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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by the International Council of Women, World Vision International, non-governmental organizations in general consultative status, the Consortium for street children, Defence for Children International, the International Catholic Child Bureau, the Fundacion Intervida, the Foundation ECPAT International (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes), Terre des Hommes International Federation, the World Organization Against Torture, Women's World Summit Foundation (WWSF), non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Violence and children working and/or living in the street**

No one knows the exact number of children working and/or living on the streets worldwide. UNICEF estimates the number to be around 100 million. Children take to the streets for many reasons: poverty, war, disintegrated care and family units, domestic violence, physical and mental abuse. This situation is sustained, even aggravated, by the lack of budgetary allocations and absence of a central body at national and international levels which address the issue of children working or/and living in the street.

Children working and/or living in the street are subjected to horrendous levels of violence. They do not have assured access to food, health or other basic need, they are exploited; their basic human rights violated. Paulo Pinheiro in his report on violence against children says that street children are globally recognized as children particularly at risk of violence (UN study on violence against children, 2006: 13).

In most societies children working and /or living on the streets are perceived as difficult, often uncontrollable and violent, with substance abuse problems. This stigmatization leads to an acceptance of the violence-they face on a daily basis.

Abuse and exploitation of children working and/or living on the street

For many children the journey to the street is extremely violent. They are at high risk of being trafficked, sexually abused, forced into prostitution or abused in pornography. Due to the repeated exposure to such violations street children are highly vulnerable to HIV/AIDS and other diseases.

Children working and/or living on the street also engage in many types of labour, such as street vending, scavenging and organised begging. Others are involved in hazardous or illegal labour, such as selling drugs or alcohol. These situations place children in harmful and exploitative situations and therefore meet the ILO's definition of worst forms of child labour, some of it even amounting to a practice akin to slavery.

Also, youth working and/or living in the street and adults physically assault younger street children. Groups of street children are often self-organized by age group with a leader. Through intimidation, threats, physical and sexual abuse, these leaders gain loyalty and exert control over younger street children. In most instances, authorities, especially the police and military fail to protect younger street children from abuse by older street boys and men.

Children working and/or living in the street are easy targets for recruitment in armed forces or militias. Likewise child soldiers risk moving to the street due to a lack of holistic and targeted reintegration strategies.

Children working and/or living in the street are often the target of violent rounds ups, attacks, arbitrary arrests, detention and even murder, in the hands of drug dealers, police officers and even the public. Such violence often takes place in the hands of agents of the State, or at least with their encouragement or tolerance. Detained children are often denied representation in court and deprived of their liberty for years in corrective institutions. In places where police 'culture' is extremely negative and discriminatory against children or

** The African Child Policy Forum, Child Helpline International, War Child Holland, NGOs without consultative status, also share the views expressed in this statement.

young people, physical and sexual violence – among other abuses of their human rights – can be a routine occurrence, and entirely unpunished.

The situation of girls working and/or living on the street

Studies indicate that there are fewer girls than boys actually living on the streets (studies indicate between 3% and 30% depending on the country), but they are extremely vulnerable to human rights abuses by authorities, the public and other peers. They are also at risk of a sort of ‘baptism’ or servitude for older street boys. NGOs working directly with girls on the street report seeing more who are pregnant and giving birth whilst on the street, resulting in a rise in the numbers of street babies, who now form a ‘2nd generation’ of street children

Consequence of violence on children working and/or living on the street

Working and/or living in the street affects the mental, social and emotional growth of children. They lack security, protection and hope, and continue to face a deep-rooted negative stigma. Violence aggravates their situation.

Many of the children affected by violence are traumatised. Some refuse to speak for months. Children often feel guilty and blame themselves for their mistreatment. Such damage can take years to recover from in even the most loving of environments; on the streets it may never heal. Drug abuse and hazardous and provocative behaviours become ways to escape from reality, with violence being a ‘normalised’ pattern of behaviour.

Recommendations:

The signatories NGOs would like to reaffirm that children’s rights, as set out in the UN Convention on the Rights of the Child and other international instruments, are applicable to all children, including those who work and/or live on the street.

Moreover, children working and/or living in the streets constitutes a vulnerable group in society whose rights require special protection and attention.

To this end:

- We urge States and international agencies to work together to strengthen international commitment, cooperation and mutual assistance in preventing and protecting children working and/or living on the street against all forms of violence and abuse, through research, policies, monitoring and capacity building designed to promote agreed international standards of child rights
- We urge States to ensure national legislation is in line with the Convention on the Rights of the Child, and protects the rights of children working and/or living on the street to life, health, physical and mental development, protection from economic exploitation and protection from sexual and physical abuse.
- We urge States to promote and develop targeted prevention measures in collaboration with NGOs, aiming at strengthening families and communities structures, and creating an environment in which children does not have to work and/or live on the street
- We urge States to adopt comprehensive strategies to address the situation of children working and/or living in the street and provide these children with official documents and adequate assistance, including recovery and social reintegration

services for physical, sexual and substance abuse, as well as vocational life skills training in order to support their full development.

- We urge States to ensure meaningful participation of children in the policy making and implementation processes - cognizant of the fact that the involvement of children in decision making on issues of relevance to them is their right, and increases the quality and impact of such policies and programs
- We encourage States to adopt and implement laws, and complementary legislative measures, in the fields of law enforcement, protection, administration of juvenile justice and in social, educational and public health programmes, which protect the rights of children working and/or living on the street, and repeal all legislation, including emergency and national security legislation, that makes the status of vagrancy and begging as offences
- We urge states to put in place child friendly and accessible reporting and monitoring services for children working and/or living in the streets such as child helplines. These mechanisms should be safe, well publicised, confidential and free of costs for the caller and accessible at all times nationwide.
- We urge States to take immediate action to prevent and stop any abuse and maltreatment of children working and/or living on the street by agents of the State, and bring alleged perpetrators before a civil competent and impartial tribunal and apply the penal, civil and/or administrative sanctions provided by law and according to international human rights standards
- We encourage States to put in place concrete and sustainable measures, including gender and child rights training, to enhance and strengthen the number, capacity and skills of all who come into contact with children working and/or living on the street, including educational, psycho-social, and medical professionals; street outreach workers; legal and law-enforcement professionals; and to establish child protection employment policies, codes of conduct and procedures that determine the ethical and legal responsibility for the safety, welfare and wellbeing of the child
- In instances where children are reunified with families we urge States to adopt innovative measures helping caregivers adopt positive parenting practices
- We encourage States to support and develop targeted and holistic reintegration processes for children working and/or living on the street, and involve communities in this process. Where reintegration is not possible or suitable the State should make suitable alternative care arrangements available. Such support should include, as far as possible, keeping the children in the ordinary educational system and social reintegration.
- We encourage States to take and implement measures of physical and psychological recovery and social reintegration.
- We invite the relevant Special Procedures' Mandate holders, to take into consideration the different forms of violence perpetrated towards children working and/or living on the street in their investigations and reports