

50% campaign to protect children

Children's rights. Tanzania's future. Your responsibility.



PRESS RELEASE: November 20, 2007

Abuse of children on the streets highlighted by charities report

By the Consortium for Street Children and Kate McAlpine

Thirty-one countries top the “league table of shame” compiled by a consortium of 53 charities. The league table highlights the visibility of children living and working on the streets in 69 countries and is part of the first international report focusing on street children. The new report, **State of the World's Street Children: Violence**, is published by the Consortium for Street Children. It is based on world-wide research highlighting child exposure to violence, and it criticises charities and governments for not doing enough to protect children.

The report argues that all children on the streets are there due to violence. Violence has become the most significant factor driving children to the streets and deters them from returning home. It emphasises that families should be supported and a culture of violence-free household should be encouraged. The report also recommends that communities should assist in the reintegration of street children and provide support for those children unable or unwilling to return home.

The report is critical of charities and governments which use street children as poster pictures of extreme poverty and vulnerability, while failing to help them with policies and aid. It argues that government neglect and apathy has often resulted in the use of violent tactics to cover-up the problem or to pretend these children do not exist. States must provide legal protection and foster a culture of respect within institutional services and public spaces. Ensuring that the juvenile justice and welfare systems are sensitive to street children's needs is critical to reducing their exposure to violence.

The exact number of children living and working on the streets around the world will never be known, but their numbers run in the tens of millions. Street children are often separated from their families, not enrolled in school and often not even registered at birth all of which means that their needs cannot be met by government or charities. Swift action is needed to ensure that another year does not pass with more children forced onto the streets.

Alex Dressler, Executive Director of the Consortium for Street Children, said: “It is very sad that urban street children, often pictured alone and vulnerable, has become such an iconic image for anti-poverty campaigners and yet development policies and funding simply don't reach them. Fighting poverty alone is simply not enough when we know that violence plays such a significant role in driving children onto the streets. Whilst economic migration, extreme poverty and the death of HIV+ parents are all major causes of children ending up on the streets, there are literally millions of children who will never return home because they are too scared to do so having suffered violence and abuse from their families. These children face daily violence and abuse from the police, sex tourists and even each other. With more focus in developing countries on preventing violence and abuse at home, and by reaching out to children already on the streets and providing them with rehabilitation, education and security they so desperately need, the vast number of children living and working on the streets in the world could be significantly reduced.”

Dr Jacinthe Ibrahim, Child Protection Adviser for the Egypt office of Plan International, said: “Working with street children is an extremely difficult job. Children who have already taken to the streets come to us with all sorts of injuries received from the public, the police or other youngsters. There are over 200,000 homeless children in Egypt. It is a real tragedy that there are so many children living on the streets in Egypt and around the world today. We need more support to help keep children off the streets and to rehabilitate those that have left their homes. These children should have the protection, care and support they rightfully deserve.”

Kate McAlpine, Executive Director of Mkombozi and member of the Arusha Caucus for Children's Rights, said: “Arusha's street children are rounded up on the basis of the 1944 Townships (Removal of Undesirable Persons) Ordinance. This 63-year-old piece of colonial legislation, designed to empower district authorities to exclude ‘undesirable persons’ from their

areas, is now being used to arrest street children on charges of ‘vagrancy’ and ‘loitering’. No distinction is made between criminal offences such as theft or assault, and status offences such as living on the street. Street children in need of care and protection are, in effect, treated as offenders.”

“Labeling street children as criminal contravenes principles of restorative justice and the best interests of the child enshrined in the CRC. In addition, arrest of a street child under the 1944 Townships Ordinance is arguably unconstitutional. To explain: The offence of ‘loitering’ is based on the supposed danger a person poses or the assessed risk of an action against community safety, so the loitering offence is premised on suspicions about actions that have not yet taken place. According to legal principle, however, without *action* a person cannot be responsible - and without responsibility, a person cannot be considered guilty. Loitering as an offence is incompatible with a maxim of legal principle and as such is arguably unconstitutional.”

“Tanzania’s ratification of the CRC, the ACRWC and the ICCPR means discretionary powers afforded to District Authorities to maintain peace and order must be exercised in harmony with these international principles. However, street children in Arusha have consistently reported the following characteristics of police round-ups to Mkombozi:

- arrest of children as young as 12 without warrant;
- denial of release under bail for detained street children;
- use of corporal punishment;
- detention of children in adult facilities.”

“According to Mkombozi social workers, round-ups of street children in Arusha follow a similar pattern: street children are arrested for ‘loitering’ or ‘vagrancy’ without warrant; they are detained in police lock-up alongside adult criminals; they are subjected to violence and abuse at the hands of police officials; they are handled without understanding or appropriate services in adult courts; and finally, children are released back to the streets without any productive alternative or link to community services.”

“Overall, the lack of legal protection for street children represents a serious violation of humanitarian points of law, including principles of restorative justice, non-discrimination, proportionality, dignity of the person, equality, effectiveness, legality and rule of law.”

For media enquires please contact Kate McAlpine at: katemcalpine@mkombozi.org

Spokespersons from the Consortium of Street Children are available for interview. Case studies of street children, photography and copies of State of the World’s Street Children: Violence are available on request.

Notes for Editors

State of the World’s Street Children: Violence, is launched on international Children’s Day, Tuesday 20th November at an event in the UK House of Commons.

The Consortium for Street Children (CSC) is a rapidly growing network of 50+ international NGOs which work globally through their network of local partners. The CSC works with and through their members to improve the quality and stability of projects to serve street children and to prevent further generations of children from being forced to live and work on the street. By acting together as a group, the CSC aims to achieve improvements for street children with a collective strength, reaching wider audiences with a greater voice. For more information, go to: www.streetchildren.org.uk

Mkombozi (meaning "liberator" or "emancipator" in Swahili) is the leading child-focused agency in Tanzania's Kilimanjaro and Arusha regions, using education, research, advocacy, and outreach to help vulnerable children and youth to grow in mind, body and spirit. For more information, go to: www.mkombozi.org

The Arusha Caucus for Children’s Rights is a consortium of individuals and organisations committed to the protection of vulnerable children and youth in Tanzania; including: Action for Children in Conflict, Artzania Group, ANGONET, East Africa Law Society, Hakikazi Catalyst, Legal and Human Rights Center, Mkombozi, and the Tanzania Mine Workers Development Organization. In 2006, the Caucus began lobbying Tanzanian government for more child-friendly responses to street children, who are periodically subjected to rights-violating round-ups by police. In 2007, the Caucus launched the 50% campaign as a platform upon which to generate the public dialogue that is vital to encourage a positive, rights-based shift in attitudes toward children in general, street children in particular, and all youth in contact or conflict with the law. For more information, go to: www.50.mkombozi.org