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Protection and promotion of the rights of children working and/or living on the street

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Summary

The present report analyses the circumstances of children working and/or living on the streets. It concludes that the actual number of children who depend on the streets for their survival and development is not known and that the number fluctuates according to socio-economic, political and cultural

conditions, including growing inequalities and patterns of urbanisation. The report analyses the causes that lead children to the street and the challenges they face in their everyday lives. It recognises that before reaching the streets, children will have experienced multiple deprivations and violations of their rights.

The report makes a number of recommendations to States and draws attention to this moment of opportunity when States are developing or strengthening comprehensive child protection systems; civil society organizations are consolidating promising specialized interventions; data collection is becoming more systematic and

research more participatory. As requested by the Human Rights Council, children working and/or living on the street have been consulted in the preparation of the present report. Investing in children in street situations is essential to building a society that respects human dignity, because every child counts.

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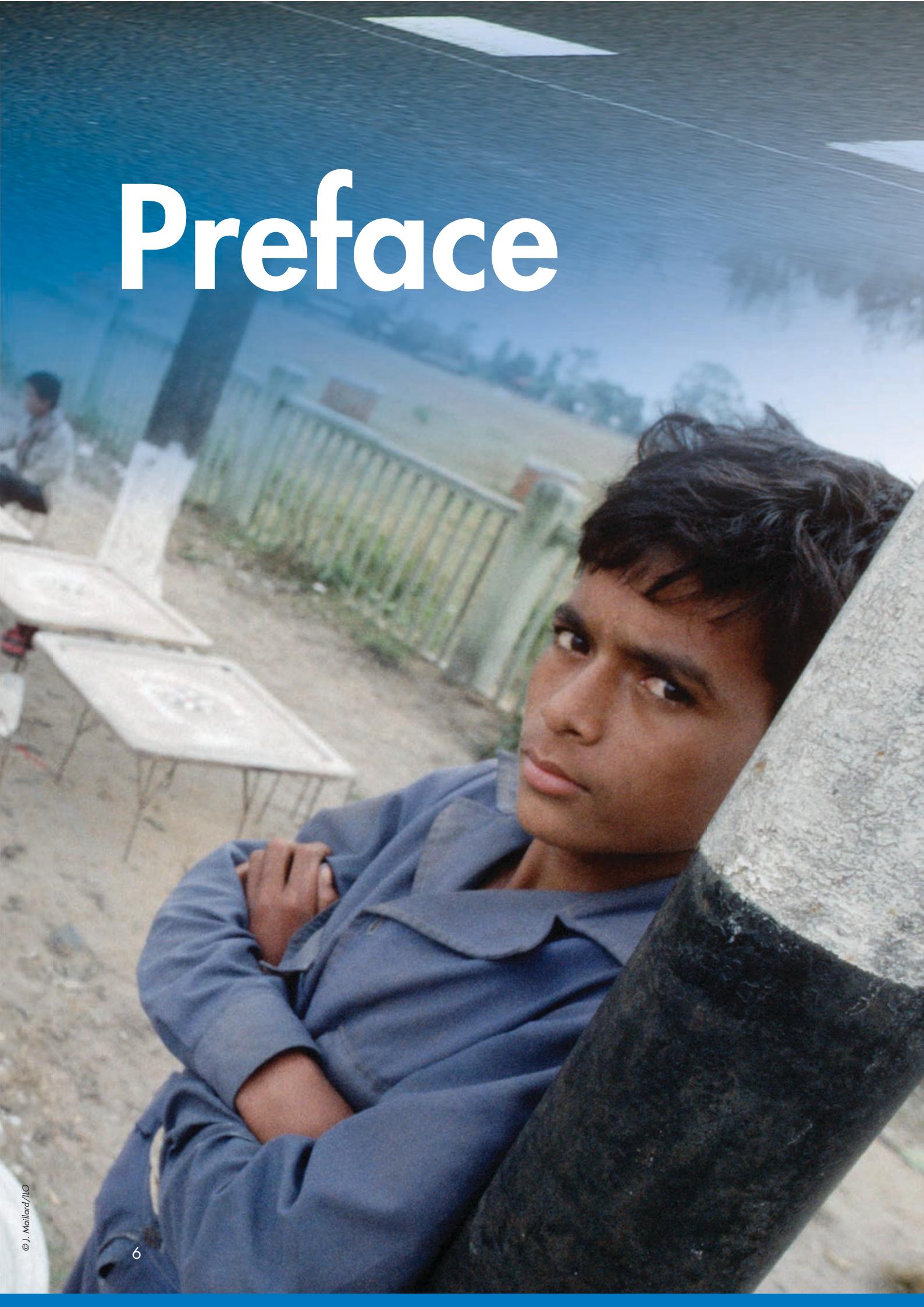
NOTE

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This report, prepared by the Office of the High Commissioner for Human Rights, has been produced through a unique cross-sector partnership with the Consortium for Street Children, Aviva and UNICEF.



Preface



Human Rights Council Resolution 16/12 on the protection and promotion of the rights of children working and/or living on the street attracted more co-sponsors than almost any other resolution since the creation of the Human Rights Council in 2006. Such high support testifies to States' recognition of the importance of advancing an issue which had not been a direct focus of UN attention since the early 1990's when it was discussed on several occasions at the General Assembly and the then Human Rights Commission. This report, prepared by the Office of the High Commissioner for Human Rights (OHCHR) through a unique cross-sector partnership with the Consortium for Street Children, Aviva and the United Nations Children's Fund (UNICEF), concludes that the number of children in street situations fluctuates according to socio-economic, political and cultural conditions, including growing inequalities and patterns of urbanization. It recognizes that before reaching the street, children have experienced multiple deprivations and violations of their rights, which leads to them developing strong connections to the street.

A rights-based approach starts from the premise that all children are "rights holders". All children, irrespective of their economic status, race, colour, sex, language, religion, national, ethnic or social origin, property, disability, birth or any other status have the same rights and are entitled to the same protection by the State. While the Convention on the Rights of the Child, an international instrument

with almost universal ratification, makes no special reference to children working and/or living on the street, all its provisions are applicable to them.

Children living and/or working in the streets cannot be considered as a social problem but, instead, as human beings with full potential to contribute to society and as positive agents for change. They must be able to participate in matters affecting them and be empowered to speak up for the fulfillment of their rights. Effective strategies to protect children with street connections must ensure their participation in the design, development and evaluation of programmes to support them. This is a moment of opportunity, as States are developing and/or strengthening comprehensive child protection systems; civil society organizations are consolidating promising specialized interventions; data collection is becoming more systematic; and research studies adopt an increasingly participatory approach.

We hope that this report will serve as a platform for future work at national, regional and local levels, as investing in children who are in street situations is an essential ingredient to building a society which respects human dignity and human rights.

Office of the High Commissioner for Human Rights
United Nations Children's Fund
Consortium for Street Children
Aviva





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I. Introduction

1. This report is submitted to the Human Rights Council pursuant to resolution 16/12 of 24 March 2011, in which it invited the Office of the High Commissioner for Human Rights (OHCHR) to conduct a study on challenges, lessons learned and best practices in a holistic, child rights and gender-based approach to protect and promote the rights of children working and/or living on the street and to present it to the Council at its nineteenth session. It also requested OHCHR to conduct the study in close collaboration with relevant stakeholders, including States, the United Nations Children's Fund (UNICEF) and other United Nations bodies and agencies, the Special Representative of the Secretary-General on violence against children, the Special Representative of the Secretary-General for children and armed conflict, the Special Rapporteur on the sale of children, child prostitution and child pornography and other relevant special procedures mandate holders, regional organizations, civil society, national human rights institutions as well as children themselves.

2. Contributions were received from States, intergovernmental organizations, national human rights institutions, non-governmental organizations (NGOs), academia and individual experts. On 1 and 2 November 2011, OHCHR, with the support of Aviva,¹ the Consortium for Street Children and UNICEF, organized an expert consultation on children working and/or living on the street,

to gather input from different stakeholders. Two documents were commissioned by OHCHR for this process: a global research paper by independent consultant, Dr. Sarah Thomas de Benitez; and a paper on the views of children led by the Consortium for Street Children. Both documents, as well as the results of the consultation, written submissions, input from States and other stakeholders informed the preparation of this report. All these documents and information about the process are available at <http://www.ohchr.org/EN/Issues/Children/Study/Pages/childrenonthestreet.aspx>.

II. International legal standards

3. The international legal framework establishing the obligations of States in relation to children has never been as comprehensive as it is today. The 1989 Convention on the Rights of the Child constitutes the main international instrument for the promotion and protection of the rights of the child, and it applies to all children in all circumstances. Its almost universal ratification demonstrates the importance that States accord to the protection and promotion of the rights of children. The Convention is unique as the first legally binding instrument to take a holistic approach to the rights of the child. It covers a whole range of rights – civil, political, economic, social and cultural; establishes a framework of

¹ Aviva is the world's sixth largest insurance group and the largest in the United Kingdom (www.aviva.com).



duties for different actors; marks a milestone in recognizing all children as rights holders and reaffirms the general principles of best interests of the child, non-discrimination, participation, survival and development as the framework for all actions concerning children.

4. All children, irrespective of their economic status, race, colour, sex, language, religion, national, ethnic or social origin, property, disability, birth or any other status have the same rights and are entitled to the same protection by the State. While the Convention makes no particular reference to children working and/or living on the street, all its provisions are applicable to them.

5. The Committee on the Rights of the Child, the body of experts in charge of monitoring the implementation of the Convention, regularly raises the issue of children in street situations in its dialogue with State parties, and refers specifically to their situation in several of its general comments, in particular No. 13 (2011) on the right of the child to freedom from all forms of violence, No. 12 (2009) on the right of the child to be heard and No. 10 (2007) on children's rights in juvenile justice. Other treaty bodies have also referred to the situation of children, both boys and girls, living and working in the street, and have made recommendations in this regard.

6. In addition to the Convention, its Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict and the recently adopted Optional Protocol on a communications procedure, it must be noted that all core human rights treaties apply to both adults and children; indeed, some contain specific provisions relating to children, such as article 7 of the Convention on the Rights of Persons with Disabilities. Other international instruments also are key to the protection of children working and/or living on the street, particularly those dealing with child labour, trafficking, juvenile justice and alternative care for children. These include the Minimum Age Convention No. 138 (1973) and Worst Forms of Child Labour Convention No. 182 (1999) of the International Labour Office, which distinguish between acceptable work carried out by children and economic exploitation, or child labour, of which total abolition should be achieved.

7. Another essential instrument that protects the rights of children in street situations, given their risk of being trafficked, is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. There are also several non-binding instruments which set standards on juvenile justice, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules). The recently adopted Guidelines for the Alternative Care of Children are intended to enhance the implementation of the Convention on the Rights of the Child and other international instruments regarding the protection and well-being of children deprived of parental care. They provide guidance on policies and practices for the alternative care of children.

III. Children and their connections to the street

A. TERMINOLOGY AND FIGURES

8. The term "street child," used by the Commission on Human Rights in 1994, was developed in the 1980s to describe "any girl or boy [...] for whom the street (in the broadest sense of the word, including unoccupied dwellings, wasteland, etc.) has become his or her habitual abode and/or source of livelihood, and who is inadequately protected, supervised or directed by responsible adults." At that time, "street children" were categorized as either children *on* the street, who worked on the street and went home to their families at night; children *of* the street, who lived on the street, were functionally without family support but maintained family links; or abandoned children who lived completely on their own.

9. Research in the 1990s found these categories did not accurately reflect the children's circumstances or experiences. It was also generally agreed that the term "street child" carried negative connotations. Although the term can be used pejoratively, some street children and their representative organizations use it with pride.



Today, "street children" is understood as a socially constructed category that, in practice, does not constitute a homogeneous population, making the term difficult to use for research, policymaking and intervention design.

10. Terminology has continued to evolve to recognize children as social actors whose lives are not circumscribed by the street. Human Rights Council resolution 16/12 refers to children working and/or living on the street, and the Committee on the Rights of the Child has adopted the term "children in street situations," recognizing that children engage in numerous activities on the street and that if there is a "problem" it is not the child, but rather the situations in which s/he finds her/himself.

11. As recognized during the expert consultation, new terminology is emerging which emphasizes relationships and "street connections," drawing attention to choices children make in developing relationships on the street, alongside other connections they have with their families, neighbourhoods and schools. Most children have some connections with the street (for play, socialization, leisure and consumption) but are not reliant on public spaces for their development; they have stronger connections with family, school and peers in the community. Taking a holistic approach that understands children as growing and developing within a series of inter-connected environments, the term "street connections" recognizes that the street may be a crucial point of reference for some children, even when they are not physically present there. Street connections can become vital to children's everyday survival, their selection of coping strategies, and their identity development. A street-connected child is understood as a child for whom the street is a central reference point – one which plays a significant role in his/her everyday life and identity.

12. This report acknowledges there are a number of terms and definitions in use, including "children working and/or living on the street," "children in street situations" and "children with street connections," each having the potential to offer distinctive insights and to encourage new avenues of research. At the same time, contested definitions and evolving terminology have made it difficult to estimate the number of children in street situations.

The frequently cited global estimate of more than 100 million street children has been questioned. Research undertaken for this report concludes that global estimates of the number of children in street situations have no basis in fact, and we are no closer today to knowing how many children worldwide are working and/or living in the streets. There is general agreement that estimates in the 1980s were exaggerated, but a rapidly urbanizing and growing global population, together with increasing inequalities and migration, suggest that numbers are generally increasing, including in richer regions. The number and flow of children onto the streets of a given city or country may fluctuate significantly according to changes in socio-economic and cultural-political contexts, availability of protection services and patterns of urbanization.

13. A number of country-wide analyses in countries as diverse as Romania, Mexico, Zimbabwe, Egypt, Georgia and Turkey, as well as contributions to this study from States, demonstrate the complexity of making reliable estimates of children in the streets. What is known is that children with street connections form a relatively small proportion of the global population of children, and international concern should be less about numbers and more about the persistence of appalling conditions that force children to choose to move onto urban streets.

B. CHARACTERISTICS AND EXPERIENCES

14. Street children have typically been represented as male, aged around 13 or 14, engaged in substance abuse, early sexual activity, delinquency, and either orphaned or abandoned. These stereotypes reflect public attitudes towards street children more than the reality of individual children's lives. Such representations are problematic because they fail to capture diverse realities of children's lives. Children seen as "victims" are more likely to be treated as passive objects of welfare rather than as rights holders, while children seen as "delinquents" are more likely to be subjected to violence and to end up in the penal system.

15. In reality, the characteristics of children on the streets are very diverse. While in many cities, children in street situations are predominantly male, in some places, girls outnumber boys (a 2005



study in Mali and Ghana found that in Bamako, the large majority of children counted were boys, while in Accra, three out of four were girls).

Similarly, some children are born on the streets but others move onto the streets only in adolescence. Discrimination around ethnicity also shapes risks faced by and opportunities open to children. In some Latin American countries, for example, a disproportionate number of indigenous children are in street situations. Experiences of street work, sexual activity and substance use are similarly diverse, reflecting government policies, local cultures, formal and illegal market realities, social transformations and inequalities, as well as children's characteristics and experiences.

C. CAUSES LEADING CHILDREN TO THE STREET

16. Traditionally, economic poverty and family breakdown or abandonment of children were held in combination to be the main causes of street children.

However, conventional wisdom has been challenged in both respects. First, while poverty can be an important pathway to the street, the great majority of children who live in economic poverty do not end up in the streets. Second, while many families of children in street situations have been identified as fragile, violent or unstable, orphaned or abandoned children are more unusual. Most families of street-connected children have experienced persistent discrimination, poverty and social exclusion within societies where inequalities are high and/or growing. Few have received economic support, child-care assistance, help to ensure that absent parents assume responsibilities towards their children, access to mental health or drug rehabilitation services.

17. Overwhelmed families often struggle to cope in overcrowded, inadequate housing, with increased health risks and poor access to basic services, sometimes migrating or moving between poor neighbourhoods. Unstable, often violent circumstances can weaken children's family connections as well as their access to adequate schooling, educational performance, friendships and other relationships, weakening their connections to school and community.

18. Other pathways to the street include HIV/AIDS, harmful practices such as early and forced marriages, natural disasters, war and internal displacement. These, alongside experiences of violence, abuse and neglect at home, can be understood within a framework of significant income



inequalities, a poor socio-cultural context and inadequate social protection that together deprive children of many of their rights.

19. These are often called “push” factors, that is, causes that encourage or force children onto the street. There are also “pull” factors that can help make the street attractive to a child – although these play a much smaller role in leading children into street situations. Pull factors include spatial freedom, financial independence, adventure, city glamour and street-based friendships or gangs. These can develop over time into strong street connections that, combined with social stigma and prejudices, make it difficult for children to find desirable options off the street. Each child has a unique story of push and pull factors that led him or her, sometimes repeatedly and in different ways, to develop street connections.

D. CHALLENGES FACING CHILDREN IN STREET SITUATIONS

20. The most complex challenge faced by children in the streets is dealing with the perceptions of those around them and the treatment they are consequently afforded. It should be borne in mind that the majority of these children have already experienced multiple violations of their rights before spending time on the streets, whether at home or in care, including in institutions such as orphanages, detention centres, rehabilitation centres and juvenile justice institutions.

21. A rights-based approach starts from the premise that all children are “rights holders.” In reality, children in street situations are deprived of many of their rights – both before and during their time on the streets – and while on the street, they are more likely to be seen as victims or delinquents than as rights holders. Whether a child is viewed as a victim or a delinquent depends on who is viewing and the social attitudes towards the children’s characteristics (age, gender, ethnicity, religion, etc) and the activities in which he or she is engaged (selling flowers versus sniffing glue). A child seen as “victim” might be subjected to further abuse or exploitation or might be “rescued” from the street (welfare approach) and perhaps placed in a children’s shelter. A child viewed as “delinquent” might be targeted to join a criminal group, driven

away by local businesses or detained by police for processing in the penal system (repressive approach).

22. Both the welfare and repressive approaches fail to take into account the child as a rights holder or put the best interests of the child first. From a rights-based perspective, the greatest challenge faced by a child in a street situation is being recognized and treated as a rights holder.

23. A related challenge in the street is managing relationships – whether abusive, exploitative and/or supportive – with family and friends, government officials, including the police, NGO workers, the local business community, employers, gang leaders and members, and the public. Children’s relationships can help them survive on the streets and/or perpetuate conditions of violent abuse of their rights. The nature and intensity of on-street relationships are mediated in part by the socio-cultural context, and in part by characteristics such as gender and age (for example, younger children and girls may need to adopt submissive roles in gangs to obtain some degree of protection).

24. Other, more specific challenges present in wider society can be exacerbated in street situations, particularly those related to access to basic services, and physical and mental health issues. Challenges can include disproportionately high rates of substance abuse, HIV/AIDS, sexually transmitted infections, pregnancy, random violence, suicidal thoughts, exposure to pollution and traffic accidents. Children in the streets – particularly those who spend time living there – are also likely to lose access to basic services to which all children are entitled, either because they lack the identity documents deemed necessary for health care, schooling, etc., or because establishments or individual officers discriminate against them. According to a 2011 UNICEF report on HIV among adolescents in Ukraine, children working and/or living on the streets in Ukraine were found to be disproportionately vulnerable to HIV due to several behavioural factors: 22 per cent had experience injecting drugs; 65 per cent of girls provided commercial sex services or “sex for reward”; 7 per cent of boys reported having had sex with men; and only 13 per cent always used condoms with casual sexual partners.



E. VIOLENCE AGAINST CHILDREN IN STREET SITUATIONS

25. All children have the right to freedom from all forms of violence, as recognized by the Convention on the Rights of the Child and GC-13 on art 19 of the Convention. According to the Committee on the Rights of the Child, children in street situations are at high risk of suffering violence, particularly torture and inhuman or degrading treatment or punishment. Indeed, a pervasive thread running through the challenges faced by street-connected children is their persistent exposure to and direct experiences of violence, whether physical, sexual and/or psychological in nature. Life stories of children with street connections are infused with violence, often from an early age.

26. One result is that children moving onto the street can evidence anything from psychological distress to profound trauma. While the streets can offer respite from domestic or community-based violence, they expose children to other settings for and forms of violence, including daily psychological violence through stigmatization and intimidation of street children; random physical and/or sexual violence by other street inhabitants or members of the public; expressions of violence within street gangs; by organizers of forced sex-selling or vagrancy; by local businesses; through forcible police round-ups; premeditated rapes and extrajudicial killings. In its recent concluding

observations on Cambodia (CRC/C/KHM/CO/2), the Committee on the Rights of the Child expressed concern about the “cleaning up the streets” operations conducted by police, such as one in early 2008, during which many children in street situations were sent to rehabilitation centres, illegally confined and subjected to a variety of abuses which, in some cases, resulted in death, including by suicide.

27. During the preparation of this report, the issue of violence against children by the police was repeatedly raised. It should be noted, that many children reported having received friendly advice and support from some police officers. However, abuses by the police are rarely investigated and impunity is commonplace. Without appropriate, child-sensitive counselling, complaint and reporting mechanisms to which street-connected children can report incidents of violence, police impunity is likely to continue.

28. Such extensive exposure to violence underlies children’s other challenges in the street and carries serious consequences for long-term health and personal development through adolescence into adulthood. Children’s ability to trust and form attachments may be severely damaged, with potential effects for their development of future relationships. The costs to the children, their family and friends and society as a whole are heavy. Understanding the effects of violence is critical to protecting children.



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IV. Roles and responsibilities

29. Under international human rights law, States, as the principal duty bearers, are accountable for respecting, protecting and fulfilling children's rights within their territories. While States play the role of the principal duty bearer for all children – including street-connected children – other non-State entities, professionals and individuals are also recognized by the Convention on the Rights of the Child as duty bearers in the fulfilment of children's rights. They include parents and families, teachers, doctors and social workers, employers and/or probation officers. States have the obligation, as principal duty bearers, to ensure that the secondary duty bearers have the knowledge and means to carry out their specific obligations.

30. Protecting children and preventing experiences of multiple deprivations implies taking a holistic approach that understands children's relationships as interdependent and interconnected, and therefore recognizes that rights can be violated – but also defended – by a range of duty bearers within the family, the community and wider society, including the international community. Defending children from violence and other rights violations that push children into developing connections with the streets requires a coordinated and comprehensive approach across government departments (from finance, through trade, employment, social sectors – such as recreation and sports, health, education and social well-being) and with the involvement of duty bearers at the family and community levels.

31. Such an approach can only work if an overarching system to protect children is put in place – a system in which duty bearers understand and assume their roles and responsibilities and can be held accountable for protecting children's rights. Clear delineations of the roles and responsibilities of each duty bearer must be explicitly agreed in codes of conduct, memoranda, protocols or manuals to avoid children falling into gaps between services, and inefficient, potentially harmful, duplication when the limits of roles and responsibilities are not clear. Accountability is necessary to ensure that when children's rights are violated, the corresponding duty bearers can be identified and held accountable.

32. Comprehensive child protection systems (CPS) are being developed and strengthened in many countries in response to these needs as an organizational form consistent with a rights-based, holistic approach, capable of delineating roles and responsibilities, with integrated mechanisms for reporting by children and other data collection, quality standards, research and analysis, for accountability. However, a systems approach is conceptually a relative newcomer to social work and child protection, so child protection systems are still a work in progress, and as yet there is no precise, commonly agreed, definition or description of such a system. UNICEF proposed the following working definition: "Child protection systems comprise the set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection related risks"² – a far-reaching definition which includes laws and policies as well as services across all sectors relevant to children. Save the Children has identified 11 key components for a successful national CPS, namely, a legal framework, a national strategy, a coordinating agency, local protection services, child-friendly justice, child participation, a supportive public, a trained workforce, adequate resources, standards and monitoring mechanism and data collection systems.³

33. A fully functioning CPS is likely to greatly improve protection for all children, including those at the highest risk of moving into street situations. A priority area for protecting children from the multiple deprivations that push children into developing street connections is the provision of support for families and other carers at the community level to ensure children are safe and can access their rights. Examples of such support might include universal child benefits through payments to the main carer; tax relief and economic support for single heads of household, incentives for fathers to support their children and play positive parenting roles, early detection of domestic violence and local protection schemes, provision of pre-school and after-school child care in the local community.

² See E/ICEF/2008/5/Rev.1, para. 12.

³ See Save the Children, "Keys to successful national child protection systems," May 2011.





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34. It is clear from experience that developing a government-led, multi-stakeholder, national CPS, using existing legislation and social values, which is rights-based in practice and capable of protecting children from multiple deprivations takes time, financial resources, as well as significant consultation and commitment. Evidence suggests that emerging child protection systems should focus on core areas of child protection, social well-being, justice and security. Early introduction of data collection systems and research mechanisms have been found useful – for example in West Africa – for periodic mapping and analysis of progress to address problems and recognize early successes.

35. Specialized interventions offer children who develop street connections the personalized support they need to access their rights. In line with a rights-based, holistic approach, these specialized interventions should take a child-centred approach; accompany each child over time to build a relationship, consider effects of multiple deprivations and understand his or her street connections; ensure he or she can have full access to basic services; offer and/or refer the child to specialized services (psycho-social counselling, support for drug abuse, trauma therapies, empowerment through sports, complaint and reporting mechanisms, support services) that can help the child to (re)connect positively with family and local community services. Such interventions do not necessarily imply that a child should renounce his or her street connections, but rather than his or her access to rights should be fully guaranteed.

36. Evidence suggests that specialized interventions that are tailor-made and personalized are better managed by small groups close to the

ground, whose size allow flexibility and whose expertise is in local street connections. These interventions should be firmly linked to a national CPS to be able to coordinate children's access to the range of basic services. When States are unable, in the short-term, to provide necessary resources and support, the private sector, academia and the international community might be engaged as partners to ensure that specialized interventions by delegated duty bearers have the means and capacity to fulfil the rights of children who have developed strong connections to the street.

V. Criteria for good practices

37. There are many examples in all regions of initiatives developed by States and non-State entities that seek to address rights violations experienced by children in street situations. These include:

- Local policies: designed in close consultation with civil society, academia and community groups, for example in the city of Rio de Janeiro, Brazil, around railway stations in India and as part of Canada's Homelessness Partnering Strategy to make a range of services available to young persons with street connections;
- Training for law-enforcement officers on child rights and child protection: initiated by some States, for example in 2008-2009, the Consortium for Street Children partnered with Ethiopia's Police University College and UNICEF to train police trainers, who have since, in turn, trained 36,000 police officers throughout the country;



- Outreach support on the street by social street workers trained in child-centred approaches: increasingly used as a participatory approach to building relationships with children over time in their own spaces in cities as diverse as Kinshasa, Mexico City, New Delhi and Brussels;
- Support for families: the focus of organizations in a number of countries, for example, Safe Families Safe Children Coalition is a group of organizations working together across the globe to strengthen family relationships to create home environments where street-connected children can gain sustainable access to their rights.

38. The above examples illustrate the broad agreement that identifying and sharing good practices contribute to safeguarding children's rights. There has, however, been little research into what "good practice" means in relation to children with street connections. And there is no agreement about what constitutes good practice in arenas as diverse as procedures for reporting violations of children's rights; public-private-NGO partnerships; child protection systems; street-based services; support for families; research; capacity-building, knowledge sharing and organizational development; advocacy; policies and strategies; budgets and financing mechanisms; legislation; international cooperation for street-connected children. Criteria for good practice need to reach across all levels of practice that concern children with street connections.

39. For this study, 10 criteria were developed as a basis for discussion. Five are cross-cutting criteria which coincide with three general principles of the Convention on the Rights of the Child and should always be evident in good practices; five are normative criteria reflecting experiences of children with street connections, which may or may not be relevant in all practices, namely, safety, availability, accessibility, quality and flexibility.⁴

40. The cross-cutting criteria which should form the basis of good practices are as follows:

- (a) **Best interests** of children in street situations must be a primary concern in all actions that concern them – by parents, carers, lawmakers, policymakers, welfare institutions and those who influence or control resource allocation, including decisions throughout

government, parliament and the judiciary, as stated in the Committee's general comment No. 5 (2003) on general measures of implementation of the Convention.

Non-discrimination: children in street situations have the right to be treated as all other children. Equality does not mean that rights have to be delivered in the same way; the best interests of each child determine how that child's rights can best be achieved. Explicit discrimination includes vagrancy laws and policies allowing street children to be detained for survival behaviours; implicit discrimination includes requiring birth certificates to access health care or education.

(c) **Participation** is a right and a practical imperative. The opinion of street-connected children should inform policies, plans and interventions designed to address them. Street-connected children may have difficulty forming positive relationships with adults, therefore care, consistency and respect, built over time, are important to ensure their meaningful participation.

Accountability on the part of courts and tribunals, which should respect street-connected children by listening to them and taking due account of their views and experiences; offering child-friendly justice; having staff trained in child-friendly procedures and child rights; using language that can be understood by street-connected children; and enforcing judgments. Children who are victims of violations are entitled to reparation, restitution, compensation and guarantees of non-repetition. Mechanisms for accountability should ensure States and other actors comply with their obligations to children, for example through monitoring and evaluating practices; receiving and responding to complaints; providing remedies or redress for human rights violations.

⁴ For details of the normative criteria and examples of the cross-cutting criteria, please refer to the Global Research Paper presented to the Expert Consultation on 1-2 November 2011, available at <http://www.ohchr.org/EN/Issues/Children/Studies/Pages/ExpertConsultation.aspx>.



(e) **Sustainability** means ensuring continuity of support to defend children's enjoyment of their rights. Sustainability of individual improvements means providing children with appropriate support so they can enjoy their rights into youth and adulthood. This requires appropriate legal, financial and policy support. Sustainability implies finding cost-effective investments rather than limiting action to assumptions of "means available."

VI. Data collection

41. As reflected in the submissions by governments, few States collect or regularly update information about children in street situations – the main reasons cited being contested definitions; methodological difficulties due to the children's elusiveness and mobility; lack of investment in research; and lack of policy leadership. However, recent advances, made in all four areas, encourage more systematic and appropriate data collection.

42. Despite the lack of agreement on definitions, a number of States have conducted well-designed, national or city-wide studies by clarifying the definitions they are using. Thus, definitional difficulties are not an insuperable barrier for data collection. Recent advances in terminology, such "children in street situations," used by the Committee and current work around "street connections," suggest new avenues for reaching international agreement on definitions and terminology consistent with a rights-based, holistic approach.

43. Some key methodological difficulties have been addressed by various innovative means, for example, counting and describing populations of children in the streets, the capture-recapture method used with respondent-driven sampling and to gather qualitative information about their circumstances and experiences, and the rapid assessment method developed by UNICEF and ILO. Meanwhile, NGOs working with children in street situations have conducted innovative data collection at city-level, including repeat studies at regular intervals for



trends and head counts by teams of social workers using triangulation and peer review.

44. One main challenge for States has been investing in research with children. This has been tackled in the closely related field of child labour, through inter-agency collaboration, for example, the Understanding Children's Work research programme of ILO, UNICEF and the World Bank – suggesting that a similar route could be developed with children in street situations. Child labour data collection is supported by ILO's Statistical Information and Monitoring Programme on Child Labour (SIMPOC), launched in 1998 with contributions from donor countries to provide a solid information base for appropriate research methodologies on child labour. SIMPOC assists countries with data collection, provides guidance on how to process and analyse data, offers a variety of statistical tools, micro datasets and survey reports available online, and also produces global and regional estimates of child labour regularly.

45. A second difficulty has been the lack of policy leadership to implement systematic, disaggregated data collection and information systems around children in street situations. There is also increasing interest in finding cost-effective ways to prevent violations of children's rights and restore rights to children – an interest to which civil society and the private sector are beginning to respond with evidence-based studies.

46. Data collection, analysis and development of indicators are all essential to implementing and assessing the rights enshrined in the Convention with respect to children in street situations. An appropriate framework for data collection concerning street-connected children should, then, reflect a rights-based approach, a holistic approach

to children's experiences and a systemic approach to interventions and policy-making. In this respect, the Committee recommends that States develop a comprehensive and coordinated system of data collection, comprising disaggregated data so as to be able to identify discrimination and/or disparities in the realization of rights. Without appropriate data collection, it is difficult to detect obstacles to implementation or recognize progress achieved in programmes or interventions in terms of rights-based outcomes for children. Children, as experts on their own lives, should be enabled to participate in data collection, as well as in the analysis and dissemination of research.



47. Data collected should distinguish children who have street connections within wider groups of surveyed children; be disaggregated by sex, age and ethnicity among salient characteristics; and identify the type of street connections (independence, drug use, survival, gang membership, forced labour) as well as

other factors relevant to local contexts experienced by children. Research must be understood as encompassing all environments that affect street-connected children, including family and home, neighbourhood, support interventions, institutions that persecute children with street connections, policies and systems that affect, include and/or target street-connected children, national legislation and budgets designed to guarantee and enforce children's rights, as well as global institutions and interactions between countries.

48. Robust data collection is vital for identifying and assessing good practices. At the same time, criteria for good practice should be evident throughout data collection. For example, in the best interests of the child, data about violations of children's rights should be systematically collected and analysed, using a holistic approach and child-centred research methods, while findings should be used to fulfil street-connected children's rights.



VII. Children's voices

49. In resolution 16/12, the Council requested that the study be conducted in collaboration with children themselves. In order to bring children's diverse and distinctive views into the process, a number of NGOs, members of the Consortium for Street Children that runs specialized interventions with children connected to the street, were invited to facilitate children's participation and gather their views about their circumstances, experiences and aspirations. A total of 123 children in street situations – 29 girls and 94 boys, aged between 5 and 18 – were consulted in Ecuador, India, Uganda, Ethiopia, Kenya and Morocco. This is a relatively small number and no claims are made to represent any other than the children consulted. The facilitating NGOs have long-standing expertise in supporting street-connected children and strong child protection policies; they used an agreed participatory methodology to ensure the children's meaningful participation. Participation was restricted to children who were already in regular contact with the NGOs, so that a level of trust had already been developed between facilitators and the children. The consultation process included group discussion, role-play and drawing, instead of more conventional surveys or interviews. Consultation centred on three overarching themes: the child him or herself; their access to support; and access to their rights.

A. THE CHILD AS AN INDIVIDUAL

50. "It's like this: You have to sacrifice things you want for your future, like study maybe, for the future of your family. But if you ask me, I want to help others. If I am to be asked, what have you done with your life, I want to say that I've helped others. The stuff you do, like giving to those who have been deprived of something, giving them some affection, things like that." Boy in Morocco

51. In India, participants reflected that they felt proud to "always offer their services without any expectations to the weaker and desperate people," while children in Ethiopia felt that they contribute to society by showing loyalty, serving others and respecting their elders.

52. Many children expressed pride in being able to support themselves and their families through work on the street and had developed strong

connections to this work. In Ecuador, one boy reflected, "*I started working when I was 5 years old and it was really difficult (...) I didn't want to be on the streets, I didn't like it, I wanted to be with my family and to be in school, but we needed help financially and I knew it wasn't supposed to be that way but if you don't work, things just aren't going to fall out of the sky to feed you (...) I continue to do it because I like it and not just because we need the money. It is something that I learned to do (...) and I don't want to give up doing it just for the sake of it.*"

53. In general, children self-identified as strong, positive and engaged, able and willing to make positive contributions within wider society. They showed pride in helping others, being good citizens and supporting themselves and their families.

B. ACCESS TO SUPPORT

54. In Ethiopia, another boy said, "*the public does not like to see us. They inform the police to take us away*", and in Ecuador, one older street-connected youth noted, "*sometimes I felt rejected by other people, they didn't want to be close to me because they thought I would hurt them because they think that all people that work on the street steal, murder and smoke drugs.*"

55. Trust is a major issue. One street girl in Morocco reflected, "*I don't tell anyone. For me, I get used to it, whatever troubles me. There is no one I can really trust so it just stays inside me, even if it gets worse that way.*"

56. When asked what would help, children in Uganda said they wanted someone "*who will always identify with them, approve of them, and is able to help and guide them.*" They also wished for "*more time, patience and a listening ear.*"

57. In general, children said they relied largely on support from each other and the organizations they come into contact with. They had little support from statutory services and often, but not always, met with rejection from the public and the police.

C. ACCESS TO RIGHTS

58. In Morocco, facilitators observed 'when the topic of rights was brought up the participants either had little clue (noticed among the younger participants) or felt uncomfortable discussing this



topic, refraining from participating, not wanting to get involved and moving on the next topic of conversation (noticed among the older participants)'.

59. In India, in comparison, children demonstrated that they clearly understood their rights – to survival, protection, development and participation - while in Uganda and Ethiopia the '*right to love*' (to be loved and cared for, and belong to a family) was mentioned by several participants.

60. When asked if they had ever reported any violations of their rights, one child in Uganda responded: "*No, because before I came here I did not know my rights*". In India, a child reflected that '*their reports are not taken seriously because they are children and don't understand anything*'.

61. In general, children's understanding of and access to rights seemed to depend on local socio-cultural context and the use of rights-based support by specialized interventions.

VIII. Conclusions and recommendations

62. It is not known how many children depend on the streets for their survival or development. Numbers fluctuate according to socio-economic, political and cultural conditions, including growing urbanization and inequalities, as well as terminology and definitions used. What is known is that diverse conditions and multiple rights violations push children into developing connections with the streets. Once there, children face a range of new challenges, including hostile perceptions of them as delinquents, and many forms of violence. Nevertheless, this is a time of opportunity: States are developing or strengthening comprehensive child protection systems; civil society organizations are consolidating promising interventions; data collection is more systematic; and research is becoming more participatory.

63. A new paradigm is emerging that emphasizes relationships or "connections," building on the idea of street "situations," and drawing attention to choices children make as they develop relationships within the street, either alongside or instead of connections within the

family, neighbourhood and school. The street is a central reference point for these children; it plays a significant role in their everyday life and identity. If we value our children, we must invest in them. Every child counts. Children in street situations have experienced great deprivation and rights violations. To support them in fulfilling their rights, investment in strengthening children's connections with family, the community and wider society is required.

64. An important first step to ensuring this support is to ratify the Convention on the Rights of the Child. States that have not yet done so should, as a matter of priority, ratify the Convention and its optional protocols. They should also ratify ILO's Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and Convention No. 138 (1973) concerning Minimum Age for Admission to Employment.

65. Furthermore, the High Commissioner for Human Rights recommends that States develop comprehensive Child Protection Systems, comprising relevant laws, policies, regulations and services across all social sectors, especially social welfare, education, health, security and justice, as an overarching strategy to safeguard all children, and which promotes a holistic, rights-based approach.

66. In particular, States should:

(a) Ensure responsibilities are clearly delegated, roles are clearly defined and obligations are met, so that children's rights can be respected and fulfilled. When obligations are not met and violations occur, the State must be able to hold accountable those responsible and guarantee children access to legal redress.

(b) Ensure secondary duty bearers have the capacity to carry out their specific obligations. This means developing capacity-building and/or training initiatives to strengthen the capacity of law enforcement officers, judges, social workers, teachers, doctors and others responsible for protecting children's rights.

(c) Guarantee adequate budget allocations so that the CPS can safeguard children's rights. Budgetary information should be made public to encourage research into costs and benefits, so as to help States to invest wisely in safeguarding children's rights.



(d) Take a coordinated approach across all government departments, including those with responsibilities for finance, trade, employment, security, tourism, housing and urban planning, so as to ensure that government policies are coherent in protecting children's rights.

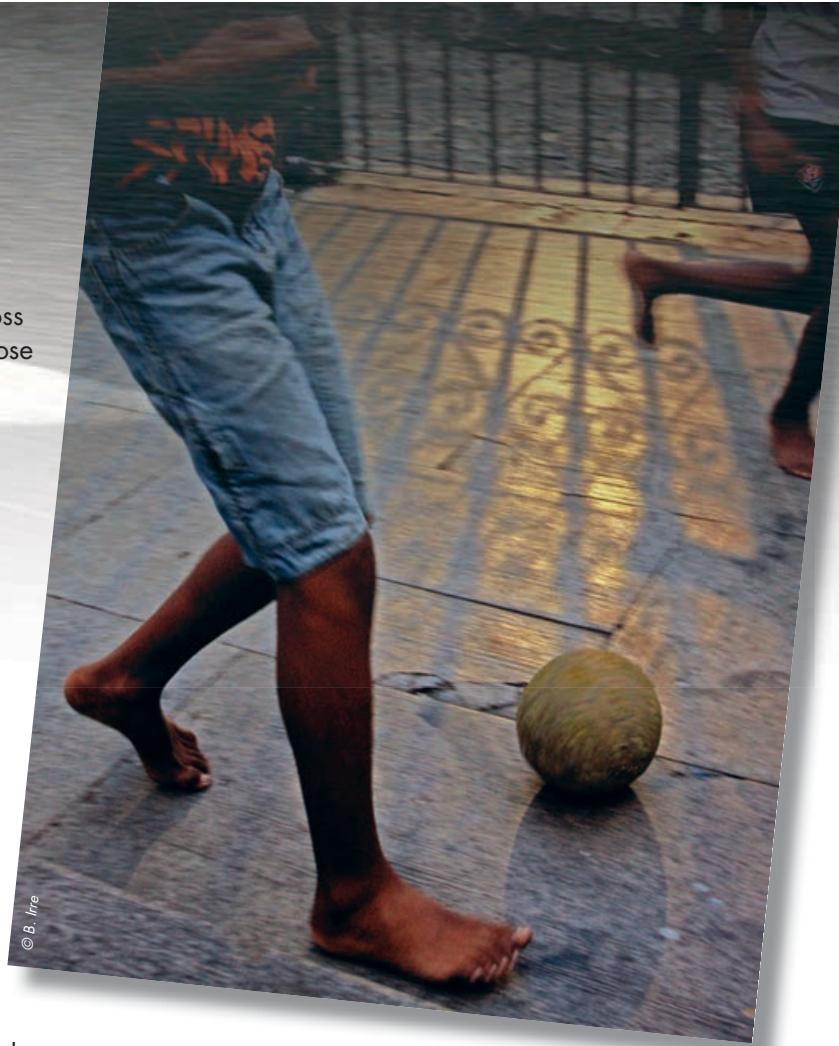
(e) Foster a collaborative approach in which the interests, inter-connections and expertise of non-State actors – children and families, civil society, academia, the private sector, human rights institutions and intergovernmental organizations – are recognized and brought together in partnerships that ensure children are afforded effective protection.

67. As a minimum, States should ensure that free, accessible, simple and expeditious birth registration is available to all children at all ages.

68. The High Commissioner recommends specialized support for children in street situations. To this end, States should promote and support child-centred, tailor-made interventions for children whose connections to family, community and wider society have been weakened and who have developed their own street-based coping mechanisms. In line with a rights-based, holistic approach, specialized interventions should help children to reconnect with family, local community services and wider society. This does not imply that the child should renounce his or her street connections, but rather, such intervention should guarantee that his or her rights are fulfilled.

69. In particular, States should:

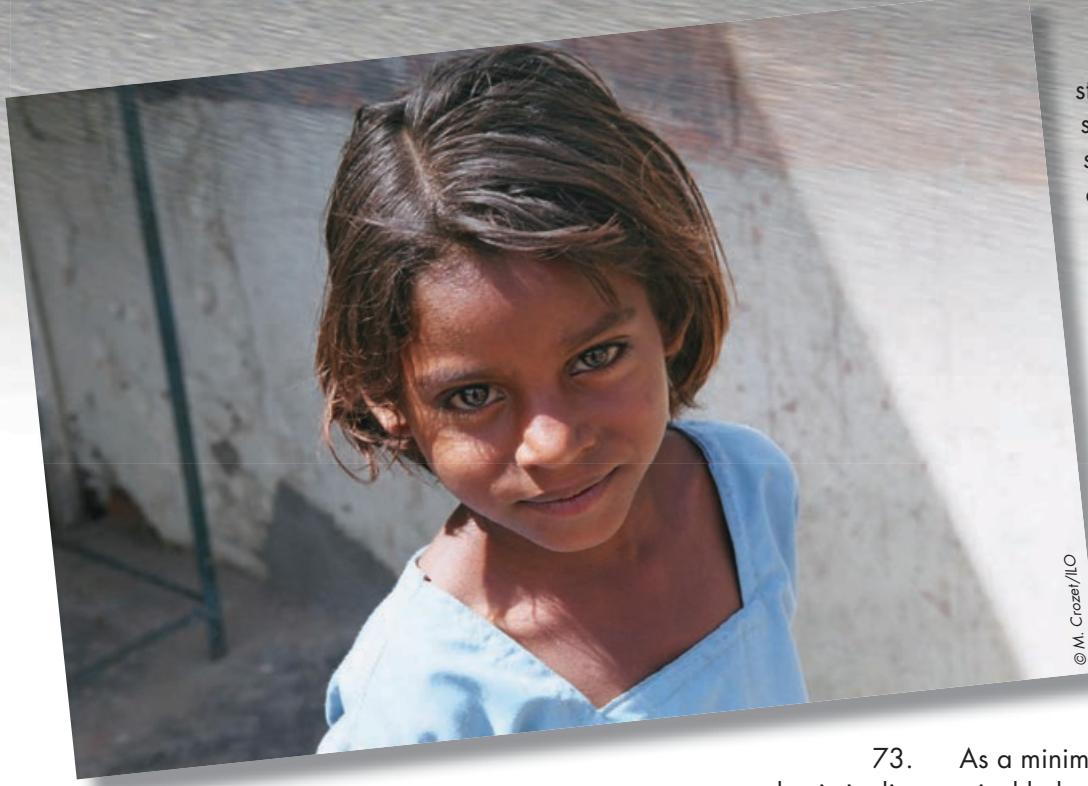
(a) Introduce laws requiring the design and implementation of municipal policies, with adequate budgets, that are aimed at ensuring positive law enforcement, coordinating referrals and providing support for specialized interventions for children with street connections. These policies should be firmly linked to the national Child Protection System and be based on local multi-stakeholder participation, including children themselves.



(b) Encourage and support city-level partnership-based specialized interventions, in which local civil society or community-led organizations (that are small and flexible, with local expertise in street connectedness) manage specialized interventions, coordinated by local authorities (with the capacity to guarantee access to local services), supported by the State (through a national Child Protection System), with the private sector (for capacity-building resources and organizational skills) and academia (for research capacity to enable evidence-based decision-making).

(c) Guarantee operational budgets for specialized interventions and funding for research to assess their cost-effectiveness. In cases where States are unable, in the short-term, to provide the necessary resources, the private sector and/or international community might be approached to engage as partners, to ensure that specialized interventions, as delegated duty bearers, have the means and capacity to fulfil the rights of children who have developed connections to the street.





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- (d) Commit to fulfilling human rights beyond childhood, if damaging effects of rights violations are not fully addressed by the age of 18, even though legal commitments specific to children may end.
70. As a minimum, States should address stigmatization and discrimination of children in the streets, including through public sensitization to the experiences and rights of street-connected children.
71. In order to address violence, the High Commissioner recommends that States seek to ensure the prevention and prohibition of all forms of violence against children in street situations, and in this regard, implement the recommendations of international mechanisms, including the Secretary-General's Study on Violence against Children, the Special Representative of the Secretary-General on violence against children and the Committee on the Rights of the Child.
72. In particular, States should:
- (a) Ensure full training on non-violent engagement and respect for the right of children in street situations to freedom from violence for, *inter alia*, law enforcement officers; judges and all staff in the justice and penal systems; teaching and administrative

staff in schools; medical staff in health centres; social workers in welfare centres and specialized interventions.

- (b) Introduce and enforce sanctions against all perpetrators of violence against children in the streets.
- (c) Ensure that child-sensitive counselling, complaint and reporting mechanisms are easily accessible to street-connected children.

73. As a minimum, States should decriminalize survival behaviours such as begging, loitering, vagrancy, running away and other acts, and ensure that children with street-connections are not forcibly rounded-up or treated like criminals or delinquents for survival activities.

74. With regard to good practices, the High Commissioner recommends that States engage consultations on criteria for good practices with street-connected children, so as to be able to identify and implement good practices aimed at improving support for fulfilling the rights of street-connected children.

75. In particular, States should propose and lead, in partnership with the United Nations, civil society and the private sector, national, sub-regional and regional multi-stakeholder forums that include children, youth and local community representatives to discuss and agree criteria for good practices and to develop indicators and mechanisms to identify and share good practices.

76. The High Commissioner for Human Rights recommends that States develop systemic mechanisms to collect data and share information about children in street situations. States should aim to develop a comprehensive and coordinated system of data collection about children, with disaggregated data so as to be able to identify discrimination and/or disparities in the realization



of rights, as recommended by the Committee on the Rights of the Child. Such system should enable the identification of children in street situations by circumstances, connections, characteristics and experiences, in order to design strategies, policies and programmes, detect obstacles to and recognize progress in their implementation, through gathering evidence. This means collecting qualitative as well as quantitative data, and ensuring that children, as experts on their own lives, participate in information gathering, analysis and dissemination of research.

77. In particular, States should:

- (a) Invest in national data collection and information sharing about children with street connections, in partnership with civil society, the private sector and academia.
- (b) Approach intergovernmental agencies to propose the development of an international coordinating mechanism for knowledge sharing, as well as methodologies and tools to support States in collecting, analysing and sharing data about children in street situations.
- (c) Encourage and support participatory research with street-connected children and families to inform policy-making and design of specialized interventions.

78. As a minimum, States should assess the coverage of children in street situations within general data collection relevant to children's rights, address the challenges as necessary, and

disaggregate data wherever available, in order to be able to identify and analyse information gathered about children in street situations.

79. In addition, the High Commissioner addresses the following recommendations to international human rights mechanisms, and in particular:

- (a) Invites the Committee on the Rights of the Child to develop a general comment on "non-discrimination and children in street situations," so as to provide more detailed guidance to States party to the Convention on using a holistic, rights-based approach to support children in street situations.
- (b) Encourages the universal periodic review to take into consideration and address the situation of children living and/or working on the street in the relevant documentation for the review, as well as during the interactive dialogue and in recommendations, whenever appropriate.
- (c) Invites special procedure mandate holders to pay particular attention to the situation of street-connected children during their country visits.



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Annex

Findings from Consultations with Children

Children's Voices Paper¹: "Nothing about us, without us"²

In order to bring the voices of children into the study, the Office of the High Commissioner for Human Rights invited several NGOs³, all members of the Consortium for Street Children⁴, to facilitate children's participation and gather their views about their circumstances, experiences and aspirations. As mentioned in par. 49 of the report to the Human Rights Council a total of 123 children in street situations – 29 girls and 94 boys, aged between 5 and 18 – were consulted in Ecuador, Ethiopia, India, Kenya, Morocco and Uganda. Their participation took place between October and November 2011. This is a relatively small number and no claims are made to represent any other than the children consulted. A participatory methodology was designed to help facilitate information gathering⁵. The facilitating NGOs have long-standing expertise in supporting street-connected children and strong child protection policies; they used an agreed participatory methodology to ensure the children's meaningful participation. Participation was restricted to children who were

already in regular contact with the NGOs, so that a level of trust had already been developed between facilitators and the children. The consultation process included group discussion, role-play and drawing, instead of more conventional surveys or interviews. Consultation centred on three overarching themes: the child him or herself; their access to support; and access to their rights.

1. The Child as Individual

This first section of the participatory methodology aimed to explore the potential, agency, strength and positive contributions street connected children can offer wider society, and the support they feel they need to realise their full potential. In this section the selected NGOs mainly relied on group discussions with the children, supplemented by drawings and role play. In Ecuador the NGO used one to one interviews. The participation around this theme centred on the following questions:

¹ Anne Louise Meincke, Advocacy Director, Consortium for Street Children, www.streetchildren.org.uk

² Quote by former UK girl in street situation in conjunction with the International Day for Street Children, 12th April 2011

³ Participating NGOs were: Action for Children in Conflict (www.actionchildren.org), Kenya; CHETNA (www.chetna-india.org) and Hope for Children (www.hope-for-children.org), India; Juconi (www.juconi.org.ec) Ecuador; Moroccan Children's Trust (www.moroccanchildrenstrust.org), and Retrak (www.retrak.org), Ethiopia and Uganda.

⁴ The Consortium for Street Children (CSC) is the leading international network dedicated to realising the rights of street children. With over 60 members in over 130 countries, CSC is committed to creating a better future for some of the most disadvantaged children by working together to share knowledge, conduct research, influence policy and take action. We are Louder Together. <http://www.streetchildren.org.uk/>

⁵ For further information about the participatory methodology used see the Children's Voices paper at OHCHR's web page: <http://www.ohchr.org/EN/Issues/Children/Study/Pages/ExpertConsultation.aspx>



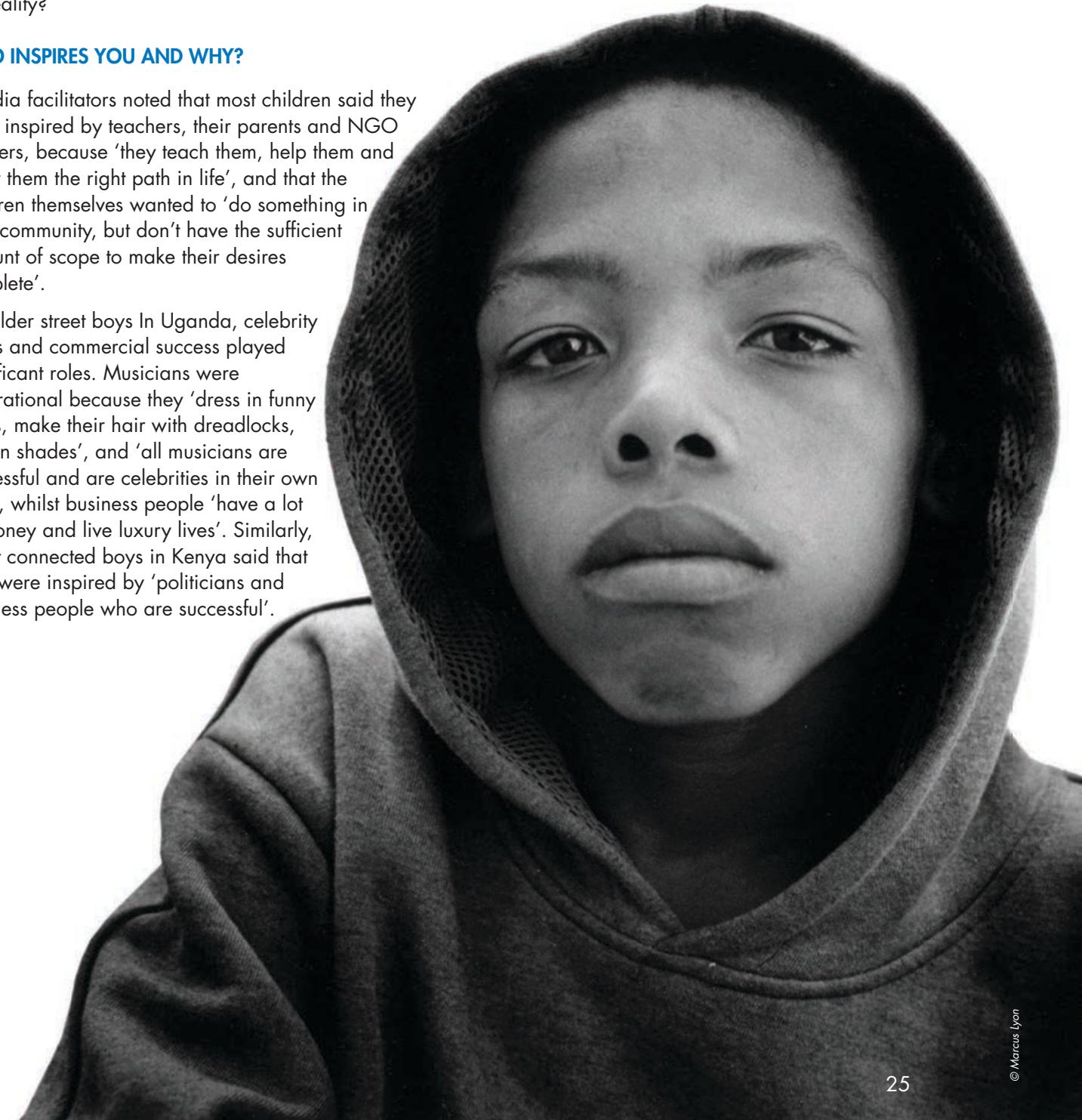
- Who inspires you and why?
- What about yourself are you most proud of, and why?
- What are your strengths? What needs to be in place for you to use these more?
- How do you currently contribute to society (e.g. the work you do, helping others etc.)? What support do you need to contribute even more?
- What are your hopes for the future? Who do you see supporting you to make those hopes a reality?

WHO INSPIRES YOU AND WHY?

In India facilitators noted that most children said they were inspired by teachers, their parents and NGO workers, because 'they teach them, help them and show them the right path in life', and that the children themselves wanted to 'do something in their community, but don't have the sufficient amount of scope to make their desires complete'.

For older street boys In Uganda, celebrity status and commercial success played significant roles. Musicians were inspirational because they 'dress in funny styles, make their hair with dreadlocks, put on shades', and 'all musicians are successful and are celebrities in their own way', whilst business people 'have a lot of money and live luxury lives'. Similarly, street connected boys in Kenya said that they were inspired by 'politicians and business people who are successful'.

When a 16 year old boy in Ecuador was asked if he had someone who inspired him to move forward he answered "*Not a single person. I am able to move forward because of myself and my own actions and because God is always with me and he wishes the best for me*". When asked if he saw God as an inspiration he said "*Yes, because he is the only person who I trust, he is the only person who can tell me if I am doing things well or badly*".



A group of younger children in Uganda said that a teacher and cook at their residential NGO facility were considered inspirational because the teacher 'spend most of his time with them and labours to explain and guide one in every possible way on questions asked in class' and the cook because he 'gives adequate food to every child'.

WHAT ABOUT YOURSELF ARE YOU MOST PROUD OF, AND WHY?

Many of the children reflected that they were proud to help others. For example, in India children had expressed pride in being able to 'always offer their services without any expectations to the weaker and desperate people'. In Uganda an older street connected boy said that he was proud of himself because "*I have passion for others*", while a boy in Morocco said "*I would say that I help people, if someone needs something done or a favour I would do it for them. Like to send me to buy something or to take care of my brother I never say no*".

Many children expressed pride in being able to support themselves and their families through work on the street, and have developed strong connections to their work. A boy in Ecuador reflected: "*I started working when I was 5 years old and it was really difficult. I didn't know how to sell anything but I had to stay positive whether*

I managed to sell anything or not because I knew I would have to go out the next day to sell again. But after a little while I learned a bit more about being on the street and I made some friends and they taught me how to sell and stuck with me on the street. To start with they asked me what were my dreams and why I was on the streets and I said I didn't want to be on the streets, I didn't like it, I wanted to be with my family and to be in school but we needed help financially and I knew it wasn't supposed to be that way but if you don't work, things just aren't going to fall out of the sky to feed you. I continue to do it because I like it and not just because we need the money. It is something that I learned to do (...) and I like it a lot and I don't want to give up doing it just for the sake of it".

Children in India also highlighted work as something they felt proud of: 'being strong enough to do work, and not afraid of doing challenging or hard work. They feel proud to earn a livelihood for their family'. Both boys and girls in Morocco agreed that work within the household could be a source of pride. One boy said: "*It's not just working outside, it's also taking care of siblings. Like in my family we are seven, we're like a football team! And I'm the oldest so I have to look after my sisters especially*".



Box 1: Drawing – 'Street' 1 (Uganda)

Children in Uganda were encouraged, as part of their group discussions, to draw pictures of key issues affecting them. One boy drew the picture below and added "*I was smoking on the street and influenced by my friends*".



Box 2: Picture – Sanjay Colony (India)



**WHAT
ARE YOUR STRENGTHS?
WHAT NEEDS TO BE IN PLACE FOR YOU TO USE
THESE MORE?**

Many children who participated in the consultations spoke to their facilitators about being proud of their educational achievements and saw this as a key strength: “I am proud that I can score high in exams in spite of my work” (India), ‘Proud of showing a positive attitude towards education’ (Ethiopia), ‘Working hard in school’ (Uganda).

Other strengths put forward by children ranged from showing leadership skills, being good at extracurricular activities (painting, drawing, kite flying), social interactions and making friends, to being good at digging, looking after goats and domestic animals, and repairing bicycles. One girl in Morocco explained: “I guess the thing that is positive about me is patience, maybe. Because actually you have to be patient with everything, it’s not just when something happens. Like I said before you have problems that you can never find a solution to and you have to live with them, so you must stay patient”. Another Moroccan girl emphasised: “For me, it is also patience but also that I still try. Like I try to make my family happy however hard it may be, you know”.

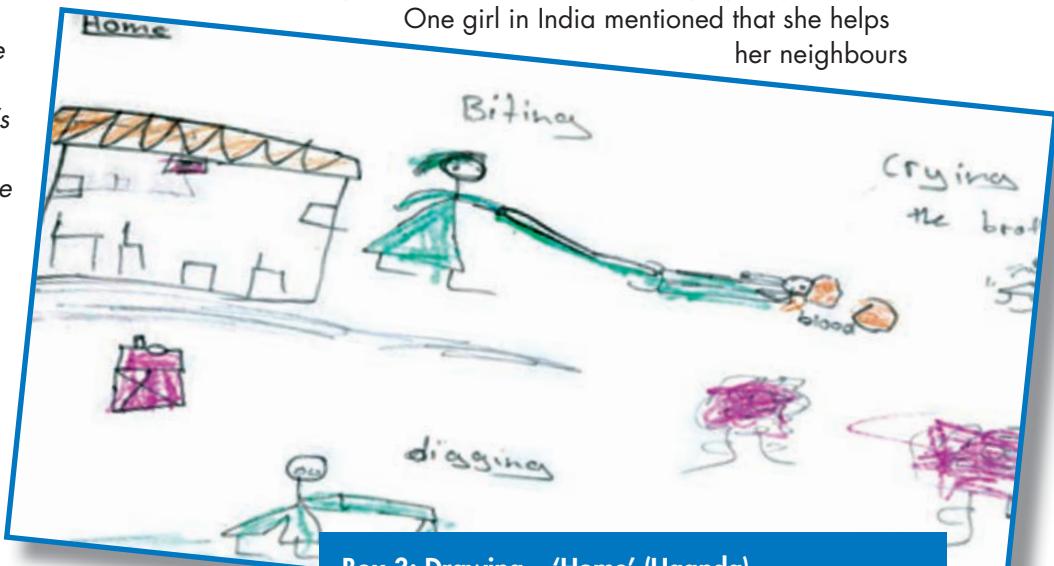
The children identified several areas which they believed should be in place for them to use their

strengths more. For example, children in India said they wanted adults who could train them further to develop their skills. The children also argued that they should be involved in competitions and that their parents should support them in realising their strengths. Boys in Ethiopia explained that they wanted help with business and savings so they could make their own money, while older boys in Uganda expressed a need for ‘more time, patience and a listening ear, a person who will always identify with them, approve of them and guide them’, but stressed that this should not be done through open criticism – they prefer to be called aside individually. They also said they wanted ‘to always be appreciated, encouraged and motivated, especially with gifts and certificates of recognition, awarded in front of fellow students’. In contrast younger boys in Uganda focused on very practical needs, such as seeds to increase their agricultural output, training in modern methods to rear domestic animals, and education to become a mechanic to repair bicycles better.

**HOW DO YOU CURRENTLY CONTRIBUTE TO
SOCIETY (E.G. THE WORK YOU DO, HELPING
OTHERS ETC.)? WHAT SUPPORT DO YOU NEED TO
CONTRIBUTE EVEN MORE?**

As before, many children mentioned that they felt proud of contributing to society by helping others.

One girl in India mentioned that she helps her neighbours



Box 3: Drawing – ‘Home’ (Uganda)

A child, when given the opportunity to draw a key issue affecting him he drew a picture of his home life, adding as a way of explanation: “I was beaten until I bled, that is why I ran away from home. The beatings even scared my sisters. I was given a big piece of land to dig”.



by taking them to the hospital if they are sick, and in many countries children emphasised that they contribute by helping other children by linking them to NGO centres, saving them from addiction, and taking them to the hospital. Children in Ethiopia felt that they contribute to society by showing loyalty, serving others and respecting their elders, and argued that if they got more encouragement from their local society it would inspire them to help others even more. Supporting their teachers in school was also mentioned on several occasions as a way of contributing to society: 'being leaders in school to help teachers mobilise other children to clean the school, make pupils punctual, get views of other children and take them to school administration', 'encourage other children to love school and continue their studies, reporting wrong doings to help others avoid doing bad things, helping teacher organise library and cleaning' (statements made by both younger and older boys in Uganda).



Box 4: Picture – Contact points in Nizamuddin and Okhla Mandi, (India)

WHAT ARE YOUR HOPES FOR THE FUTURE? WHO DO YOU SEE SUPPORTING YOU TO MAKE THOSE HOPES A REALITY?

"It's a bit like this: You have to sacrifice things you want for your future, like study maybe, for the future of your family. But if you ask me, I want to help others. If I am to be asked, what have you done with your life, I want to say that I've helped others. The stuff you do, like giving to those who have been deprived of something, giving them some affection, things like that" (girl in Morocco).

"I want to work in France. I want to save up some money here and work when I finish school, then go to France and find myself a small room to rent. Then I'll work as an electrician or a plumber and get more money you know. Then I'll buy a house or something and send money back home so I can buy my mother stuff for the house. Then after a while I'll come back to Morocco and own a shop, like sell and buy stuff. To do that I know I have to work first, work all the time and save up. Right now I work to get money, like last Sunday my boss gave me 50dhs, so I just gave it to my mother. But when I finish school, I'll work all the time and save up" (boy in Morocco).

Many children reflected that they would like to help other street children. One boy in Ecuador said: "*I would first give them advice, tell them that I am there for them and nothing is going to happen to them*". Children in Ethiopia emphasised that they hoped to be 'successful with good jobs, contribute positively to society, get married and be responsible parents'.

REVIEW AND INTERPRETATION:

Children's responses to the questions asked as part of this theme clearly confront and challenge some, often deeply held, negative stereotyping of street connected children as either 'victims' or 'delinquents'. Overall, children themselves self-identify as strong, positive and engaged. They are able and willing to make positive contributions within the wider society, and take pride in helping others, including vulnerable members of their communities and other street connected children. It is clear that they also take a great deal of pride in being able to support their families and themselves through earning a living working on the street and carrying out domestic chores. An outcome of this, however, is often that the children develop and maintain strong connections to their street environment, perhaps at the expense of their educational achievements, personal development and wellbeing.

Street connected children are clearly able to give a lot to their communities, despite facing difficult situations. They strive at being good citizens and have hopes of being good parents and leading 'normal' lives. Efforts which encourage and support children to reach their full potential by building their confidence and skills should be promoted by all levels of society.



Box 5: Drawing – ‘Life road picture’ 1 (Ecuador)

The selected NGO asked each individual child to draw a picture explaining their life story from their point of view. Explaining the drawing she said: “So this is me, X. I am a very studious girl and I am X years old. I study in the X School and I am on the X year of Basic Education”.

“Good, that car is going to give me money. Cool! I am doing handstands in front of the cars in order to earn a few coins so that my siblings and I can eat”. “What I like: going to school”.

I have arrived in the school. Here I am when I go to study, like my auntie does, in order to be better and help my family to succeed. Therefore, studying is very good”.

“Here I am with my family. How beautiful it is to be next to my family. We are at home”.



2. Access to Support

This section aims to understand what safety nets children have found to be available to them (protection and provision of services), and how they have used and accessed them at certain critical points in their lives. These safety nets can be formal, informal and at various different levels (by NGOs, Government service delivery agencies, police, family and friends, schools, drug rehabilitation centres, etc). In this section the selected NGOs utilised group discussions, drawings, role playing, and one to one interviews. The participation centred on the following questions.

- Who do you feel you can trust?
- Who has asked you about your life and experiences? (e.g. to find out from their point of view how data and information is being collected about them. This could include academics, the public, Government services, family and friends, NGOs, etc)
- Who has helped you? (to see if anyone acts on the information they are given as above or does not take it further)
- Who have you helped? How did you help them?
- What support have you received? Where and how did you receive it?
- What do you need more support with?

WHO DO YOU FEEL YOU CAN TRUST?

Trust is a major issue for street connected children, for example one street girl in Morocco reflected: "*I guess all I do is do something else which distracts me, but this doesn't solve the problem. Actually problems are never solved*", while another girl said: "*I don't tell anyone. For me, I get used to it, whatever troubles me. There is no one I can really trust so it just stays inside me, even if it gets worse that way*".

For boys in Morocco the issue of trust and not having someone to confide in is also an issue they highlighted in their discussions: "*I can't think of anyone that I can go and speak to if I have a problem. No way. If I have a problem I just deal with it, I don't tell anyone*", while another boy reflected: "*You know why I don't tell anyone, because if I have done something and I tell*

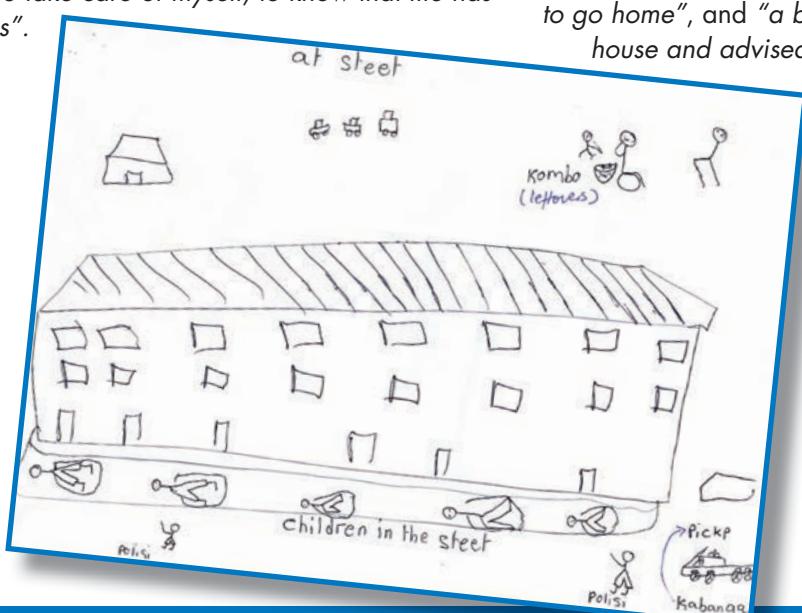


someone then I know they'll tell my grandmother and then she'll beat me, so it's best if no one knows".

But other children said that they trust doctors, family, NGOs, elderly neighbours, and God. Generally, trust depends on the individual child's experiences, for example one child in Uganda expressed that he trusted 'a lady from the public'. Generally though, the feedback from children with regard to public attitudes towards them is largely negative: "*the public does not like to see us. They inform the police to take us away*" (Ethiopia), and one older street boy in Ecuador said: "*Sometimes I felt rejected by other people, they didn't want to be close to me because they thought that I would hurt them because they think that all people that work on the street steal, murder and smoke drugs*". A girl in Ecuador stated: "*One or two people would treat you badly. They'd say things like 'go away'. They would say lots of things, but I don't want to say what they said. It makes me feel bad because they don't know how you feel and they don't care either*".

A younger boy in Ecuador emphasised, "*soon this year I won't put myself at so much risk. It's hard because in the street they insult you for giving just a small amount of money, and they think we are all delinquents and they have no respect for us. They ignore me; they say I should go to school*".

The result of public stigmatisation and multiple deprivations often result in children developing strong connections to the streets which significantly influences their identity. The same older boy in Ecuador emphasised: "*I learned a lot from the streets, one thing was to respect and to value myself, to be more independent and responsible, I learned to take care of myself, to know that life has two faces*".



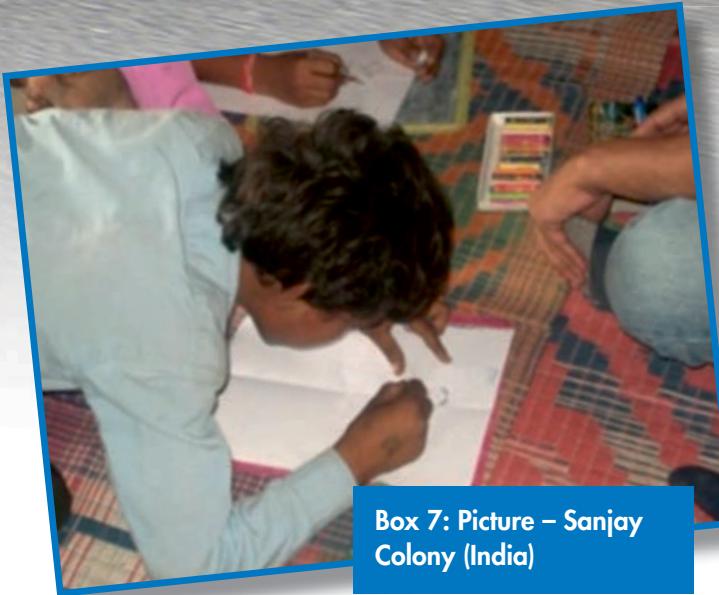
WHO HAS ASKED YOU ABOUT YOUR LIFE AND EXPERIENCES, WHO HAS HELPED YOU, AND WHAT SUPPORT HAVE YOU RECEIVED?

Throughout their discussions children often did not reflect on these questions separately, and often the answers given to the questions were overlapping and similar in scope. Not surprisingly, children often listed NGOs as those who had asked them about their lives and who had helped them: "*They are like my second family because they have always been there for me, to help me. They have helped me understand many things that I needed at a personal level*" (boy in Ecuador).

Children also mentioned the police as having asked them about their lives, including as somebody they had received help from. This indicates clearly that the police are one of the first to come into contact with street connected children and can play a positive role in their lives. However, it does seem that experiences with police vary widely, and unfortunately often have negative connotations. Children in Kenya reported that 'they did not trust the police and had experience with having been arrested or beaten by police. They felt that if they were in trouble, they would rather seek the help of their friends on the street or enlist support from NGOs that they knew worked in their areas rather than reporting to the police. Most children felt that they did not trust the general society in which they lived'. Most interestingly is the large amount of support that the children get from each other. When asked 'who has helped you' many children mentioned that they had been helped by other children by for example being referred to, and put into contact with, NGOs who provide support. Two boys in Uganda said: "*one boy directed me to the club house where I was helped. Now I am ready to go home*", and "*a boy directed me to the club house and advised me not to take drugs*".

Box 6: Drawing – 'Life on the streets' (Uganda)

In this picture a child said: "*I used to eat leftovers daily. Near the big shops of X we used to sleep on the veranda. Police used to come at night and beat us and throw us on their pick-ups*".



Box 7: Picture – Sanjay Colony (India)

WHO HAVE YOU HELPED? HOW DID YOU HELP THEM?

When asked 'who have you helped and how' many children talked about the support and advice they had given to other street connected children. In India, they discussed how they had taken other children to the hospital who had been in accidents and informing their families, and saving younger children being beaten by older boys on the street. A boy in Ethiopia reflected "when my friend was sick, I begged some money and took him to the clinic and he got cured".

Children in Uganda talked about several ways they have helped other street connected children: "I shared a plastic sheet with another boy in the street", "I helped one child from the street by giving him money for food", "I directed a child back home", "I shared chips with another hungry boy". Street connected

Box 8: Drawing – 'Home and streets' 1 (Uganda)

In this drawing the child reflected: "Renting near X, we had a pig and my mother used to beat me a lot. My brother first ran then came for me and both of us came to Kampala. Kampala streets surrounded with Arcades, City Council men chased my brother and from that day I've not seen him".

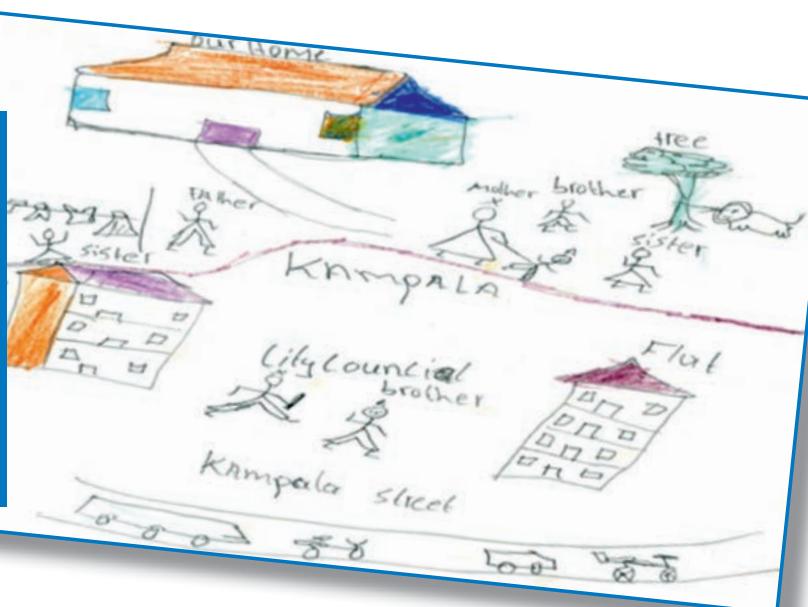
"Clothes being dried on wash line and several vehicles on streets".

children also find safety in being together on the street: "*I could be knocked down, raped, murdered, lots of things could have happened. I didn't have bad luck because I was always with my brothers*".

WHAT DO YOU NEED MORE SUPPORT WITH?

When asked what they needed more support with children in Uganda related that they wanted someone 'who will always identify with them, approve of them, and be able to help and guide them', and 'more time, patience and a listening ear'. Children in Ethiopia emphasised that 'we need love'. Other children reflected the need for a trusted adult or confidante – "what I'd like is someone who can understand me. Someone who can appreciate the work I do, because I do feel alone when no one notices", and "also someone to guide you, someone you can tell your problems to but then tells you what is best to do or what options you have, you know" (girls in Morocco).

Other children had more practical suggestions to what they needed support with. One group in India discussed that they wanted the police to deal with conflicts in their area, for doctors to be reached immediately and for parents to be motivated to enrol their children in school, whilst children in Ethiopia and Uganda said they wanted school and ability to finish education, playtime, reunification support, medical attention, support with behavioural change, and skills development. One boy in Uganda wanted 'his rights observed'.

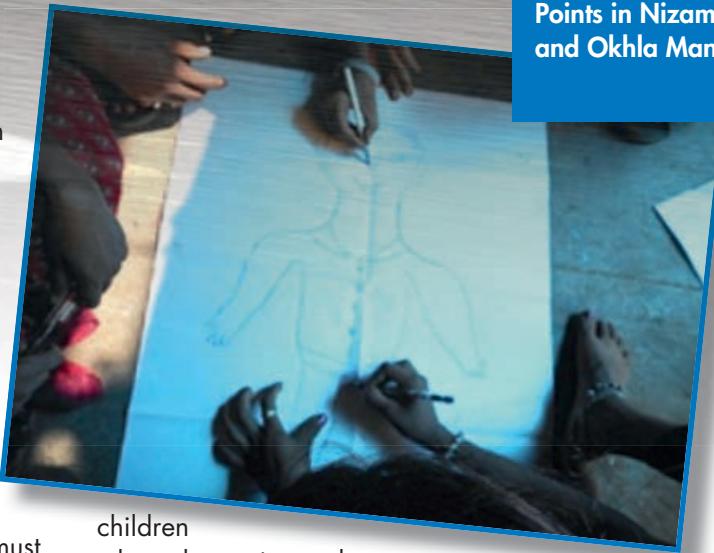


Box 9: Picture – Contact Points in Nizamuddin and Okhla Mandi (India)

REVIEW AND INTERPRETATION:

What stands out from the responses by children to the questions raised as part of this theme undoubtedly highlights the large extent to which they rely on each other for support and comfort. Public perceptions of them are generally negative, and often they have little support from statutory services. The public persecution and stigmatisation clearly draws the children together for protection purposes and influences their perceived identities. The result being that their connection to the street and each other become more pronounced and with time more intense. Any interventions must recognise and seek to understand the depth and breadth of the children's connections to the street, and not seek to force children to renounce these connections before they feel ready.

The issue of trust permeates the responses, as well as the desire and hope for a trusted adult in their lives, one who understands, supports and guides them without prejudice. In order to build relationship of trust with street connected children outreach work is crucial. Adults must meet the



children where they exist, and interventions must incorporate a dedicated and long-term psycho-social approach. The police clearly also plays a significant role in street connected children's lives, unfortunately often negatively. However, children's responses also highlights that with the right approach and training police can play a crucial role in positive interventions for street connected children aimed at rebuilding their trust and reintegration into communities.



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3. Access to Rights

In this section the participation focused on trying to understand what street connected children know about their rights and how able they have been to claim them, including accessing child-friendly reporting mechanisms⁶. The NGOs utilised group discussions, narrative storytelling, drawing activities, role play and one on one interviews. The areas of participation centred on the following questions:

- What do you understand your rights to be?
- Who do you think *should* help you access your rights? Who does help you access your rights?
- Have you ever reported any violations of your rights?
- If so how were you able to do this and to whom? If not, then why?

WHAT DO YOU UNDERSTAND YOUR RIGHTS TO BE?

Children in India overall demonstrated that they clearly understood their rights, as the right to survival, protection, development and participation. However in one group the facilitators remarked that the girls 'looked uncomfortable'. Children in Uganda and Ethiopia emphasised the 'right to love' (to be loved and cared for, and belong to a family) and discussed further their rights to include the right to play and laugh, to have a family, to be free from abuse, and to be able to express ideas and speak freely. An older boy in Ecuador argued: "for me everyone has rights, children, adolescents, older people, adults. They are rights and obligations everyone has".

The topic of rights was clearly more comfortably discussed amongst children in some of the selected NGOs than others. Facilitators in Morocco observed that 'when the topic of rights was

brought up the participants either had little clue (noticed among the younger participants) or felt uncomfortable discussing this topic, refraining from participating, not wanting to get involved and moving on the next topic of conversation (noticed among the older participants)'.

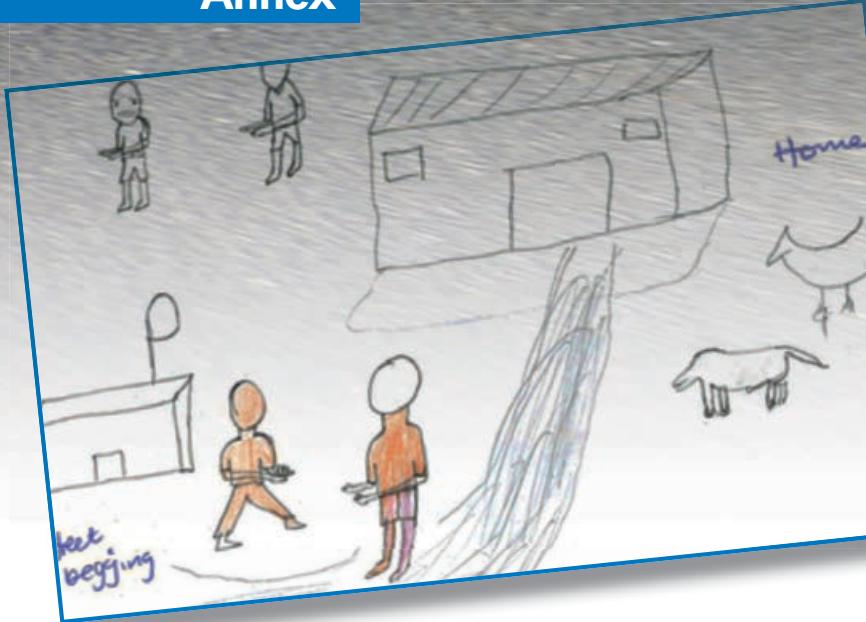
However, one Moroccan girl said: "*our teacher doesn't tell us about the rights of the child. But I know that a child is not supposed to work, only when he grows up then he can work. Then also his parents can't hit him. And also he is not supposed to stay in the street, he is supposed to go to school*", while a girl interviewed in Ecuador reflected "*rights are things that children must have and that parents must make sure we have. The right to a family, the right to live and have a community*". Most of the children in Kenya notably had a very explicit knowledge of what their rights were, although they did not seem to have any knowledge of what or how they were supposed to enforce those rights whenever they thought they were being abused.

⁶ The UN Special Representative on Violence Against Children and the UN Special Rapporteur on the sale of children, child prostitution and child pornography jointly presented a report on child sensitive counselling, complaint and reporting mechanisms in March 2011 (A/HRC/16/56) to the UN Human Rights Council.: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-56.pdf>.





Annex



Box 10: Drawing – 'Home and streets' 2 (Uganda)

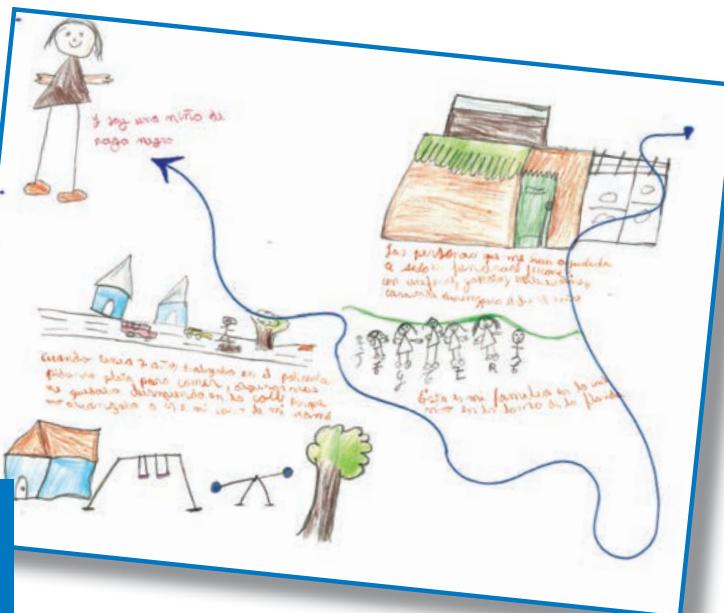
A child was tasked with drawing something which was important to him. In response he drew his story of leaving home for the streets: "We had a house with iron sheet roofing plus cows and chicken. Our family was able to provide meals and beddings. We also had big gardens. I however left home after stealing money from the drawer of my parents. A friend picked me from home. On the street I survived through begging money and collecting scrap from huge rubbish heaps and as in the drawing, I had days collecting and carrying this in a big polythene bag to sell in X. At night I was very tired and sleeping inside the polythene bag. (I am bad boy). There were vehicles on street".

WHO DO YOU THINK SHOULD HELP YOU ACCESS YOUR RIGHTS? WHO DOES HELP YOU ACCESS YOUR RIGHTS?

Many children argued that it was their parents and families who should help them access their rights: "*Our parents should help realise our rights. They are not doing what they should because it is the parents who should be working*" (girl in Ecuador), but others also mentioned the Government, NGO, police, and 'children themselves' (Ethiopia). One boy in Uganda related: "*Anybody concerned should help me access and have my rights, but especially my caretakers, NGO, government, police and local councils*".

However, many children only discussed how the selected NGOs had helped them access their rights. In particular children in India, where the local NGO places a lot of emphasis on child rights awareness raising, facilitators remarked that children 'have come to know about their rights through the NGO - right to education, protection, health and play. Before they didn't even know they had rights. Now they have this information they can do something about it'. This was also true for children in Kenya where they highlighted that the organisations working with children on the street were playing a big role in helping them access their rights.

Only an older street boy in Ecuador was able to reflect in more depth about the role of Government in helping street connected children realise their rights: "*The person who has all the authority and must make sure that people are aware of their rights is the President (...) he could make sure that people are aware of their rights, that children know they have real rights. Some of us may know about rights, but may not use them or make the most of them. I think that he is the person who can push this forward and he can demand that children's rights are realised (...) how do these children learn about their rights and how to access them if they are exploited by their own families?*".



Box 11: Drawing – 'Life road picture' 2 (Ecuador)

The girl was asked by the selected NGO to draw her individual perception of her life so far, trying to explain her connections to the street. She said: "When I was 7 years old I worked in X asking for money. Some nights I stayed to sleep in the street because I didn't have enough money to go back to my mum's home".

"The people who have helped are the Fundacion Juconi, with uniform, shoes, school materials and food basket for the day of the child".

"This is my family. I live with them in X".



Box 12: Drawing – ‘Tudabujja’ (Uganda)

When encouraged to describe something which mattered to him a child drew his perception of how the NGO had helped him. He added: “We play football, learn in a class room, eat fruits, look after chickens and life is good in Tuda”.

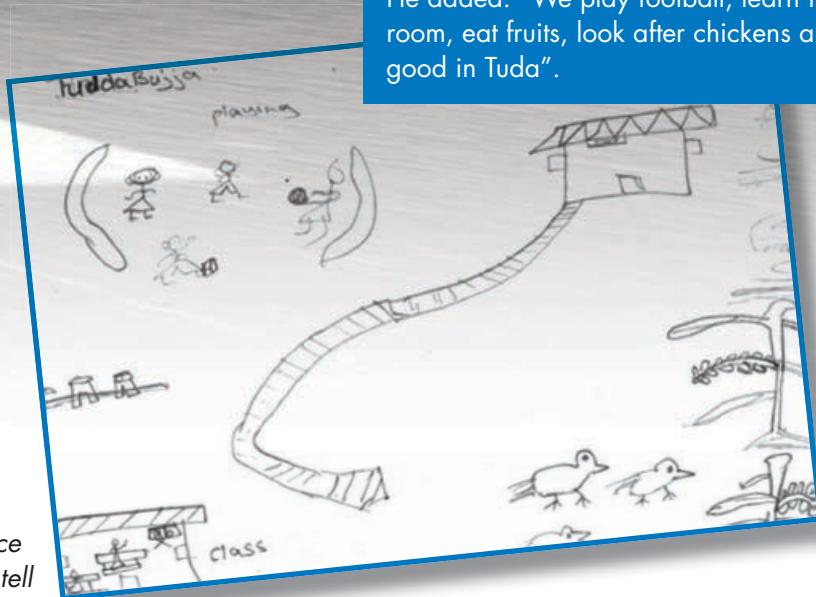
HAVE YOU EVER REPORTED ANY VIOLATIONS OF YOUR RIGHTS? IF SO HOW WERE YOU ABLE TO DO THIS AND TO WHOM? IF NOT, THEN WHY?

When asked if they had ever reported any violations of their rights, one child in Uganda responded: “No, because before I came here I did not know my rights, that I could even report a parent abusing my rights”. A child in India, reflected that ‘their reports are not taken seriously because they are children and don’t understand anything’. One boy in Ethiopia narrated that “I went to the police but because I feared the person I had to tell them in a secret room”. In Uganda, one boy said: “I reported by grandfather to the police for chasing me away from home”, and another shared that: “I reported my mother for chasing me with a panga and she was arrested by the police for five days”.

Children in Kenya the children did not express that they would use any form of reporting mechanism if they thought their rights had been violated. Instead ‘they would enlist the support of their fellows on the street to get protection from people they thought were exploiting them. Some felt they would resort to violence if they thought someone was exploiting or abusing them, and would use their numbers for security on the street’ – emphasising again the importance of their connections and networks on the street, and the support and trust they place in each other.

REVIEW AND INTERPRETATION:

The question of rights was seen as the most difficult and problematic area to cover by some of the selected NGOs – the concerns being that it was not suited to the local socio-cultural context and that it might be too theoretical a concept for some children to grasp, in particular the younger ones. Besides these legitimate concerns and insights children’s understanding of, and access to, rights seemed to also depend on the use of rights-based support by specialized NGO interventions. Generally, the children had an understanding of their basic rights, but also emphasised that they have a right to love, family, community, play and laughter – in essence to be able to embrace happiness.



However, knowing about their rights is clearly not the same as knowing what to practically do if their rights are violated. This highlights the need for dedicated child sensitive reporting mechanisms whose presence also needs to be communicated to street connected children, ideally through those with whom they have built relationships of trust. Without such a support mechanism children will seek security amongst themselves, thereby intensifying their connections to the street.



Box 13: Drawing – ‘Street’ 2 (Uganda)

One boy drew his impression of street life. He said: “Sleeping with a friend uncovered. Walked in the streets scavenging for scrap and empty mineral water bottles to sell for survival. Picked leftovers from dustbins near restaurants and shops. There are several vehicles on Kampala streets”.

Annex

CHILDREN CONSULTED⁷

NAME/PSEUDONYM	AGE	GENDER	COUNTRY
Cindy	10	F	Ecuador
Dayana	13	F	Ecuador
Jose	14	M	Ecuador
Alexander	16	M	Ecuador
Pablo	18	M	Ecuador
20 children - no names/pseudonyms given	Between 11-15	M	Ethiopia
Aarti	10	F	India
Basanti	10	F	India
Laxmi	11	F	India
Aasha	12	F	India
Bimla	12	F	India
Pooja	13	F	India
Sabiya	13	F	India
Neetu	14	F	India
Poonam	14	F	India
Puja	14	F	India
Reema	14	F	India
Sampa	14	F	India
Pooja	15	F	India
Arshad	11	M	India
Govind	12	M	India
Jahangir	12	M	India
Rahul	12	M	India
Ravi	12	M	India
Sanjeev	12	M	India
Deepak	13	M	India
Dinesh	13	M	India
Gauri Shankar	13	M	India
Imran	13	M	India
Mohammad Mister	13	M	India
Vinod	13	M	India
Vipin	13	M	India
Vijay	14	M	India
Vikash	14	M	India
Salman	15	M	India
Vikas	15	M	India
Irfan	17	M	India
Ann	10	F	Kenya
Agnes	13	F	Kenya
Lucy	15	F	Kenya
Zainabu	15	F	Kenya
Nancy	16	F	Kenya
Mwangi	10	M	Kenya
Alex	11	M	Kenya
Samuel	11	M	Kenya
David	12	M	Kenya
Gerald	12	M	Kenya
Steven	12	M	Kenya
Lawrence	13	M	Kenya

⁷ All the children, and facilitators, who participated in the discussions, were given the option to either use their real name, a pseudonym or no name, depending on what they felt most comfortable with.



NAME/PSEUDONYM	AGE	GENDER	COUNTRY
Evans	14	M	Kenya
Joseph	14	M	Kenya
Michael	14	M	Kenya
Francis Kamau	15	M	Kenya
Kevin	15	M	Kenya
Samuel	17	M	Kenya
Jamila	5	F	Morocco
Layla	7	F	Morocco
Ilham	8	F	Morocco
Sara	8	F	Morocco
Wafa	8	F	Morocco
Fatin	12	F	Morocco
Amal	15	F	Morocco
Fouzia	15	F	Morocco
Ikram	17	F	Morocco
Yassine	5	M	Morocco
Abbas	13	M	Morocco
Hasan	14	M	Morocco
Simohamed	15	M	Morocco
Zohair	15	M	Morocco
Jamal	16	M	Morocco
RTK100	10	M	Uganda
RTK106	10	M	Uganda
RTK113	10	M	Uganda
RTK101	11	M	Uganda
RTK102	11	M	Uganda
RTK105	11	M	Uganda
RTK110	11	M	Uganda
RTK111	11	M	Uganda
RTK104	12	M	Uganda
RTK109	12	M	Uganda
RTK112	12	M	Uganda
RTK103	13	M	Uganda
RTK108	13	M	Uganda
RTK107	14	M	Uganda
RTK114	15	M	Uganda
RTK116	15	M	Uganda
RTK117	15	M	Uganda
RTK118	15	M	Uganda
RTK119	15	M	Uganda
RTK121	15	M	Uganda
RTK123	15	M	Uganda
RTK125	15	M	Uganda
RTK115	16	M	Uganda
RTK120	16	M	Uganda
RTK122	16	M	Uganda
RTK124	16	M	Uganda
RTK126	16	M	Uganda
8 children - No names/pseudonyms given	Between 14-19	M	Uganda











The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world's commitment to universal ideals of human dignity. It has a unique mandate from the international community to promote and protect all human rights. OHCHR's work is focused on three broad areas: human rights standard-setting, human rights monitoring and supporting human rights implementation at the country level. www.ohchr.org

UNICEF works in 190 countries and territories to help children survive and thrive, from early childhood through adolescence. The world's largest provider of vaccines for developing countries, UNICEF supports child health and nutrition, good water and sanitation, quality basic education for all boys and girls, and the protection of children from violence, abuse, exploitation, and AIDS. UNICEF is funded entirely by the voluntary contributions of individuals, businesses, foundations and governments. www.unicef.org

The Consortium for Street Children (CSC) is the leading international network dedicated to realising the rights of street children worldwide. "We are Louder Together". It focuses on four key strategic areas: Advocacy, Research, Shared Learning and Capacity Building. CSC is continually expanding and currently has over 60 network members working across 130 countries. www.streetchildren.org.uk

Aviva is the world's sixth largest insurance company providing 43 million customers with insurance, savings and investment products and employing 36,600 people. Through its Street to School programme, Aviva supports 23 charity partners to help get children and young people off the street and into education or training. Aviva also engages in advocacy activities to help create awareness of, and respect for, the rights of street children. To date it has helped 400,000 children worldwide. www.aviva.com

Report of the United Nations High Commissioner for Human Rights on the protection and promotion of the rights of children working and/or living on the street

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