



Protecting Children. Providing Solutions.

February 2015

Lumos' recommendations to the Latvian Presidency of the EU: Making sure EU funding is used for deinstitutionalisation globally

I. Introduction

Lumos is an international NGO¹, founded by author J. K. Rowling, working to end the institutionalisation of children around the world by transforming education, health and social care systems for children and their families and helping children move from institutions to family-based care. We are a founding member of the European Expert Group on the Transition from Institutional to Community-based Care. Lumos also sits on the Leaders' Council of the Washington-based Global Alliance for Children, a coalition of US government departments, the World Bank, the Canadian government and major foundations.

The UN estimates that 8 million children currently live in residential institutions², over 80% of whom are not orphans³, but have been separated from their families because of poverty, a lack of access to services, or discrimination. This is in violation of several international human and child rights instruments⁴.

More than eighty years of research demonstrates the harm caused by institutionalisation. In spite of the best intentions, institutions do not protect children or provide them with a safe environment; instead they leave children more vulnerable to violence, abuse and neglect. Institutions are not an effective means of providing education, health or other services to children. The outcomes for children raised in institutions are dire⁵ with a dramatic reduction in their future life chances and significantly limiting the potential to achieve mainstream development goals⁶. The impact of institutionalisation can last a lifetime with some research suggesting that these children are 10 times more likely

¹ Lumos Foundation (Lumos) is a company limited by guarantee registered in England and Wales number: 5611912 | Registered charity number: 1112575

² P S Pinheiro, (2006) *World Report on Violence against Children*, UNICEF: New York

³ Csaky, C. (2009) *Keeping Children out of Harmful Institutions Save the Children UK: London*

⁴ Csaky, C. (2014) *Why Care Matters: The Impact of Inadequate Care of Children and on Society. Family for Every Child: London.*

⁵ Browne, K. (2009) *The Risk of Harm to Young Children in Institutional Care, Save the Children UK: London*

⁶ Delap, E. (2010) *Protect for the future. Placing children's protection and care at the heart of achieving the MDGs. London: EveryChild*

than their peers to be involved in prostitution; 40 times more likely to have a criminal record; and 500 times more likely to commit suicide⁷. For more information, please see the [Lumos Factsheet: How institutions are harmful to children](#)⁸.

In 2013, the European Union took a major step towards ending the institutionalisation of children with the introduction of an ex-ante conditionality on social inclusion (9: 9.1.) in the Regulation 1303/2013 on the European Structural and Investment Funds. The Investment priorities under this ex-ante conditionality include "...the transition from institutional to community-based services". In effect with the adoption of the Regulation it is forbidden for the European Structural and Investment Funds to be used for the maintenance or renovation of existing and the construction of new large residential institutional settings.

It is our position that in the interest of achieving policy coherence and assuring that the EU meets its international human rights commitments, the same criteria should be applied to all European Union funding sources worldwide, with connected goals and priorities, including the loans provided by the European Investment Bank. You can find more information on this in our latest publication [In Our Lifetime: The Role of Donors in Ending the Institutionalisation of Children](#)⁹

The Presidency of the EU is best placed to set the deinstitutionalisation of children as a long-term goal, to keep it high on the political agenda and to call on the EU institutions and Member States to make sure funding is used to support the process.

II. Latvian Presidency and deinstitutionalisation

Lumos welcomes the strong focus of the Latvian Presidency of the Council of the EU on deinstitutionalisation which is evident in the request made to the EESC to prepare an exploratory opinion on long-term social care and deinstitutionalisation, and in its support for a conference on "De-institutionalisation practices and further development of the European social care policy". These initiatives will give visibility to the process and contribute to delivering quality reforms focused on the transition from institutional to community-based care in all Member States.

Thus it is essential these and other initiatives fully address the multi-disciplinary nature of successful deinstitutionalisation processes and send clear messages to EU governments of the level of prioritisation that the EU gives this issue. In addition the European Year of Development 2015 provides an opportunity to acknowledge that this is an issue of global importance and that EU approaches should be consistent in this regard. The EU can play a key role in ensuring that the Sustainable Development Goals (SDGs) reflect its position on combatting institutionalisation.

III. Lumos recommendations

Lumos recommends that any pronouncement of the Latvian Presidency on deinstitutionalisation of children contains the following messages:

- That it is essential to ensure **full implementation of the Regulation 1303/2013** relating to ending institutionalisation and **vigorous monitoring of its implementation** in line with the EU Charter on Fundamental Rights. Featuring [indicators on deinstitutionalisation within the overall ESI Funds impact monitoring processes](#) would be a significant step in this direction. In this regard, a particular focus is needed on ensuring governments are prepared to deinstitutionalise services, even where significant investments have been made in buildings. There should be a particular focus on ensuring sufficient managerial and technical capacity to implement deinstitutionalisation programmes that are high quality and respond to the individual needs of children.

⁷ Pashkina (2001). *Sotsial'noe obespechenie*, 11:42-45. Cited in Holm-Hansen J, Kristofersen LB, Myrvold TM eds. *Orphans in Russia*. Oslo, Norwegian Institute for Urban and Regional Research (NIBR-rapport 2003:1).

⁸ <http://wearelumos.org/sites/default/files/Lumos%20factsheet%20-The%20harm%20caused%20the%20children%20through%20institutions.pdf>

⁹ <http://wearelumos.org/sites/default/files/In%20Our%20Lifetime.pdf>

- That it is crucial to ensure that **all EU funds, including those spent outside the European Union¹⁰**, are never used to support institutions, but rather to support the transition from institutionalised care towards community-based care. This would include creating a new regulation on deinstitutionalisation within Development Cooperation Funds, the European Neighbourhood Instrument and the Partnership Instrument, prioritising deinstitutionalisation within relevant policies, strategies and action plans coordinated by the European External Action Service and featuring indicators on deinstitutionalisation within the impact monitoring for development funds invested globally.
- That the EU should forge links between other major funders and donors, such as the World Bank and bilateral government donors, to jointly plan and implement change for children, ending institutionalisation and reinvesting funds saved from institutional care in early childhood development, inclusive education and child protection services.

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¹⁰ Instrument for Pre-accession Assistance (IPA), European Neighbourhood Instrument (ENI), Development Cooperation Instrument (DCI), Partnership Instrument (PI), Instrument contributing to Stability and Peace (IcSP), European Instrument for Democracy & Human Rights (EIDHR) and European Development Fund (EDF).