

SHORT-TERM MISSIONS AND 'ORPHANAGES'

What Australia's proposed ban on orphanage tourism means for the local church

INTRODUCTION

A new piece of legislation is likely to be introduced by the Australian Government in 2017-2018 which will, in effect, ban the facilitation of 'orphanage tourism' and seek to address the links between Australian foreign aid funding and 'orphanage trafficking' overseas.

This briefing note has been written to give Australian churches an overview of the issue and an understanding of the likely ramifications of the legislation for churches which engage in short-term missions (STM) and/or are funding overseas 'orphanages' (any form of residential care for children, hereby called RCIs).

BACKGROUND

In February 2017, Attorney General Senator George Brandis QC requested that the Joint Standing Committee on Foreign Affairs, Defence and Trade launch an inquiry into modern slavery in Australia and report on establishing a Modern Slavery Act in Australia. The purpose of the proposed act is to eliminate slavery with respect to Australian supply chains.

One of the aspects of slavery and trafficking that the Joint Committee has included in its inquiry scope is 'orphanage trafficking'. Orphanage trafficking is defined as the active recruitment of children from families and communities into residential care institutions in overseas countries for the purpose of foreign funding and voluntourism.

As Australia is a key donor and volunteer sending country with respect to overseas RCIs, the issue has links to the supply chains of several sectors in Australia, including charities, as well as tourism and faith-based organisations. It is for this reason that it was included in the scope of the inquiry.

EXPLANATION OF ORPHANAGE TRAFFICKING

As with all types of trafficking, orphanage trafficking is driven by demand, which must be met with a ready supply. The demand is for 'orphans in orphanages' who can be marketed to overseas donor communities as 'alone', 'abandoned' and 'in need of care' thus creating a perceived need for funding and volunteers to support the RCIs. However, as the number of orphanages (and amount of available funding for them) well exceeds the legitimate demand for residential care in many countries, children who don't legitimately require care are trafficked into care to meet the deficit in 'supply'. The traffickers who connect the demand and the supply are those who actively recruit the children from their families and broker their placement into an RCI. These traffickers are sometimes orphanage directors or staff of RCIs, or in other cases they are middle men who scout for children in largely poor and rural communities and receive a fee from the RCIs for each child placed, or receive payment from the children's families to take them to an RCI to access education or other services.

The trafficking of children into residential care has therefore emerged as a means for unscrupulous individuals and organisations to profit from the gap between the perceived and actual need for residential care in developing country contexts.

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THE EXPLOITER AND THE EXPLOITED. WHO IS WHO?

It is important to note the donors and volunteers are not the traffickers in this equation, nor do they stand accused of exploiting the children in the residential care institutions they fund or visit. They are largely good people who want to help vulnerable children. Unfortunately, their good intentions and concern for orphaned and vulnerable children are being commodified and exploited by organisations and individuals who have realised that keeping children in residential care is a profitable business, as well as companies which profit from organising voluntourism experiences and placements in residential care institutions. Therefore, whilst the foreign funds and volunteers are fuelling the demand, they are not responsible for creating it.



HOW IS DEMAND CREATED?

Companies, charities and NGOs (herein referred to as 'organisations') are producing marketing and promotional materials that are essentially creating the demand. Through promoting stories which perpetuate an 'orphan myth' or 'myth of an orphan crisis', these organisations are appealing to donors and volunteers to help orphans by donating their time and money to RCIs.

In numerous cases, the children's identities have been falsified, either through false documents such as parents' death certificates, and in other cases, in the profiles sent to potential donors. These children are called 'paper orphans'. In reality, it is rare to find an orphan in an orphanage. In fact, 80% of children in care have parents and families who are often erased from the children's stories and lives.

Sometimes organisations don't go to the extreme of producing falsified documents but falsify stories about the children's histories and reasons for entry into residential care in donor communications. This is done to create a perception of need, desperation and dependence on the organisation – once again in pursuit of funding. The most common are false claims of abandonment, orphanhood, claims of being rescued from trafficking or found at significant risk of being trafficked.

Where fabricated stories are used to legitimise keeping a child in residential care for the purpose of seeking foreign funding, then exploitation of both child and donor is at play and these children may in fact have been trafficked into the RCI. Demand is created in another way too – through keeping children in slave-like conditions in RCIs to elicit the sympathy of foreign visitors and volunteers.

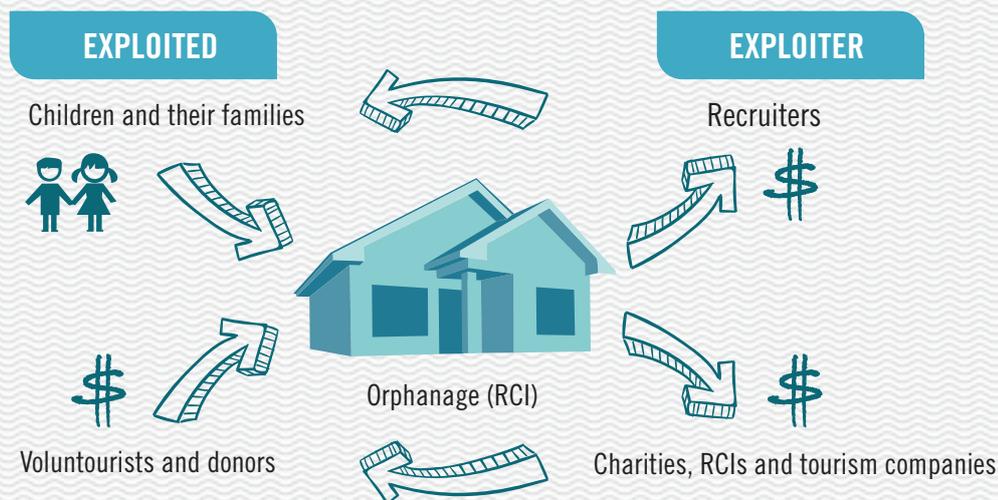
There is ample evidence of situations where children have been kept intentionally undernourished, and in substandard or dangerous living conditions because foreign volunteers witnessing this situation are much more likely to give finances to rectify it.

Unfortunately, those funds don't always get used to better the children's lives. Goods donated are often kept locked in cupboards out of the children's reach – and the sights of subsequent volunteers – or sold at local markets to profit the RCI directors. This act of harbouring children in unsafe conditions within RCIs and/or denying them their basic needs and rights for financial gain constitutes modern slavery.

In countries like Cambodia, children themselves are used to stir demand. They are sent into tourist districts to invite tourists to 'orphan shows' at the RCIs where they will dance and sing for donations. They are kept out of school to be available to perform on demand for visitors and volunteers. Needless to say, this practice is highly exploitative and unethical.

SUMMARY OF THE SUPPLY CHAIN IN THE ORPHANAGE INDUSTRY

In summary, the supply chain associated with the trafficking of children into RCIs looks like this:



WHAT DOES THIS HAVE TO DO WITH MY LOCAL CHURCH?

A recent study conducted in Australia revealed that 51% of church attendees across 14 denominations in Australia donated to overseas orphanages. A total of 14% of all church attendees who volunteered overseas had volunteered in an overseas orphanage.¹ This demonstrates that the Australian church is a key supporter of overseas orphanages.

The significant amount of support for overseas residential care institutions emanating from the church makes perfect sense. As the church, we care for vulnerable children; in fact, we are Biblically mandated to do so. We care about children's safety and wellbeing and our faith requires us to act on our love and concern. Two of the primary ways we can do this is by giving of our finances and by either going overseas to volunteer or going on short-term mission trips. These trips often, as the research shows us, include visiting children in residential care institutions, or serving them in some capacity.

“This love and concern, which is widely recognised within and outside of the faith-based sector, makes the church and believers key targets for those wishing to financially profit from programs purporting to ‘assist vulnerable children’.”

Our willingness to help in some settings being commodified and we are being exploited financially. This exploitation happens through our giving and our going, and in fact these two acts are integrally connected.

1. Pepper, M 2017 NCLS Commissioned Research Summary Report, ACCI.

‘GOING’ - SHORT-TERM MISSION TRIPS

Inviting short-term teams to visit an orphanage whilst overseas is another key way RCIs connect with potential donors, maintain existing donors, or receive one-off donations and goods from visitors.

“They know as well as we do, that when we send teams to visit these children, team members develop an emotional connection with them and that connection is much more likely to result in a financial contribution, one-off or long-term, than a newsletter or website will ever do.”

Again, when people can see there is a demand for STM teams to visit children in RCIs and that this leads to one-off or ongoing support, then they may take advantage of this and children are at risk of being exploited. Even when the RCI a given team visits is not exploiting the children in their centre, visiting or volunteering in any RCI contributes to the overall perception of demand and therefore still plays a role in fuelling the orphanage industry itself.

There are other reasons why having STM teams visiting an orphanage isn't a good idea. These include the impact a revolving door of volunteers can have on children's psychological development and the risk of exacerbating attachment issues. It also exposes children to greater child protection risks as opening the doors to visitors provides an avenue for those with intent to abuse the children to gain access to them.

Download ACCI's Child Protection in Short-Term Mission Manual for more information on this and a toolkit that will guide your church to engage in child-safe and ethical short-term missions.
<http://bit.ly/accistm>

WHAT WILL THE LEGISLATION AFFECT?

We will not know for sure until it is drafted and passed, however a ban on facilitating orphanage tourism is likely to affect **any Australian individual or organisation which facilitates orphanage tourism in any form including:**

- Australian tourism providers which include a trip to or volunteering stint in an orphanage as a component of their travel packages.
- Australian volunteer companies which place people in RCIs to volunteer for a given period of time for a fee.
- Australian charities which advertise and organise visits or short-term volunteering stints in overseas orphanages. This may include church-based organisations facilitating STM to orphanages.

This does not mean that the above listed organisations or companies are being accused of trafficking. Rather the Australian Government is utilising the Australian legal framework to prevent Australia from continuing to drive the demand of this type of slavery and trafficking.

It is highly likely that the legislation will be extra-territorial, which means as well as covering the facilitation of orphanage tourism by organisations, companies and individuals operating within Australian borders, it will extend to Australians involved in facilitating orphanage tourism overseas. It cannot however extend to cover the actions of non-Australian recruiters operating overseas. This must be addressed under the legal framework of those respective countries.

WHAT THE LEGISLATION IS UNLIKELY TO AFFECT

Skilled volunteers

Whilst we believe there is no place for orphanage tourism or voluntourists in orphanages (including STM teams), there can be a role for longer-term skilled volunteers who can provide specific technical skills to support RCIs to transition as a part of care reform. Skilled volunteering that does not contribute to care reform in some way will in most cases contribute to the ongoing inappropriate use of RCIs and therefore is a part of the problem not the solution. This is not something we recommend.

Skilled volunteer placements that do contribute to an RCI's transition and care reform more broadly should be able to be facilitated under the structures and guidance of reputable and qualified NGOs which are working with the RCIs for that purpose. These things are complex and need to be well coordinated.

Funding RCIs

The legislation will unlikely affect funding emanating out of Australia. This is a much more nuanced aspect of the issue as, whilst funding is the ultimate driver of the demand, we need Australians to continue to fund children whilst they are being reintegrated out of RCIs and fund RCIs to transition to non-institutional services such as family-based care and community development programs. Cutting of the funds where there is a willingness on the RCI's behalf to change can negatively affect reintegration and children's outcomes.

It is probable that more guidance around funding RCIs will be incorporated into the various charity sector regulations and guidelines and we would welcome this. This will most likely aim to ensure RCIs under transition can continue to be funded to do so safely and to allow funding to continue to flow to organisations demonstrating good practice in alternative care and reintegration (likely based on the UN Guidelines on Alternative Care).

In the meantime, we encourage all churches donating to orphanages to do a due diligence check on them (use the ACCI orphanage checklist form online) and ensure that you are not funding an orphanage that is institutionalising children unnecessarily, operating unlawfully or using care as a long-term option contrary to international child rights law.

If you discover you are partnering with an orphanage that isn't measuring up to good practice, then we encourage you to be the voice that advocates for that RCI to change. **You have more power as a donor than you probably realise and we encourage you to start the conversation.** ACCI has resources that can help you with this journey and we are happy for you to contact us for support.

If the orphanage you support refuses to engage with good practice and change, then we recommend you give them notice of your intention to cease funding. These are usually the orphanages that are profiting from the status quo and that is why they won't change. In that case, the children's best interest is not the central concern and the likelihood is that the children are being commodified and both donors and children exploited.

SUMMARY OF RECOMMENDATIONS

1 Engage in ethical STM

Don't facilitate visits to orphanages or volunteering in orphanages in the context of STM trips and don't agree to visit an orphanage if the trip facilitator suggests it or adds it to the itinerary. There are so many other worthwhile things you can learn about and do whilst on a STM that will benefit communities and the members of your church.

Resource: STM manual: <http://bit.ly/accistm>

2 Conduct a due diligence check

If you financially support a residential care institution (orphanage, children's home, children's village etc), conduct a due diligence check and address any issues you discover.

Resource: Orphanage check list: <http://bit.ly/orphchecklist>.

Partnership Due Diligence Check: <http://bit.ly/duedilcheck>

3 Advocate for children and families

Share your knowledge with your congregation. Many individual Christians visit orphanages (with the right intentions) whilst overseas, or donate to an orphanage independently of the church. Encourage people to keep on caring for vulnerable children but to exercise wisdom and care in the right way.

Resource: ACCI Kinnected videos: kinnected.org.au/videos

FAQ's: kinnected.org.au/resources

4 Support programs that preserve and strengthen families.

This could be by supporting children to be reintegrated out of RCIs, supporting RCIs to transition to non-institutional programs, supporting family-based care (foster care and kinship care) or supporting community strengthening programs.

Resource: Kinnected website: kinnected.org.au

5 Avoid establishing new funding partnerships with long-term RCIs

Unless it is for the explicit purpose of helping the RCI transition and the children's reintegration, prioritise funding organisations who seek to preserve families or provide family-based care.



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