding children placed in alternative care.

Through joint work between RELAF, UNICEF and the federal and state governments, five foster care pilot programmes have been carried out in Mexico City, Tabasco, Campeche, Chihuahua, Morelos, and another one has been conducted with the Federal Attorney’s Office.

Processes that resulted in the positive reform of the alternative care subsystems have been carried out, and these subsystems are now aligned with government standards.
Small-scale experiences in Mexico. Pilot foster care programmes: Mexico City, Tabasco, Campeche, Chihuahua, Morelos, and Federal Attorney’s Office

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<tr>
<td>Initial situation diagnoses</td>
<td>Federal Attorney’s Office’s foster care handbook</td>
<td>Training of the teams of the 6 pilot programmes</td>
<td>Production of handbooks specific for each state, adapting the legal framework</td>
<td>Application of the handbooks. Process supervision and guidance</td>
<td>Validation and review of the handbooks taking the results of the experiences into account.</td>
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In Uruguay, INAU has been conducting a process to transform institutions and to strengthen its technical teams spread throughout the country. Foster Care and Family Strengthening Centres (CAFF), which provide support within the 24-hour protection system, have been created.

Their model aims at children whose families of origin have lost their capacity for caring, which may cause the temporary separation of the family once all options that allow for its unity have failed.

A Guide for the transformation of institutions into CAFFs has been produced and distributed among INAU’s personnel and among all childcare organisations of the country.

The Cercanías project is a part of the CAFF programme. Through its Local Foster Care Teams, the project focuses on providing support to Uruguayan families living in poverty or indigence so that they do not lose their capacity for caring.

The main characteristics of the CAFF model are its inter-sectoriality, comprehensiveness, territory-specific work, proximity, and its ability to come to mutual agreements and understandings with the families involved.

An innovative change, a foster care programme focused on babies was developed. To this end, a profile was produced that considers the situation of babies from 0 to 12 months who are living in hospitals due to court decisions. The intention of this profile is to place them in foster families until a final decision on their situation is reached. The family selection process is performed through projects presented by civil society organisations. The programme has resulted in 25 babies placed in foster families.
Due to the country’s favourable conditions, the Tracking Tool has been implemented in **Costa Rica** (see Chapter 7) in a pilot test.

### Costa Rica: creation of the conditions required for the application

<table>
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<tr>
<th>Year</th>
<th>Event</th>
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<td>2013</td>
<td>Costa Rica joins the Call to Action to eradicate the institutionalisation of young children.</td>
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<tr>
<td>2017</td>
<td>‘Inter-Agency Committee’ / ‘Forum for the right to family life”. In this event, PANI puts the issue of deinstitutionalisation on the agenda and expresses its decision to reform institutions and promote DI processes. The Committee requests technical support from RELAF, who proposes to implement the Tracking Tool due to a favourable political context.</td>
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<td>2018</td>
<td><strong>Application of the Tracking Tool</strong></td>
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<td>2019</td>
<td>Presentation of the government’s National Report on the situation of children in institutions, based on the results of the Tracking Tool’s application.</td>
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The Tracking Tool’s preliminary diagnosis brought findings such as:

- **66%** of children in institutions are housed in large-scale institutions.
- There are **no family-based care alternatives** aimed at children with cognitive, behavioural or psychiatric issues.
- Governmental organisations do not provide adequate support to family-based care alternatives. This results in children being transferred from foster care to institutions.

These findings, along with the implementation process itself, taught us some lessons. One of these is the need of technical support for a proper implementation of the Tracking Tool. The process confirmed the need to make the implementation only a link in the chain of the deinstitutionalisation process, which needs political conviction to be fully achieved. It also allowed to spread the importance of the UN Guidelines in the different sectors of the child protection system while promoting a better understanding among them.

The use of an inter-sectorial, participatory work methodology resulted in strong consensus and legitimacy by all sectors.
Government representatives show the situation of children deprived of parental care in their countries and their plans, breakthroughs and challenges regarding the issue.
Government authority panels focused on the governments’ proposals regarding the situation of children deprived of parental care.

All countries have a set of laws, policies and tools to protect children’s rights, with different approaches and tools according to their diverse contexts and priorities. Some countries show a decrease in the funds allocated to childcare.

Government representatives presented national level characterisations of children deprived of parental care. In some cases, such as Panama, they discussed surveys carried out by the organisations and institutions under their command and the progress made on deinstitutionalisation. This country has prepared a roadmap towards deinstitutionalisation with support from RELAF and has begun a deep reform of its child protection system. This reform aims at including more children, reinstating their right to family life, providing continued training to the personnel involved, and sensitising political decision-makers on the situation of children in the country. The main challenge is to strengthen and sustain this protection model.

Speakers present data summarising the work made towards deinstitutionalisation. In the case of Argentina, a survey shows that the number of children deprived of parental care that were part of childcare programmes managed by the state went down from 14,675 in 2011 to 9,096 in 2017. In addition to this, the country has produced standards for the implementation of temporary foster care in line with the Rights Protection Measures (*Pautas para la implementación de la modalidad de cuidado familiar transitorio en el marco de las Medidas de Protección de Derechos*), which provide the conceptual framework for alternative care. One of the main challenges in Argentina is to improve the quality of temporary alternative childcare while reinstating the rights of all children as quickly as possible. To accomplish this, the speakers propose reintegration to the family of origin in the case of children in alternative care; if this is not possible, adoption is the next best option. They also agree that alternative care must be adequate and always have the ultimate goal of family reintegration. If none of these options were possible, a plan for the future egress of children from alternative care should be prepared, with each child’s active participation.
In *Chile*, the 2018-2021 plan to reform the alternative care system is currently undergoing. It is based on the national government’s previous progress on the matter, and aims at consolidating and diversifying foster care models. Likewise, the country is currently working to transform children’s institutions (‘Centros Residenciales’) managed by the National Minors Service (SENAME) into foster care services, which shall provide specialised therapeutic assistance and help restore family bonds.

Since October 2018, a pilot programme for the deinstitutionalisation of children between 2 and 6 who live in SENAME’s ‘Casa Nacional del Niño’ large-scale institution is being developed. One of its key aspects is to strengthen the bond between children and their parents or guardians to ease family reintegration and reduce the risk of children returning to the institution.

In the face of their current and future challenges, Chilean representatives agree the following course of action for the next years:

- **2018**
  - To increase the number of foster families.

- **2019**
  - To increase coverage by 5% and family bonding programmes by 20%, including pilot family bonding programmes aimed at children from 0 to 6.

- **2020**
  - To have emergency foster families available for cases that require an urgent response and to create tools for the recruitment and evaluation of foster families.

- **2021**
  - To implement new specialised programmes, new protection services, and to have foster families trained in therapeutic care.
In Brazil, there are 2,801 children’s institutions. The number of children housed there is decreasing: it went from 33,137 in 2015 to 30,952 in 2017. The country’s Social Protection System is implemented locally by the municipalities; currently, there are 272 foster care services in 253 municipalities around the country.

**The authorities identify the following national progresses on the matter:**

- Creation of a foster care service as per social welfare policies.
- Preparation of technical operating standards.
- Identification and maintenance of the services.
- Creation of an especially designed questionnaire included in the SUAS census, to improve information quality.
- Preparation of technical operating standards for the individual assistance of children in foster care.
- Creation of a physical and electronic register of children in alternative care (this is a priority for 2019).
- Setting of the requirements and procedures for the reallocation of federal resources into subsidising foster families, which was decided in 2017 by the Ministry of Social Development.

**They also observe the following challenges:**

- To increase the number of foster care services by recruiting more families. A campaign to sensitise to foster care and spread its importance is necessary to this end.
- To reduce the number of institutionalised children between 0 and 6 years of age, while guaranteeing the protection of their rights and eradicating their institutionalisation. This requires a gradual transition from institutional to family care, especially in the case of children under 3.
In Uruguay, INAU, the Institute for Childhood and Adolescence, has technical teams distributed throughout the country. These teams emphasise on improving the situation of the adults who live with children so that they can provide adequate care to them. When this is not possible, the 24-hour protection system comes into action. This system is formed by 671 foster families, 120 residential long-stay centres, 30 24-hour specialised residential centres, adoption programmes, and 1,102 attention units.

The authorities confirm that the number of children in the 24-hour protection system grows every year, as does the restoration of the right to family life of children under 3. INAU’s data show that 57% out of 88,508 children included in its programmes are in their early childhood years and receive attention thanks to 474 specialised centres. In addition, 28% are between early childhood and adolescence, and 15% are teenagers.

In Santo Domingo, all children in institutions have been placed there due to administrative measures. The government has 25 foster families available who meet the conditions determined by the childhood authority and approved by children’s courts. Technical and methodological tools have been produced for the implementation of the foster care programme, including: a technical handbook aimed at the programme’s operating unit; strategies and working plans for the creation of a ‘family bank’; guidelines for the support to and monitoring of foster families; guidelines for intervention work with families of origin.

In Guatemala, the Social Welfare Secretariat (SBS) is in charge of national childhood policies. Its representatives presented the broad national and international legal frameworks used in the country and described a temporary foster care programme aimed at reintegrating children with their families of origin. A roadmap to prevent new institutionalisations has been produced in the country. It intends to decentralise the childcare services by training multidisciplinary technical teams from SBS’s Departmental Agencies, carrying out informational workshops to recruit new foster families, and presenting its Network Programme and its Regulatory Update.
In Paraguay, the Ministry of Childhood and Adolescence (MINNA) is the entity responsible for public policies on childhood and adolescence and, therefore, is in charge of the design and execution of the National Special Protection Policy (PONAPROE). MINNA has put together a Priority Actions Plan, meant to provide comprehensive support and attention to all children. It is formed by three axes:

1) Boosting of the National Childhood Protection and Promotion System.
2) Social investment in the National Childhood Protection and Promotion System.
3) Providing support to children by means of family strengthening.

The national policy implemented through the Special Protection Directorate (DIPROE) focuses on the following strategic aspects to work with children separated from their families:

- **1.** Maintaining family bonds, as the guiding principle.
- **2.** Foster care, as the child protection model.
- **3.** Deinstitutionalisation, as a strategy built up by maintaining family bonds and reintegrating children into their families of origin, as long as this can guarantee the children’s comprehensive protection.

To execute this policy, 17 priority actions are to be implemented in 54 institutions or shelters (23 under the command of the Child’s Council -CODENI- and 5 under DIPROE). In 2018, there were 61 foster families, which housed a total of 72 children. There were also 5 specialised foster families.

The main challenge in the country is to fully implement the National Special Protection Policy and to obtain more funding for programmes and projects in line with it.

Most governments agree that a great deal of work is necessary to achieve deinstitutionalisation; some have already begun deinstitutionalisation processes and are turning towards family or foster care, but need to widen and boost their work. They also observe the need to: provide continuous training to technical operating teams in order to strengthen these processes; standardise their actions (many countries presented their previously prepared standards); and improve their efforts regarding special foster care, such as in the case of disabled or unaccompanied migrant children.
Agreements reached in country-specific meetings carried out within the framework of the Seminar.
Within the framework of the Seminar, country representatives held country-specific meetings in order to share their experiences and to discuss possible national agreements.

ARGENTINA Argentine persons of reference took part in the meeting, including representatives from: the Federal Foster Care Network; the Familias Abiertas, Fundación Niño Sur and Comunidad Malú NGOs; and Argentine members of RELAF’s Latin American Consultative Council. Governmental representatives also joined, including agents from: the National Directorate for the Promotion and Protection of Children’s Rights of the National Secretariat for Childhood, Adolescence and Family; Tucumán province’s Directorate for Childhood; San Luis province’s Consultative Council on Social Policy; and Córdoba province’s Senate.

In the meeting, the following subjects were tackled:

• The need to strengthen the interconnection between the different actors that work for the restitution and fulfilment of children’s rights.

• The importance of taking into account situations not included or contemplated by the local law due to their complexity and singularity.

• The need to enhance the awareness and recruitment of families and professionals for foster care.

• Strengthening and encouraging the adoption of children over 6 years of age, extinguishing the professionals’ stigmatising viewpoint regarding them.

• Carrying out inter-sectorial meetings between the participants of the Seminar to identify challenges regarding the support of children in vulnerable situations, emphasising on the promotion and strengthening of foster care.

In July, the subject of foster care and deinstitutionalisation was discussed in a meeting of the Federal Council on Childhood and Adolescence. A commission of provincial representatives was formed during the meeting in order to coordinate a national work plan.
**BRAZIL** The Brazilian meeting included the presence of representatives from: the General Foster Care Coordination Office of the Ministry of Social Development; the Pró-Convivência National Movement; the AXE Association; Terra dos Homens, ACER and Fazendo História organisations; and the Campinas Government. RELAF members from Brazil and professionals from other childcare organisations also joined.

In this meeting, the Seminar was deemed very relevant, as it allowed all participants to reflect on the different childcare approaches carried out by LAC countries.

Following analysis of the RELAF Method, its effective application and the methodological process behind it were considered to be essential for the processes, while its innovative nature and its commitment towards the proper development of all children were highlighted.

They also highly valued the opportunities provided by the Seminar as well as the presence of committed professionals with broad knowledge of LAC public policy.

In addition to this, during the Seminar, Brazilian participants mobilised and formed a WhatsApp group for immediate communication. Currently counting more than 200 members, this group will help strengthen the network for the right to family life in Brazil.

**CHILE** The Chilean meeting was coordinated by the Crecer con Justicia Foundation and was attended by representatives from: civil society organisations; the ‘Mi Abogado’ (‘My Attorney’) programme conducted by the Ministry of Justice and the National Service for Minors (SENAME); and the Opción Foundation. RELAF members from Chile also took part.
The issues raised during the meeting included the need to form a technical assessment team that is to review parliamentary discussions on the matter and should be consulted about the legislative processes that are taking place in the country (especially about the law to ban the placement of babies in institutions). The relevance of organising a consultation workshop for children on the childcare protection law was also addressed.

GUATEMALA The meeting included the presence of representatives from: USAID; UNICEF; Refugio de la Niñez (Shelter for Childhood); the Social Work School of San Carlos de Guatemala University; the National Association Against Child Maltreatment (CONACMI); the national Judiciary; the Attorney General’s Office for Human Rights; and the Social Welfare Secretariat of the Presidency (SBS). Guatemalan members from RELAF’s Latin American Consultative Council also joined.

One of the issues tackled was the creation of joint strategies to sustain the alternative care model that was established with technical support from RELAF and USAID and that is currently being implemented by the SBS. This model allowed to pinpoint the applicable human rights standards and procedures and to produce a roadmap for its implementation, taking into consideration the change of authorities that will follow the 2019 presidential election. These strategies are meant to keep moving forward in the implementation of good practices that has been undertaken by the SBS, especially after the ‘Hogar Seguro’ tragedy.

The production of strategies for a better communication between the actors was also discussed. This was due to the fact that some organisations indicated that they had not been taken into consideration for the diffusion of the model.

The following preliminary agreements were reached:

1. The national Judiciary and the SBS committed to launch the call for a first meeting, in which the following subjects will be considered:
   a. Call schedule.
   b. Feedback, presentation of the model to other entities.
   c. Each institution’s role within the model.
2. The Judiciary, with support from the SBS, committed to summon the civil society and all cooperants in order to form a high-level table of actors. This initiative will aim at producing a new technical strategy and a political strategy, both intended to sustain the model over time and to provide continuity to all the work that has been done for its diffusion and implementation.

**MEXICO** This meeting included the participation of representatives from: the National System for Integral Family Development (DIF) of Tlaxcala; DIF Guanajuato; DIF Chihuahua; DIF Sonora; the Attorney General’s Office for Human Rights of Guanajuato; and the Villa Infantil organisation of Irapuato. RELAF’s Latin American Consultative Council members from Mexico also took part.

The main agreements reached are as follows:

1. To disseminate and promote knowledge on the issue of alternative care with a human rights approach within the country.

2. To monitor the Foster Care Programme’s progress in the Mexican states that have already begun its implementation with support from RELAF and UNICEF: Tabasco, Campeche, Morelos, Mexico City and Chihuahua. The Federal Attorney’s Office has also launched the Programme and its progress is to be monitored as well.

3. To formally launch the Foster Care Programmes in Guanajuato and Tlaxcala and to heighten the programme that has already been launched in Sonora. These actions are all within the framework of the reform of the childcare and protection systems and rely on RELAF’s support.

4. To join efforts with the National Network for the Right of Children to Family and Community Life (RENAVIF), integrated by NGOs and academicians and that has strategic partners, such as UNICEF and RELAF.

5. To hold the RELAF International Seminar in Guanajuato City, Mexico, in March 2020.
PARAGUAY  The Paraguayan meeting was held by representatives from governmental entities, such as the Mechanism for the Prevention of Torture (MPN) and the Adoption Centre of the Alternative Care Directorate, both within the orbit of the National Ministry of Childhood and Adolescence. Representatives from two social organisations, Enfoque Niñez and Hogar Chiquitunga of the San Rafael Foundation, and Paraguayan members of RELAF’s Consultative Council also took part.

It was agreed to support the Special Protection Directorate (Diproe) and the Adoption Centre in creating forums to analyse the Special Protection Policy. This initiative aims at preparing an action plan and achieving the interconnections needed among the actors for an effective implementation of the Policy. It was also decided to assist both entities in the design of indicators that allow for a proper monitoring of the implementation.

At the time of publication, progress has been made on this matter. Consultation workshops with institutions and civil society organisations have been carried out in order to analyse the first draft of the National Plan for the Implementation of the Special Protection Policy (PRONAPRODE). This implementation will span from 2019 to 2023.

Diproe has been leading the process with support from the civil society, the MPN and representatives from RELAF’s Consultative Council.
CONTRIBUTIONS MADE BY GLOBAL ENTITIES AND ORGANISATIONS FROM OTHER REGIONS

Within the framework of the Seminar, global organisations presented their proposals and contributions in tune with LAC experiences.
The experiences carried out by international organisations in other parts of the world provide many important lessons for Latin America. It is possible to find successes, challenges and opportunities in the many processes that have been undertaken, all of which share the common goal of fulfilling the children’s right to live in family and community settings.

**Key Assets** is a Canadian non-governmental, not-for-profit organisation founded in Ontario in 2009 that is part of the **Martin James International Foundation**. This organisation promotes a series of programmes and services for children and families, including: foster care and foster care in extended family; individualised care in small groups; psychotherapeutic clinical care and prevention services; programmes for the prevention of separation and for the strengthening of family bonds; family support programmes; and training services.

The Martin James International Foundation has supported deinstitutionalisation programmes in Bulgaria and is currently cooperating with the Center of Excellence in Alternative Care, in India. Concerned about migration’s consequences in children, the organisation contributed with the provision of physical and mental therapeutic services in the Zaatari refugee camp in Jordan through the Hope Centre programme.

In 2018, it promoted a meeting of 13 countries in Southeast Asia so they could share their experiences working with families, their care alternatives and their prevention strategies.

In order to guarantee the best results, the organisation provides intensive training and support to carers through family- and community-based programmes and services so that the physical and emotional needs of children and families in vulnerable situations can be fulfilled. Key Assets reckons that one of the main challenges faced by the organisations that work in this field is to attract, recruit and retain foster families, since there is a worldwide shortage of people willing to foster. Another obstacle lies in the professionalisation of foster services; to achieve this, it is necessary to acknowledge how valuable these families are by offering them professional development opportunities, financial and technical resources, support, supervision and, mainly, recognition and appreciation for their contribution to the recovery of children in traumatic situations.
From its own experience, Key Assets identifies specific global tendencies regarding childcare. For instance, it finds that many countries have focused on creating effective, high-quality foster care systems, in line with the UN Guidelines for the Alternative Care of Children. Also, it notes: that childcare services are being increasingly regulated by governmental law; that most developed countries finance their childcare systems with a mixture of state and private funds (with independent –NGO- funds tending to increase worldwide); that children’s participation and access to their own rights are growing; and that ‘experts’ are needed to an increasing extent in order to educate more professionals and to bring quality and results into the processes.

In the last few years, the Czech Republic underwent a significant change regarding childcare, as it turned to prioritise foster care.

Public expenditure on childcare services has increased over time
Public expenditure on the care of vulnerable children (without disabilities or defiant behaviour) (expressed in millions of euros)

According to information gathered by Lumos, a new civil code, enforced in the country in 2014, establishes foster families as the first alternative care option, instead of institutions. This change was possible due to the Czech lawmakers’ acknowledgment of institutionalisation as a violation of children’s rights. The revelation of institutional care’s elevated costs was also a factor: it was proven that the same resources that are assigned to it can be much more fruitful and sustainable when put into foster care and family strengthening.
Between 2007 and 2012, Moldova carried out a national action plan in favour of deinstitutionalisation. **Moldova: results of the reform process**

**Goals:**
- Reducing the number of children who live in institutions by 50%
- Reorganising all children’s institutions in accordance with the transformation plan

**Results:**
- The number of children in institutions went down by 62%

Opening Doors is a campaign launched by a group of European entities. It includes the participation of five key organisations and is promoted in more than 16 countries. The Spanish chapter of the campaign is being developed by the Hispanic agency of the International Federation of Educative Communities (FICE). Opening Doors supports national initiatives to develop childcare and protection systems that strengthen families, thus preventing institutionalisation and favouring deinstitutionalisation. Spain has forbidden the institutionalisation of children under the age of 3 in its Organic Law No. 8 of 2015, which establishes that children up to 3 years of age must live in a family setting.

With financial contributions from the European Union, ‘country information sheets’ containing information on what has been done in each country regarding childcare were put together in order to start the campaign. These sheets allowed to diagnose each country’s situation and to provide follow up and evaluation, tending towards a family- and community-based childcare model. Other documents, that aim to advise governments on how to apply available funds in order to promote deinstitutionalisation, were also produced. This is important because structural investment funds are being discussed within the framework of a new European budget for the period spanning from 2010 to 2027.

Actions carried out under the campaign bring visibility and expertise thanks to the organisations’ prestige and have helped identify four key factors at national level required to move towards more community- and less institutional-based care: political commitment, funding for
programme development, knowledge in order to achieve sustainable changes, and participation of the civil society so that the children’s voices can be heard. EU funding is fundamental, as it is needed to provide high-quality family-based care, avoiding institutional-based care.

The **Better Care Network** (BCN) is working to give priority to the issue of children deprived of parental care in the global agenda. 2019 is a relevant year, as it represents the 10th anniversary of the approval of the Guidelines for the Alternative Care of Children by the UN General Assembly (UNGA), as well as the 30th anniversary of the Convention on the Rights of the Child.

Alongside other global organisations, amongst which RELAF is an active participant, the BCN has created a group named ‘UNGA Advocacy Coalition’. This group takes part in a mobilisation aimed at achieving a resolution by the UNGA to be issued in December 2019. As part of this process, an open letter signed by civil society organisations was presented to the UNGA in March 2019. This was done to promote the inclusion of the issue of children deprived of parental care in the Resolution on the Rights of the Child of the same year, emphasising that this subject had never been addressed before in a resolution.

The coalition is developing a document with a set of recommendations and key messages so that the member states can discuss it during the UNGA and include it in the resolution. These recommendations and messages are as follows:

1. Recognising and giving priority to the role of families.
2. Supporting families and preventing unnecessary separations.
3. Acknowledging and preventing the many harms of institutionalisation (both its negative effects on children and on resource allocation).
4. Ensuring high-quality alternative care.
5. Strengthening childcare and protection systems and services (education, housing, etc.).
6. Ensuring adequate financial and human resources are destined to family care, and using part of the institutional care budget to fund them.
7. Improving data gathering and periodic information reports (it is impossible to know and, hence, improve the systems without quality information).
8. Ensuring the full participation of the children and families involved throughout the entire process.
In addition to this, the BCN, along with 10 other organisations –including RELAF-, has worked in the creation of an inter-institutional monitoring Tracking Tool.

This Tool was developed to evaluate the progress on the implementation of the UN Guidelines for the Alternative Care of Children. It provides support to key national authorities and actors, offers comprehensive information concerning alternative care services, helps determine necessary resources, and eases the making of comparative analyses for a better competency of the services. (See Chapter 4 for the implementation of the Tool in Costa Rica)

The Tracking Tool consists of questions that help understand the situation of children. It involves a data entry process divided into two sections:

**Part A.** Questions about the country’s alternative care system. Answering these questions provides a general view of the situation.

**Part B.** It includes separate subjects and focuses on the factors that lead to alternative care, discourages unnecessary alternative care, and ensures that the minimum standards for alternative care are met.

This information is later reviewed and analysed.

The Tracking Tool is intended to strengthen transversal inter-sectorial collaboration, to provide a comprehensive framework for national strategies towards the adequacy or reform of alternative care services.
of childcare services, to help identify flaws in information-gathering approaches, to facilitate strategic evidence-based planning, and to improve accountability through constant monitoring.

**CELSIS** (Centre for Excellence for Children’s Care and Protection, based at the University of Strathclyde, Scotland) is currently developing a free Massive Open Online Course (MOOC). Entitled ‘Caring for unaccompanied migrant children’, this development enjoys technical support from FXB Harvard and from an inter-agency workgroup formed of 18 organisations, one of which is RELAF.

This MOOC is a fundamental tool to have against one of today’s humanitarian challenges: the alternative care of unaccompanied migrant children in transit between international borders and of refugee children in dangerous situations. All these children need help from properly trained professionals in order to guarantee that their needs are met in the best way possible. The course is available in Spanish, French and other languages.
GENERAL CONCLUSIONS

Within the framework of the Seminar, most of RELAF’s Latin American Consultative Council members held meetings to evaluate the event’s results and analyse the regional challenges identified.

The Council concluded that the Seminar was highly valued by all attendees, that the organisers’ expectations were met, and that all presentations were very useful and pertinent. Likewise, the Council considered that country-specific meetings were very positive, as they resulted in agreements and in reflections of national situations, all of which added great value to the Seminar.

A cooperation agreement with Guanajuato, Mexico, was reached for establishing a foster care programme and reforming the state’s alternative care system. A commitment was also reached with the state’s General Attorney’s Office for Human Rights in order to hold the next RELAF Seminar in the state’s capital city in March 2020.

Due to the premature withdrawal of one of RELAF’s donors, international cooperation in Latin American was discussed and it was concluded that it should be accepted as long as all entities involved respect the characteristics of the region and recognise the work and contributions made by local, national and regional organisations. Likewise, they must not claim new knowledge achieved through joint work as a unilateral achievement.

The challenges raised during the event were also discussed, concluding that advocacy for the reallocation of government resources towards deinstitutionalisation is still a priority in the region in order to fulfil the children’s right to family and community life.
Established in 2018, the Martin James Foundation is a Global charity that works to improve the life chances of children who have been impacted by displacement through family breakdown or forced migration. The Charity is committed to working with professionals, families and local communities to support them to deliver better outcomes for their children, through the provision of family-based care solutions as an alternative to child institutions.

Since 2006, not-for-profit organisations have been established in Canada, Australia, New Zealand and Japan to deliver direct fostering and family support services to the most vulnerable children and families facilitating over 6,000 placements of children in family homes, with carers who are trained, equipped and supported to help meet the physical and emotional needs of children from the most challenging backgrounds. Family support services are provided to a further 2,500 children at any one time, working to overcome the risk of breakdown and displacement.

Foster Talk, a UK based not-for-profit charity supports over 30,000 care givers through a range of activities from training to a help and advice line.

The aim of all these activities is to support children to achieve positive outcomes in loving and nurturing households where all their needs can be met. The alternative is institutions in which care is focused on the physical needs of the child rather than the emotional wellbeing. Studies have shown that the outcomes of children raised in institutions are poorer than those raised in a supportive family environment.

Our Objectives

- Continue to develop and grow Key Assets family-based services across Canada, New Zealand, Japan and Australia.
- Continue to develop Foster Talk’s foster carer support provision as well as influence child care policy and legislation across the UK and globally.
- Work with care communities globally to develop centres of Research and Learning to influence and champion family-based and trauma-informed care.
- Build capacity within care communities globally through the provision of funding, resources, guidance and training for practical, hands on community-based projects which are aligned to the promotion of family-based and trauma-informed care.