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

Summary of the full-day meeting on the rights of the child

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 16/12, in which the Council requested the United Nations High Commissioner for Human Rights to prepare a summary of the full-day meeting on the rights of the child, as a follow-up to Council resolution 7/29. The report contains a summary of the discussions held on 9 March 2011 during the annual full-day discussion on a holistic approach for the protection and promotion of the rights of children working and/or living on the street.

* Late submission.

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I. Background

1. In its resolution 7/29, the Human Rights Council decided to dedicate, at a minimum, an annual full-day meeting to discuss different specific themes on the rights of the child, including the identification of challenges in the realization of the rights of the child. In its resolution 13/20, the Council decided to focus its next resolution and annual full-day meeting on a holistic approach for the protection and promotion of the rights of children working and/or living on the street.
2. The annual full-day meeting on the protection and promotion of the rights of children working and/or living on the street was held on 9 March 2011, and was aimed at raising awareness about the situation faced by children living and/or working on the street, reaffirming existing standards and commitments undertaken by Member States to protect children, including those in particularly difficult situations, highlighting good practices and lessons learned from work conducted by different actors, as well as identifying key challenges and recommending a way forward. The meeting comprised two panels: the morning panel focused on the root causes and factors leading children to live and/or work on the street, while the afternoon panel was devoted to discussing prevention strategies and responses.
3. The meeting was also attended by representatives of the African Movement of Working Children and Youth as well as of programmes supported by Plan International in Bangladesh.
4. The meeting was jointly organized by the Permanent Mission of Hungary and the Delegation of the European Union (on behalf of the European Union), Uruguay (on behalf of the Latin American and Caribbean Group) and the Office of the United Nations High Commissioner for Human Rights, with other United Nations agencies, particularly the United Nations Children's Fund (UNICEF) and the International Labour Organization (ILO), and non-governmental organizations, including the Street Children Consortium and the NGO Group for the Convention on the Rights of the Child and Plan International. A task force for the preparation of the annual full-day meeting initiated its discussions in November 2010 and met regularly to ensure a successful outcome of the event.

II. Morning panel: "Root causes and factors leading children to live and work on the street"

A. Introductory remarks and statements by panellists

5. The morning panel was moderated by the President of the Human Rights Council. The United Nations High Commissioner for Human Rights opened the panel, followed by presentations by youth representatives of programmes supported by Plan International in Bangladesh; a representative of the African Movement of Working Children and Youth from Benin; the Special Rapporteur on the sale of children, child prostitution and child pornography; the President of Street Invest; and the Commissioner and Rapporteur on Children of the Inter-American Commission on Human Rights.
6. In her opening statement, the High Commissioner stated that the Human Rights Council had rightly chosen the theme of children living and/or working on the streets and welcomed the chosen focus on the root causes and factors that led children to the insecurity and violence that they routinely encountered in the streets. Children did not belong in the streets; they belonged in safe environments at school and at home. Prevention could not be

effective without a deep understanding of the root causes of this alarming phenomenon; an understanding of the phenomenon alone would remain moot in the absence of a commitment to address and mitigate the situation of the estimated 100 million street children. The High Commissioner added that children in street situations were to be found everywhere, and stated that it was a shameful situation that affected the developing and developed world alike.

7. The High Commissioner explained that children living and/or working on the street were particularly vulnerable to human rights violations, including sexual exploitation and abuse, violence and trafficking. In addition to violence, discrimination and stigma, children in street situations also lacked basic rights, such as access to education, health care, food and adequate living conditions. They could be easily subjected to exploitative work, drugs and harsh punishment for small offences. They faced serious health problems, including HIV/AIDS and sexually transmitted diseases. The international community had to protect children in street situations, and at a minimum ensure that they are not subjected to punishment by laws penalizing survival behaviours, such as begging, vagrancy, truancy and running away. She also emphasized that children living and/or working in the street should not be seen as a social problem, but as human beings with a full potential to contribute to society and as agents for change.

8. The youth representatives from programmes supported by Plan International, in Bangladesh (Tania, aged 14, and Riaz, aged 16) stated that they had grown up living and working on the streets. Sometimes children lived on the streets because they were poor and their family situation was not good, sometimes facing domestic violence. They added that there were many children around the world who, for different reasons, were forced to spend their childhood on the streets, without the love and affection of their parents or without opportunities to attend school and live decent lives. Long-term solutions were needed for helping such children. If everyone in society cooperated, children in the streets could grow up with confidence like other children and become successful.

9. The representative of the African Movement of Working Children and Youth (Severine, aged 17), from Benin, stated that many children lived in very difficult situations, including working for other people, being taken out of school or being abandoned by parents owing to poverty. They lived from begging, prostitution or stealing, had no shelter, slept on streets or in market places, were persecuted by the police and often imprisoned. It was an obligation of the State and of parents to send children to school; older children needed support in order to get training and education to earn their living. States should create professional training centres and schools, especially in remote areas, to better protect the girl-child, provide free health care to children and use resources to promote and protect the rights of children.

10. The Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maala M'jid, drew a distinction between "street children" and "children in the street"; the first term referred to children who lived all the time in the street and had no contact with their family, while the second referred to children who maintained some contact with the family. However, the distinction between the two was not always clear and there were a variety of situations depending on age, sex, how children survived in the street and if they both lived and worked in the street or only worked there. She emphasized the specific vulnerability of girls to sexual exploitation and early pregnancy. She stressed that each child was unique, and that solutions had to be tailored to each particular case. She analysed the different contexts that made a child live and work on the streets: family situations; social and cultural factors, including the persistence of certain harmful practices, such as early or forced marriage; socio-economic difficulties; as well as institutional factors. She cited the difficulties arising from the phenomenon of children's gangs and the lack of access to social alternatives, opportunities and employment.

11. The Special Rapporteur emphasized that, to prevent this multidimensional and complex phenomenon, the international community had to take all the factors mentioned into account. It was important that children had access to protection mechanisms. It was also important that monitoring institutions be established and to ensure easy access for the most vulnerable children to child-sensitive counselling, complaint and reporting mechanisms. Effective prevention and action in the best interest of the child required a deep understanding of the different situations and risk factors facing children.

12. The President of Street Invest, Father Patrick Shanahan, explained that, in 1994, he carried out a straw poll among 100 youths living in the street in Accra, and asked them what they would do if they were given everything to leave the street tomorrow, such as paid school fees, desk fee, chair fee, book costs, event board and lodging, and whether they would leave. Two out of 100 said yes. One boy asked “School? What for? To wear a uniform for six years and end up back on the street?” Father Shanahan explained that need street children had to be observed from their perspective, not from ours. He advised against attempting to impose solutions on street children that would not be relevant or useful for their lives, and that the reality of street children had to be dealt with as the children were, rather than what we wanted them to be. Children should be heeded first to evaluate what was in their best interest, and appropriate actions would follow from there.

13. Children were on the streets; in order to find a development plan for them, workers should go to the streets to understand them. Father Shanahan quoted Benno Glauser, a tireless Swiss worker for street children: “Might growing up in the street, rather than just being a negative experience for children, also show new and potentially positive ways or even provide a new paradigm, for children growing up in disintegrating societies?” Street children had a right to live on the street and to have an adult that they trust. He urged one Government to volunteer to start a policy to accept a street child’s right to be on the street and to promote the role of the street worker in reconceptualizing the development of the street child.

14. The Commissioner and Rapporteur on Children of the Inter-American Commission on Human Rights, Paulo Sergio Pinheiro, stated that street children in the Americas were among the main victims of violence in the world. Poverty was the main cause of this phenomenon and street children were often running away from violence, abuse and neglect suffered at home. States should provide special protection for children, especially street children. For many children in the street, however, the State was not a protector but the main perpetrator of violence, by commission or omission. Street children were often labelled as criminal gang members that should be taken off the streets for the sake of security. Such systematic repressive responses from States compromised international human rights standards, besides being ineffective and costly.

15. The Rapporteur stated that, in the past two decades, despite the efforts of some Governments to effectively protect the rights of street children, effective plans and a lack of services aimed at getting children off the streets had been absent. Despite their visibility, street children had more often served as the tragic illustration of neglect and vulnerability than as targets for positive programmes, policies and services. He emphasized that children on the streets had to be protected from State and other violence, and that the best way to deal with violence against children was to stop it before it happened. Freedom from all forms of violence, including corporal punishment, was the right of all children. In 2009, the Inter-American Commission on Human Rights published a report, in which it stated that corporal punishment was a violation of human rights and that it was an obligation of all States to prohibit all forms of violence against children, in all contexts, wherever it might occur. That required investing into prevention programmes to address the underlying causes and establishing a strong legal framework not only grounded on sanctions, but also aimed at

sending a robust, unequivocal signal that society would not tolerate violence against children.

B. Plenary discussion

16. The Human Rights Council divided the first panel discussion into two segments. During the first segment, statements were made by the European Union, Belgium, Chile, Cuba, Ecuador, Germany, Guatemala, Nigeria (on behalf of the Group of African States), Pakistan, Peru, the Russian Federation, Spain, Sri Lanka, Thailand and Uruguay (on behalf of the Group of Latin American and Caribbean States). The Ukrainian Parliamentary Commissioner, the Foundation ECPAT International¹ and the International Save the Children Alliance² also made statements. The representatives of Argentina, Bangladesh, Brazil, China, Djibouti, Finland, Indonesia, Iran (Islamic Republic of), Malaysia, Saudi Arabia, Slovenia, Turkey, World Vision International³ and International Movement ATD Fourth World⁴ spoke during the second segment.

17. During the interactive dialogue, speakers welcomed the presence of youth representatives as panellists and the opportunity to listen to them, giving due weight to their views as provided for in the Convention on the Rights of the Child. States reaffirmed the importance of the Convention and its Optional Protocols, and calls were made the ratification of these international instruments. Representatives of different Governments strongly condemned the violence experienced by street children, including sexual exploitation and abuse, trafficking, hazardous work, discrimination and lack of access to basic services. In the light of the lack of comprehensive data, which constituted a serious global omission, calls were made by some States to develop, strengthen and implement the systematic collection of disaggregated national data on street children so that effective measures for prevention and intervention could be made.

18. Extensive reference to the root causes of the phenomenon was also made, including poverty and economic hardships, family disintegration, exclusion, stigmatization and lack of education, as well as domestic violence, urbanization and natural and man-made disasters. The particular situation of unaccompanied foreign children was also raised during the dialogue. Speakers agreed that this was a phenomenon found in developed and developing countries alike, and that girls were extremely vulnerable to exploitation and abuse. Children in the street were seen as a threat to society rather than as holders of human rights. Some speakers noted the increased risk for these children of being recruited by armed groups, but also for demobilized child soldiers to end up living on the street. The responsibility of States to ensure that all children could live with their families, go to school and have access to the most basic services was emphasized.

¹ On behalf of the Consortium for Street Children, Defence for Children International, the International Catholic Child Bureau, the International Federation of Social Workers, the International Federation Terre des Hommes, the Women's World Summit Foundation and World Vision International.

² On behalf of the Consortium for Street Children, Foundation ECPAT International, the International Federation Terre des Hommes, SOS Kinderdorf International and the Women's World Summit Foundation.

³ On behalf of the Consortium for Street Children, Defence for Children International, Foundation ECPAT International, the International Catholic Child Bureau, the International Federation Terre des Hommes, the International Harm Reduction Association, Plan International, SOS Children's Villages International and the World Women's Summit Foundation.

⁴ On behalf of Franciscans International, the International Catholic Child Bureau and the International Council of Women.

19. There was a special reference on prevention and education measures, as well as to the respect for the views of the child and the importance of integrating him/her in decision making process which concern them. The promotion and protection of the rights of the child were not only an international obligation but also an indispensable investment to secure our future, speakers said. Integrated cross-sectoral policies, national plan of actions as well as cooperation at the national, regional and international level were important to protect the rights of children living and working on the street. Speakers expressed concern at many children working in the street and they were convinced that the protection of children had to be put at the top of political agendas and public policies. Some States said that their Governments had adopted strategies, including necessary legislative measures to ensure that street children continued to enjoy their right to education. A number of countries also informed the Human Rights Council about the steps taken at the national level with regard to the protection of children.

20. Non-governmental organizations and national human rights institutions stated that a staggering number of children living and working on the street had lost one or both parents. Children affected by HIV/AIDS suffered from extreme isolation and discrimination. Preventive and protection actions were critical to guarantee the rights of children living or working on the street and those affected or infected by HIV/AIDS and to ensure their well-being and security. Speakers urged that steps be taken as part of the obligation of States to uphold and protect the rights of all children, including children on the move, and that these steps be reflected in national plans, legislation and policies. Governments should develop effective and appropriate child protection systems and integrated, coordinated and comprehensive responses for all children, including those on the move.

21. The prevalence of chronic diseases, psychological problems and developmental disorders was also raised. In some countries, many non-governmental organizations had taken the responsibility of providing health services and access to other basic goods and services to street children. They urged States to provide comprehensive mobile health-care services to children living and/or working on the street, and to focus on preventive, curative and promotional aspects of health according to the needs of street children, as well as training for health workers. In addition, they called on States to refrain from criminalizing life or work on the streets and to develop policies and programmes to provide support for families in meeting their responsibilities towards their children.

22. During the dialogue, some speakers requested examples of effective measures concerning the reintegration of street children and of successful public policies; recommendations for international cooperation programmes on this subject; effective preventive measures that could be taken at the national level to protect children from having to live in the street; as well as how the shift from a charity-based to a rights-based approach could make a difference in dealing with street children.

C. Concluding remarks

23. The Special Rapporteur referred to the importance of different stakeholders working together to prevent and protect children in the street. She noted the essential role of those who worked directly with children on the street and the need to involve them in integrated programmes. There should be long-term social and psychological support and, where possible, a return of children to their parents. Legislation should recognize the need to protect children and that there should be access to economic activities for children. She added that the protection of children living or working in the street required a systematic approach and that a process of finding, supporting and rehabilitating them required human and financial resources. The family should provide a protective environment to allow children not only to develop, but to flourish too. The challenge was how to incorporate

children's rights into national, social and development policies, which would require at the same time the development of indicators to evaluate progress.

24. Father Shanahan pointed out that States should not be looking for magic answers, because there is none. If dedicated and trained workers were put on the streets of the cities, countries would start finding answers from children; he therefore urged countries to do so. Dedicated workers on the streets, together with the street children, could work out realistic plans of intervention. States should listen to children and take their opinions into account. He appealed to States not to treat street children only in terms of numbers. He believed that moving towards a rights-based approach would give children on the streets their voice back and that this would be the beginning to finding solutions.

25. The Rapporteur stated that countries had to cooperate with the South to obtain information on children in the street and to implement the main recommendations of the United Nations study on violence against children.⁵ He found the way in which many children of migrant families were treated in detention centres to be unacceptable. He regretted that the collective communications procedure was not included in the final draft of the optional protocol to the Convention on the Rights of the Child to establish a communications procedure of the Open-Ended Working Group.⁶ Respecting the rights of children in the streets implied respecting the rights of children generally by, inter alia, eliminating corporal punishment or the death penalty, which were still in force in certain countries. The best solution to any problem regarding children was for the States to guarantee their human dignity on a daily basis.

26. The youth representatives from programmes supported by Plan International stated that if everyone in society extended their hand, children would have a better life and education. According to the representative of the African Movement of Working Children and Youth, States should take care of children living in the street by providing free education for children, especially for girls, by building schools in isolated areas and vocational training centres for children who had left school. Governments should take measures to improve the purchasing power of parents so that they could provide for their children, and money should be allocated to maintain schools.

III. Afternoon panel: “Conditions of children working and/or living in the street: prevention strategies and response”

A. Introductory remarks and statements by panellists

27. The afternoon panel, which was moderated by the Vice-President of the Human Rights Council, Rodolfo Reyes Rodriguez, focused on the living conditions of children working and living on the street, as well as on the prevention strategies and responses. The panellists included the Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais; the Deputy Inspector General of Police of Sindh (Pakistan), Abdul Khaliq Shaikh; the Director of *Projeceto Meninos e meninas da rua* (Brazil), Marco Antonio Da Silva Souza; the Senior Adviser of UNICEF, Theresa Kilbane; and the Special Adviser to the Director-General of ILO, Kari Tapiola.

28. The meeting was opened by the Deputy United Nations High Commissioner for Human Rights, who underscored the urgent need for more reliable and systematic data

⁵ A/61/299.

⁶ A/HRC/17/36.

collection and research on children in street situations, as well as the importance of using a gender-sensitive approach to protecting them. She highlighted the recommendations made by human rights mechanisms, particularly the Committee on the Rights of the Child, concerning the development of proactive policies and programmes of prevention, support to families and strengthening of assistance, including in education, health care, food and shelter. She stated that children in street situations should not be treated as delinquents, but that they should instead be provided with preventive and rehabilitative services. She emphasized that advocacy needed to be accompanied by coordinated actions among Governments, United Nations agencies, civil society, local communities and children themselves, and called on the Human Rights Council to make concrete recommendations following the day of annual discussion.

29. According to the Special Representative of the Secretary-General on Violence against Children the true measure of a nation's standing was assessed by how much it invested in children and how well it fulfilled children's human rights. The recognition of these rights tended to fade away in the situation of children living or working in the street and was replaced by stigma, indifference, invisibility and fear. She stated that, with rapid urbanization, the number of children in the streets tended to grow, and with them, inequity, exclusion and violence. She stressed that addressing the situation of these children was a human rights imperative. Girls were at special risk: in addition to negative social attitudes, they endured sexual abuse and exploitation; faced early pregnancy and enhanced responsibilities as mothers of a new generation of street children; and still too often, they ended up in detention for deviant behaviour "for their own protection". This dramatic pattern was seriously worsened by political instability. Across regions, there was a worrying trend to criminalize children living and/or working on the street. As noted in the United Nations study on violence against children, these children were demonized for activities that in no way warranted the kind of cruel and gratuitous violence that they endured. She concluded by explaining that it was crucial that national legislation be enacted to prohibit all forms of violence against children, everywhere and at all times, and that it was imperative that status offences, such as begging, truancy and vagrancy, be abolished. She also stressed the urgent need to establish and make widely available safe, child-sensitive and confidential counselling for children working or living on the street and to provide reporting and complaint mechanisms to address incidents of violence.

30. The Deputy Inspector General of Police of Sindh (Pakistan) stated that, given that street children were more likely to come into conflict with the law, police officers had to be aware of different issues, including juvenile justice matters and drug abuse. Police perception of street children played a crucial role in shaping the response to the phenomenon; sensitization about street children and their rights was therefore essential. He outlined the issues and challenges the Sindh police had been dealing with, most of which affected all developing countries. There was an increasing awareness in the police leadership of the need to improve the handling of street children in large cities. Pakistan had taken a number of measures to that effect, including the establishment of five model child rights desks in Sindh province, the preparation of a police training manual on the juvenile justice system, and short courses and awareness-raising workshops for police officers on the rights of street children. Good practices needed to be institutionalized and replicated in other provinces and countries, and the capacity-building of police authorities needed to be expedited. Community policing matters should be encouraged to take street children off the street and reintegrate them back into society.

31. The Director of *Projeto meninos e meninas da rua* stated that the reality of children living in the street is increasingly present but is forgotten in States' agendas. The lack of adequate and timely answer by States, constant negative references by the media and the lack of support from society in general increases the stigma and exclusion of children in the street, moving them away from true permanent alternatives and solutions. Children on the

street are left to their own fate, confronted with situations of labour exploitation, sexual exploitation and even sudden death. He stressed that Government policies were fragmented and poorly resourced, and that it was only through holistic public policies that these conditions could be changed. Behind each child on the street was an abandoned family with no protection. Simultaneous policies of inpatient and outpatient health care (especially reproductive health services) and support for education and reintegration programmes would provide space for street children and their families to redevelop. Himself a survivor of violence and child trafficking on the street, he added that it was very important to work with children in their group, acknowledging that the group is their daily reality. He explained that, once the child's trust has been won, the first step had been taken in the process of changing and understanding his or her needs, limitations and possibilities.

32. Dialogue was the most relevant educational instrument to promote alternatives for children in the street. He suggested that national quantitative and qualitative assessments of the situation of children be made and that the family be strengthened as the centrepiece of interventions. Professionals should be willing to listen and to believe in the possibility of changing a child's situation. National plans of coordinated action with guaranteed financial resources should address issues of race, economics and social and cultural situations.

33. The Senior Adviser for Child Protection of UNICEF explained how the Fund, in partnership with Governments and non-governmental organizations, had been working to create a more systematic approach that embraced laws, services, behaviours and practices that minimized children's susceptibility to risk. The necessary components of a protective environment included changes in social attitudes, customs and practices that allowed children's rights to be violated and an emphasis on the accountability of Governments to establish the best possible systems for the protection of children, regardless of age, disability, ethnicity or religion. Addressing family separation was often an entry point for strengthening the overall child protection system. Approximately 131 UNICEF country officers were engaged in the protective care of children through programmes ranging from policy development to direct care support. Tools were now in place to map and assess child protection systems and guide responses for system strengthening. She added that Government agencies responsible for child protection systems are often poorly resourced and that child protection may not be viewed as a principle mandate for the Government. This suggests the need for articulation across sectoral policies, dialogue with other formal sector service providers and community groups, as well as common approaches among international partners supporting child protection interventions.

34. The Special Adviser to the Director-General of ILO stated that the international framework on child labour was set out by the International Labour Organization (ILO) in the Minimum Age Convention No. 138 (1973) and the Worst Forms of Child Labour Convention No. 182 (1999). To date, 173 Member States had ratified Convention No. 182 and 158 States were party to Convention No. 138. Although working on the street was not deemed to be among the worst forms of child labour as defined by the ILO Conventions, the reality of the problem was more difficult to ascertain. Particular attention should be paid to children on the street to prevent them from falling through the cracks of protection services. There was a great danger that children were seen as perpetrators, rather than as victims, of criminal activity. There was ignorance of the fact that many of them ended up on the street after escaping from forced activities. The response of ILO relied heavily on comprehensive national action plans with relevant authorities and civil society. There was a need for better data to understand the situation and to develop activities for professionals who worked with children. Prevention, withdrawal and rehabilitation were required to combat this problem and specific measures and action plans should be undertaken in each phase. The international community had pledged to eliminate all the worst forms of child labour by 2016. This could not be done without addressing the issue of street children.

B. Plenary discussion

35. As in the morning session, the Human Rights Council divided the second panel discussion into two segments. During the ensuing discussion for the second panel, statements were made during the first segment by Algeria, Angola, Australia, Canada, Costa Rica, Honduras, Maldives, Mexico, Nepal, Pakistan, Paraguay (on behalf of Common Market of the South), the Republic of Korea, Switzerland, Ukraine and the African Union. The National Human Rights Council of Morocco, SOS Kinderdorf International⁷ and Defence for Children International⁸ also made statements. During the second segment, Afghanistan, Cambodia, Egypt, Georgia, India, Indonesia, Japan, Jordan, Morocco, Norway, Peru, Poland, Qatar, Slovenia, the Sudan, the United States of America, Viet Nam and the European Union took the floor. Also speaking were the non-governmental organizations the Consortium for Street Children,⁹ Human Rights Advocates,¹⁰ the International Harm Reduction Association¹¹ and Plan International.¹²

36. During the interactive dialogue, speakers again welcomed the presence of youth representatives in the annual day discussion and reiterated the causes of why children end up on the street, making them more vulnerable to violence, abuse and exploitation. States had an obligation to address the issue. Since it was such a complex and comprehensive problem, responses should be complex and comprehensive. The identification of reasons for which children found themselves on the street might help in devising response strategies. In that sense, poverty, particularly in developing countries, was identified as one of the main reasons. Structural impediments and socio-economic vulnerabilities prevalent in society had an impact on the well-being of children. External factors such as conflicts, HIV/AIDS, the effects of climate change and migration aggravated the problem. Some children on the street were stateless, refugees, internally displaced or children of illegal immigrants. Homelessness had a severe impact on a child's development and was a step towards lifelong disadvantage. Some countries underlined the major role played by

⁷ Also on behalf of the African Child Policy Forum, the Consortium for Street Children, Defence for Children International, Foundation ECPAT International, the International Catholic Child Bureau, International Federation Terre des Hommes, International Movement ATD Fourth World, International Social Service, the NGO Group for the Convention on the Rights of the Child, Plan International, Red Latinoamericana de Acogimiento Familiar, the Women's World Summit Foundation, the World Movement of Mothers World Vision International.

⁸ On behalf of the African Child Policy Forum, the Consortium for Street Children, Covenant House/Casa Alianza, Foundation ECPAT International, the International Catholic Child Bureau, International Federation Terre des Hommes, the NGO Group for the Convention on the Rights of the Child, Plan International, SOS Kinderdorf International, War Child Holland, the Women's World Summit Foundation, the World Movement of Mothers, the World Organization against Torture and World Vision International.

⁹ On behalf of Defence for Children International, the International Catholic Child Bureau, International Federation Terre des Hommes, the International Harm Reduction Association, SOS Kinderdorf International and the Women's World Summit Foundation.

¹⁰ Also on behalf of the Consortium for Street Children, Defence for Children International and the Women's World Summit Foundation.

¹¹ Also on behalf of the Consortium for Street Children, Human Rights Watch, the International Catholic Child Bureau and World Vision International.

¹² Also on behalf of the Consortium for Street Children, Defence for Children International, Foundation ECPAT International, the International Catholic Child Bureau, the NGO Group for the Convention on the Rights of the Child, SOS Kinderdorf International, the Women's World Summit Foundation, the World Movement of Mothers, the World Organization against Torture and World Vision International.

UNICEF in improving the international community's understanding of the complex and changing factors causing children to lead a life on the street.

37. With regard to prevention, speakers emphasized the need to develop comprehensive national strategies and Government coordinating mechanisms to promote children's rights; to promote family policies aimed at supporting them in their child-rearing responsibilities; to prevent as far as possible the separation of children from their families; to provide community-based alternatives to avoid the placement of children in institutions; to punish perpetrators of violence against children; and to ensure that victims had access to justice.

38. Protecting children from harm and promoting their rights required a holistic approach with a multiplicity of stakeholders working together in synergy with the international community. A holistic approach was a challenge for Governments, as many different stakeholders needed to get together and wide gaps remained between policy and practice. Also, many countries suffered from a lack of capacity and resources to address this issue. The need to create sustainable social welfare support for children living and working on the street was stressed. One common denominator was the lack of social protection and care and the importance of having institutions in place that were child-sensitive and enjoyed the trust of children, especially those most vulnerable and stigmatized. Speakers referred to different initiatives at the national, regional and international levels to help children living on the street and invited countries to share the results of their initiatives, as well as examples of best practices. It was essential that strategies and responses be developed in a holistic manner in cooperation with relevant United Nations bodies, regional organizations and expert non-governmental organizations.

39. Non-governmental organizations reiterated that children living on the street were fully entitled to assistance and protection from the State without discrimination. Placing these children in large care institutions or criminalizing and incarcerating them were inappropriate responses. A call was made to States to amend laws criminalizing children for status offenses, such as begging and running away. Reference was also made to the importance of birth registration, since unregistered children were most vulnerable to abuse and exploitation, and were at risk of further abuse if they came into conflict with the law. States were urged to ensure that birth registration was available and accessible to all children.

40. Since the previous time that this issue was given full attention by the United Nations (in particular by the General Assembly) in the 1990s, the three main big questions still asked were "how many are there?", "who are they?" and "what can we do to help them?" A number of recommendations were made: to develop and consolidate a strategic knowledge base capable of informing policies by compiling and disseminating data-collection guidelines and examples of best practice, research and child rights-based programming for street children; to invest in ongoing analysis of Government and international agency budgets; to involve the private sector and utilize social corporate responsibility strategies to enhance programme design and policy interventions; to encourage the active participation of street children in data collection and programme design; and to highlight street children's issues in State party reports submitted to the Human Rights Council at the universal periodic review and to the treaty bodies.

41. The interactive dialogue brought to light the relationship between juvenile justice matters and children living and/or working on the street, given that, in certain countries, children were detained for the mere fact of being on the street. Reference was also made to the impact that detention has on children. Panellists were asked to provide examples of strategies to better integrate children into society, of successful awareness-raising campaigns on the issue of street children and on research and studies on the subject, as well as statistics and follow-up to the children's situation when they grew up.

C. Concluding remarks

42. The Special Representative of the Secretary-General on Violence against Children emphasized that young people had great potential and that it was important to build a partnership with them. For that reason, the international community had to listen to children. It was essential to invest in prevention and in the protection of children from all forms of violence. There was a need to understand what led children to the street and it was necessary to document the root causes and risk groups for better implementation of preventive policies. Violence against children living on the street had to be investigated, and children should have access to child-sensitive counselling, complaint and reporting mechanisms to report incidents of violence. She strongly emphasized that the criminal justice system should not be a replacement for a child protection system. She hoped that the outcome of the panel discussion would be a solid, comprehensive report that the Human Rights Council could revert to in 2011. At the regional level, States should not miss opportunities to exchange information, such as with the African Committee of Experts on the Rights and Welfare of the Child and the African day on street children on 16 June.

43. The Deputy Inspector General of Police of Sindh, Abdul Khaliq Shaikh, referred to the sharing of good practices and replicating them in different parts of the world. The dialogue pointed at best practices in different areas, such as health, education and policing. Best practices had to be disseminated and implemented. He added that the real challenge overall was the implementation of existing laws and the capacity-building of professionals working with children. International conventions were ratified, domestic legislation was enacted and there was proper policy, but the failure was in the structures and institutions and the lack of capacity among the people dealing with children. Existing structures and institutions should therefore be made more effective.

44. The Director of *Projeto Meninos e meninas da rua*, Marco Antonio da Silva Souza, stated that poverty was an important factor that led children to live on the street. Professionals working with children in street situations had to consider many different aspects in their work: the family, the community, generational issues, new technologies, modes of behaviour, violence, alcohol and drugs. The State had an important role to play, together with international bodies, in providing a holistic approach to support families and children who were adrift. There was a need for political will and financial support to help children in the street. Any strategy required the involvement of all actors, particularly those dealing with children on the street. It was important to create a space to hear children's voices and to ensure broad social contribution to any proposed solutions. It was essential to do research and determine who street children were, what the most appropriate responses were and how they could be expanded and replicated. Laws were frequently very harsh on families.

45. The Senior Adviser of UNICEF, Theresa Kilbane, emphasized the importance of creating policies that were inclusive of children, such as vocational education and supporting families. These were important roles that the States needed to play. With regard to best practices, UNICEF planned to document by 2012 the lessons learned in assisting vulnerable children, taking into account regional meetings and the work conducted on the ground. She highlighted the need for the prevention and creation of child protection systems to ensure that children did not end up on the street. Regarding data, there was a need to collect the evidence of what worked and what did not, and who were the most vulnerable children requiring assistance. All of these measures required increased investment and adequate human and financial resources.

46. The Special Adviser to the Director-General of ILO, Kari Tapiola, announced that, in 2011, the World Day against Child Labour would focus on hazardous work. Awareness-raising and educating the general public and the media were important in demonstrating that children living and/or working on the street should not be viewed as a nuisance and that they were most likely victims of the worst forms of exploitation. Not enough was known about the phenomenon of street children; while collecting and analysing data was essential, this must not preclude action. Sometimes, simple administrative or legal measures went a long way to addressing common problems. Measures in juvenile justice must include prevention, assistance and rehabilitation. It must not be forgotten that street children were victims too.
