

Research Report

“The issue of reducing the number of children living and working on the street”

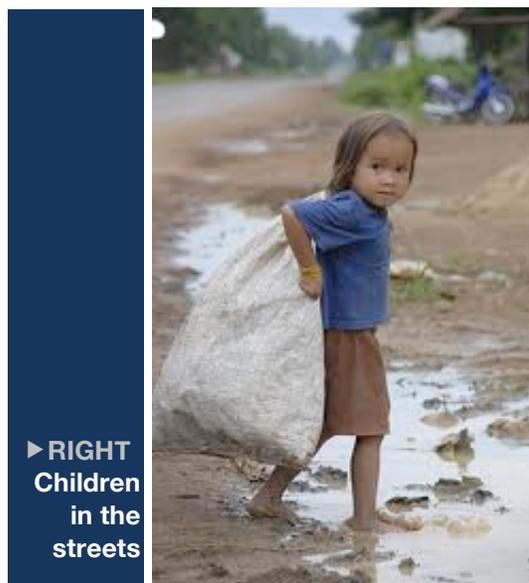
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introduction

In this modern era of globalized markets and economic inter-dependency, various developing nations (especially in Asia, Africa and South America) embark on intensive industrialization in hopes of gaining a fair share of prosperity. It thus comes to no surprise that these states now suffer the social consequences of such endeavors, one especially striking problem being child labour. Whether the youths were forced by their parents to earn a measly income, or kidnapped by factory managers to capitalize on cheap labour, a growing number of individuals are becoming aware of the harsh conditions and loss of privileges that these children have to endure, and are hence seeking ways to eliminate such practices.

The difficulty of creating solutions for this issue lies in three main problems, namely a) how to define ‘child labour’, b) where to draw the line between child labour and legitimate youth employment, and c) how to measure the magnitude of the problems posed by child labour. For example, if child labour is defined as ‘the scenario when persons less than 12 years of age are employed in strenuous activity’, should a chef be arrested for asking his 11-year-old son to help carry sacks of ingredients? A wrong definition, scope or focus can thus result in the law targeting the wrong suspects, and can stagnate the problem, if not inflate it. Greater efforts thus need to be made to address the common underlying causes of childhood vulnerability and social exclusion.

The perspectives of the different parties involved in child labour activities must also be considered when deciding on the policies that should be adapted. Firms that allow child labour might be forced to exploit this cheap measure to ensure their businesses survival in their feeble third-world economy, and thus economic reforms can indirectly solve the problem. The families that send or abandon their children to work may also have their reasons. Families that are too poor to sustain any additional children may have to resort to sending them to work in hope that they have better odds surviving there; or the adults themselves may be the ones discriminated from work based on age, sex or disabilities, and hence require their children to work on their behalf. The World Bank calls the process of increasing family stress leading to the separation of children the ‘spiral of vulnerability’. Social reforms of sort may thus be endeavoured in such cases. Altogether, many factors play in the attractiveness of child labour, and all of them must be considered when evaluating the chance of success of policies to tackle the issue.



definition of key terms

1.1 | Street Child

'Any girl or boy who has not reached adulthood, for whom the street in the widest sense of the word, including unoccupied dwellings, wasteland, and so on, has become his or her habitual abode and/or source of livelihood, and who is inadequately protected, directed, and supervised by responsible adults.'

– United Nations International Children's
Emergency Fund (UNICEF)

1.2 | Street-residing children

'Children sleeping in public places without the proper protection and care of their families.' (This is an expansion to the definition of the term "Street Child" in order to give more focus to it.)

1.3 | Street-working children

'Children who work on the streets in the day for long hours and return to their families at night.' (Also an expansion of the term "Street Child".)

1.4 | Child Labour

This is still disputed internationally, but should involve (i) the employment of persons below the legal working age in a country, (ii) their involvement in dangerous and unhygienic conditions, and (iii) them being paid less proportionally in wages as compared to the services they provide. Does your country have a particular stance on how this should be defined?

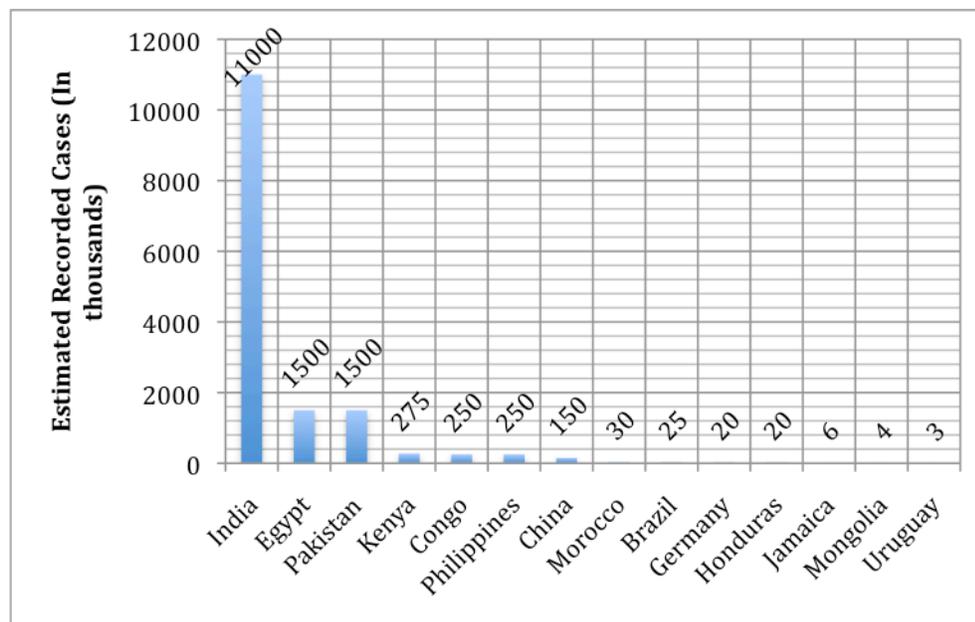
exposition on the issue

2.1 | Living Conditions of Child Labourers

It is a notable trend, as stated in the introduction, that developing countries are far more prone to having child labour issues than developed ones. It is thus not surprising that the children under labour would have to live in dangerous and unhygienic environments. In fact, one of the main reasons why this issue is so controversial is because the children, even if working voluntarily and with pure intentions, are more commonly treated as slave with minimal wages and unsatisfactory working conditions. It can therefore be said these two conditions determine the difference between justified employment of youth and child labour.

2.2 | Reasons for Child Labour Trends

Studies from Latin America describe the process of street involvement as a complex and gradual one, with the interaction of 'push' and 'pull' factors. Difficulties at home lead to children frequenting the street during the day, and then beginning to sleep on the streets, but existing in a state of flux between the home and the street, before some of them completely lose touch with their families. If children's rights are being seriously violated at home, separation and street living constitutes a rational act, though not necessarily in their long term best interests. The child's own perspective of his or her situation is therefore critical in assisting him or her to look for possible alternatives to street living.



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Countries with the Largest Number of Street Children

[These numbers have been derived from various reports and articles written that can be found in the references section]

2.3 | Countries with Pronounced Child Labour Issues

2.3.1 | Philippines

75% of street children in the Philippines spend the night in the homes of their families, but spend the rest of the day working in the street. Between 25%-30% of street children often create a sort of family among fellow street children, and some of them may maintain an interrupted relationship with their families and the homes of their families. 5%-10% of street children are completely abandoned.

Street Children as young as 10 years old are often imprisoned under the Vagrancy Act, sometimes in cells which include adults, resulting in recurrent physical and sexual abuse, sometimes by guards as well.

Many street children were in danger of summary execution during the Marcos Government. Human rights groups said the killings have become an unwritten government policy to deal with the street children phenomenon, and that they are openly endorsed by local officials, which further heightens suspicion towards the government's role in this situation.

2.3.2 | Russia

In Russia, street children usually find a home in underground pipe and cable collectors during the harsh winter. These underground homes offer space, shelter as well as heat from hot water and central heating pipes.

Russia has 1 million street children and one in four crimes involve underage youths. Officially, the number of children without supervision is more than 700,000. However, experts believe the real figure has long been between 2 and 4 million.

2.3.3 | China

The number of China's urban street children is growing. Many come from migrant families; others migrate to urban areas by themselves to escape the harsh conditions they face in rural areas. They are vulnerable to risks on the street and many are engaged in crime.

The traditional approach to managing street children has been to pick them up, detain them for a while, and then send them back to their families. But many have left home because of family problems and are unwilling to return, or their families are unable to care for them. As a result, they soon go back to the street.

2.3.4 | India

India is home to the world's largest population of street children, estimated at 18 million. The Republic of India is the seventh largest and second most populous country in the world. With acceleration in economic growth, India has become one of the fastest growing developing countries. This has created a rift between poor and rich; 22 percent of the population lives below the income poverty line. Owing to unemployment, increasing rural-urban migration, attraction of city life and a lack of political will, India now has one of the largest numbers of child laborers in the world.

Street children are subject to malnutrition, hunger, health problems, substance abuse, theft, commercial sexual exploitation, harassment by the city police and railway authorities, as well as physical and sexual abuse, although the Government of India has taken some corrective measures and declared child labor illegal.

2.3.5 | Pakistan

The number of street children in Pakistan is estimated to be anywhere between 1.2 million to 1.5 million, making it a host to one of the world's largest street children populations behind countries such as India and Egypt. There is a wide gap in standards of living between the upper class and the less privileged, giving rise to a large segment of the population (and subsequently, young children) living in poverty.

Street children in Pakistan are subject to a number of social issues, including homelessness, malnutrition, domestic physical and mental abuse, forced labor, beggary, coercion into drugs and marginalization from mainstream society. Most are found alongside slums and roads of the country's major urban centres. Due to poverty, many of them are driven into finding work such as recycling, polishing shoes, washing cars or selling roadside foods and cheap items, in order to make a living. There have been efforts in the past by UNICEF and some NGOs to assist the plight of

the needy children through various programs and by opening rehabilitation centers;[48] however, the situation still remains, at large, one of the biggest socio-economic problems in Pakistan today.

2.3.6 | Mexico

Mexico City has 1,900,000 underprivileged and street children. 240,000 of these are abandoned children. In the central area of Mexico City there are 11,172 street children. 1,020 live in the street and 10,152 work there. In 1996, the Inter-American Development Bank and UNICEF estimated there were 40 million children living or working on the streets of Latin America--out of an estimated total population of 500 million. Begging - Some 20% of the children survive by begging, 24% by selling goods and others by doing subcontracting work. 8-11 million children under the age of 15 years are working in Mexico.

2.4 | Governmental Measures Taken

It cannot be denied that the governments of the developing states have made their own attempts at curbing child labour. Such states have affirmed in their respective constitutions and laws that child labour is itself illegal and that a minimum working age should be enforced. However, these documents have their own limitations in solving child labour;

Firstly, they might have loopholes that firms can exploit to continue using child labour 'legally'. Examples of this are in Nepal (where the minimum age is 14 for all industries except the brick clines), Kenya (minimum age is 16 except for agriculture industries) and Bangladesh (regional minimum ages are set for all industries except agriculture and domestic work).

Secondly, the government organs responsible for enforcing the laws on child labour may be understaffed or underfunded due to lack or misallocation of resources. An evident example of this is in India, where the authorities make more money accepting bribes from firms practicing

child labour than from payment from the government to stop these firms in the first place.

Thirdly, these legislations can end up causing adverse effects if not planned properly. This includes either targeting the wrong suspects of practicing child labour, or even making life worse for the child labourers. For example, when the United States passed the Child Labour Deterrence Act in the 1990s (banning all imports made by labourers under the age of 15), an estimated 50,000 children in Bangladesh were dismissed from the garment industry and forced to work in mining, steel-production and prostitution. Such ironies must thus be kept in mind before thinking of policies.

2.5 | Questions to Consider When Making a Resolution

- + Which party affected by child labour should be the international priority? The firms? The government? The children, and their families? Is it practical, or possible, to benefit all parties?
- + How much aid should other governments provide? Should aid be voluntary or compulsory? In what form should aid be given? Education? Money? Peace-keepers?
- + How much time will the governments of the world need to progressively solve child labour? Is there a timeline that the international body can follow?
- + Should there be an international body to supervise the progress of the proposed actions? Should it be stationed in the heart of the aiding countries or of the aided countries? Is it a permanent organ under the United Nations, or a separate organ under a group or a single country? (Note that the more administrative organs you make, the less efficient the governing administration will be. The UN itself has multiple organs and committees under it, and it is debatable if this is causing a rise in inefficiency.)

- + What can be done to encourage progress in the decided actions? Will there be incentives to governments or effected parties, and if so how will the international community help to provide such incentives?

key parties

3.1 | United Nations Organs

3.1.1 | United Nations International Children's Emergency Fund (UNICEF)

UNICEF provides support for many problems and issues pertaining to children's rights and sufferings. Their main focus areas are child survival and development,



basic education and gender equality, child protection, children infected with HIV/AIDS and many more.

The projects they have embarked on follow closely the values of the Millennium Development Goals. There has been over sixty years worth of projects and engagements that UNICEF have been involved in and it has indeed shown results; with successful attempts at girls' education in Zimbabwe, water and sanitation issues in Haiti and many more.

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UNICEF Logo

3.1.2 | United Nations Human Settlement Programme (UN-HABITAT)

The United Nations Human Settlements Programme, UN-HABITAT, is the United Nations agency for human settlements. It is mandated by the UN General Assembly to promote socially and environmentally sustainable towns and cities with the goal of providing adequate shelter for all.



UN-HABITAT's programmes are designed to help policy-makers and local communities get to grips with the human settlements and urban issues and find workable, lasting solutions. The organization's mandate is outlined in the Vancouver Declaration on Human Settlements, Habitat Agenda, Istanbul Declaration on Human Settlements, the Declaration on Cities and Other Human Settlements in the New Millennium, and Resolution 56/206.

3.2 | Non-Government Organizations

3.2.1 | Committee on the Rights of the Child (CRC)

The Committee on the Rights of the Child (CRC) is the body of independent experts that monitors implementation of the Convention on the Rights of the Child by its State parties. It also monitors implementation of two optional protocols to the Convention, on involvement of children in armed conflict and on sale of children, child prostitution and child pornography.

All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. States must report initially two years after acceding to the Convention and then every five years. The Committee examines each report and addresses its concerns and recommendations to the State party in the form of "concluding observations".

3.2.2 | Consortium for Street Children (CSC)

The Consortium for Street Children is a collaborative approach that ensures partnerships are built wherever possible to maintain and develop this leading



international member-based network. It is currently made up of 60 members, with the main networks represented by members from Children in Crisis, ChildHope, Doctors to Children, Hope Foundation and more.

3.2.3 | Childhood Enhancement through Training and Action (CHETNA)

CHETNA is a non-governmental organization working towards the Empowerment of Street and Working Children in a participatory approach. They are given a chance to develop some understanding of their situation, their rights and opportunities. CHETNA, also maintains provision of education, counseling, recreational activities, and a framework to get organized.



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UN HABITAT Governing Council
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CSC Logo
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relevant documents

4.1 | Relevant Resolutions, Protocols and Documents

4.1.1 | The UN Convention on the Rights of the Child, 1989

Particular articles in the CRC explain the situation of street involved children. The articles include explaining the experience of extreme poverty as well as their particular vulnerability to: violence (Art. 19), discrimination (Art. 2), sexual abuse and exploitation (Art.34, 32), emotional deprivation (Art. 19,31), exploitative and harmful child labor (Art. 32), denial of rights within the juvenile justice system (Art. 37, 40), arbitrary execution torture (Art. 37), lack of access to education (Art. 28, 29) and healthcare (Art. 24), and lack of identity documents (Art. 7).

The Optional Protocols to the CRC on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography are also relevant to street involved children. Armed conflict is one of the precipitating causes of street involvement by children, and children on the streets are particularly vulnerable to involvement in child prostitution.

4.1.2. | UN Trafficking Protocol

Child trafficking, to which some street children are subjected to, is prohibited in a number of international standards, and is dealt with



specifically in the UN Trafficking in Persons Protocol (Trafficking Protocol). Article 3 defines child trafficking as: (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation. Under international law, threat, coercion, deception, and other means are not necessary to meet the threshold of trafficking when a child is involved.

4.1.3 | International Labour Organisations (ILO) Instruments

ILO Convention 138 on the Minimum Age for Admission to Employment (1973), and Convention 182 on the Worst Forms of Child Labour (1999) are the key international instruments governing the protection of children from child labour.

Both conventions are considered to be 'core standards' which means that adherence to them is mandatory, not just by ratifying states, but as a condition of ILO membership. Implementation of the conventions is monitored by a Committee of Experts on the Application of Conventions and Recommendations (CEACR). The CEACR has raised concerns about the situation of street children and abuses against them on numerous occasions, sometimes also through the use of Convention 29 on Forced Labour, another core standard.



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Child Trafficking Checks

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