

Making research and experience count: children living and/or working in the street

In December 2011, a number of experts from academia and civil society wrote to the High Commissioner for Human Rights Ms Pillay in relation to the UN initiative to promote the rights of children working and/or living on the street. Work with and on children living and/or working on the street has been a field of research and experience that has proven fruitful when thinking at global level including on child labour, gender, sexuality, identity, agency, participation particularly within a rights based framework.

The letter appealed for developments with or regarding children working and/or living on the street to be embedded in this body of knowledge and the experts offered their full support for this very much needed initiative.

Open letter to the UN High Commissioner for Human Rights

Ms. Navanethem Pillay
The High Commissioner for Human Rights
The Office of the United Nations High Commissioner for Human Rights
Palais Wilson
52 rue des Pâquis
CH-1201 Geneva
Switzerland

Dear Ms Pillay,

We are a group of professionals who have been involved in research, advocacy or intervention to defend the rights of children who live or work in the streets and we have followed with great interest the actions undertaken by the Office of the High Commissioner for Human Rights (OHCHR). We naturally support this initiative to address the situation of a category of children and young people who are victims of multiple rights violations around the world. We particularly welcome the effort to also include the reality of their lives in industrialised and wealthy countries and the central focus on promoting a human right based approach.

Some of us, having worked for relatively many years in this field, wish to put together some suggestions in this letter on the way forward and hope that in this way we can make our expertise available for the provision of the important task that is being carried out at present.

On 24 March 2011, the UN Human Rights Council (UNHRC) 'invite[d] the Office of the United Nations 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, including practices in the collection of disaggregated data and experiences on access to child-friendly counselling, complaint and reporting mechanisms to protect the rights of children living and/or working on the streets [...], and to present the study to the Human Rights Council at its nineteenth session' in March 2012.

During the recent UN expert meeting in Geneva (1-2 November 2011), Dr Sarah Thomas de Benitez and Louise Meincke, Advocacy Director of the Consortium for Street Children, presented a literature review of international research studies about street children published during the decade from 2000 to 2010. Studies have been collected and mapped into twelve thematic sections, drawing on more than 400 papers, chapters and books published around the world in the English language. OHCHR contracted the team of consultants to prepare this research paper which should inform on advances in the literature, the field and what has been given to us through children's own 'voices'.

We have examined the documents and material submitted available on the website and believe that a broader and more structured body of knowledge should be assembled in order to promote sound and efficient policies and actions to promote the rights of children who work and or live in the streets. It is probably because of resource constraints that only literature published in English language since 2000 has been included in the background report. Yet, significant, and seminal, work in the field has been published before this date and we believe that important lessons are missed out if the body of knowledge gained before 2000 is not taken in account. Our concern is that unlike other social studies, this one does not take in seminal works that should (for example) provide necessary elements of theory and history as well as successful and failed approaches and other significant data upon which to build. The review appears far narrower than many of us would wish it to be, because it does not fully include the wider range of options which can be derived from research and experiences from before 2000 and which should be available for planning, policy making and programmes. We do not know whether this is an intended outcome or not, however it would appear that a human rights based approach seems to be overwhelmed by a protectionist/welfarist and less inclusive one.

Our concern is, therefore, that without a background out of which to develop future programmes and promote actions that are based on a human right based approach, which are also as efficient as possible within today's constraints in terms of resources, it would fail to achieve any measurable steps forward. In order to learn lessons from past experience and work, we believe a number of areas require further examination to in order to identify the full implications for action. Similarly we feel there is close correlation with more recent literature that older, seminal material develops on, thus we are proposing thorough examination of:

- *Research needs and sound methodologies:* Children have the right to be properly researched. Although not written explicitly, it is nonetheless by and large a pivotal issue because of the importance of empirical evidence, both in understanding situations and evaluating the impact of interventions. In its absence, actions run the risk of imposing ideological frameworks and all the assumptions and stereotypes they produce. In the past we have too often dealt with street children as we feared them to be, or perhaps hoped they would be, rather than as the complex human beings they really happen to be. Children are deprived of their rights when they are misunderstood, because support cannot be properly targeted towards and for them.
- *Children's and adolescents' agency and participation:* The body of research and expertise gathered over the last 30 years shows that agency of children's working and/or living in the street goes well beyond limited tactics and deviant or at risk behaviour. It includes commendable efforts and

struggles to deal, in their everyday lives, with very adverse environments and sometimes support other children or adults. We have indeed a powerful example of this in the submission by Mrs. Bulelwa Hewitt who points out the support a young person may provide whether he or she is or not also a drug user. Respect for agency represents for us a basic requirement to respect human being's dignity and in so it does conform to the spirit of the UN Convention on the Rights of the Child (UNCRC) and particularly to the articles that, in this instrument, refer to what we call today participation. In relation to participation, a relatively large body of knowledge exists on programmes and projects that support both children's efforts in their everyday lives and give them channels to influence programmes and policy making. Some of these initiatives pertain for instance to organised movements of working children that exist in different continent, other are grass-root movements not organised. All of this expertise is vital in many respects. Beyond participation being a human right of children and youth, it is also vital that they are listened to in order to ensure that actions taken do not generate any harm and are more efficient.

- *The variety of economic, social, cultural and political contexts:* Research findings show a variety of contexts that bear an influence on children and adolescents who are on the street. This includes localised armed conflicts and actual wars, mass displacement, natural and manmade disasters, poverty, oppression and exclusion, to give but a few examples. Whereby none of these generally gives sole account for the presence of children and adolescents on the street, it influences a variety of pull and push factors that contribute to these realities. Appropriate action should account for such diversity and different approaches should and indeed are adopted in these situations. Mapping such knowledge would constitute a considerable advance whereas, conversely, ignoring diversity will often lead to inappropriate interventions.
- *The human rights based approach:* A human rights based approach and guidance for governments and organisations on the implementation of the UNCRC is a prerequisite. We suggest that more can be drawn from existing points of view and evidence in relation to rights violations that affect children who work and/or live in the street as well as the conceptualisation of its significance for policy making and programming.
- *Planning and programming:* A variety of approaches for intervening in the lives of children and adolescents who work and/or live in the street exist. There are no theoretical or conceptual barriers to building a flexible framework capable of including different approaches in both research and intervention. Very often, particular research or intervention addresses different aspects, problems, levels of analysis/actions or groups of children and young people or rights enshrined in the UNCRC. Some of these issues have been partly examined already. The construction of an appropriate framework is likely to require a network of experts (academics, NGO and UN agency professionals) working together. In the past this kind of dialogue has been the aim, for instance, of the International Working Group on Child Labour. We believe it is vital that all approaches and methodologies are reflected in this forum.

The dialogue OHCHR is at present promoting is, we believe of extreme importance and we would like to advocate its extension to promote action that can offer support and also draw on support from those who work or have worked in the field and from children and adolescents themselves especially.

Needless to say, we are available to contribute to this important task at the best of our possibilities, in promoting exchange and contributing to the required knowledge. We also remain available for any further information.

The signatories

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Dr. Brian Milne, Children's rights research consultant, France. Co-author/co-editor of *Beyond Article 12: essential readings in children's participation*, Bangkok: Knowing Children, 2006, *Creating an enabling environment: Capacity building in children's participation*, Save the Children Sweden, Bangkok, 2006, and *Methods of Research with Street and Working Children: An Annotated Bibliography*, Rädde Barnen, Stockholm, 1996.

Dr. Antonella Invernizzi, research consultant, France, and honorary research fellow, Swansea University, UK. Author/co-editor of: Invernizzi A. and Williams J. (eds) (2011) *Human Rights of children*, Ashgate Publ., Invernizzi, A. and Williams, J. (Eds) (2008) *Children and citizenship*, London: Sage, Invernizzi, A. (2001) *La vie quotidienne des enfants travailleurs*, Paris: L'Harmattan and Invernizzi A. (2001) *L'enfant qui vit dans les rues en Afrique, en Asie et en Europe de l'Est. Bibliographie commentée*, Bonn: Deutsche Bischofskonferenz.

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IAP. México, D.F. 2009 and “Con la calle en las venas” Ednica, México, 1997 and *Niños, niñas, adolescentes y jóvenes en situación de calle. Elementos para repensar las formas de intervención*. Quórum con los niños y niñas de la calle. México, D.F. 2010.

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Niñez y Juventud: Dislocaciones y Mudanzas, Mexico: UAM-Childwatch International Research Network, 2007 and of *Antología del Diplomado: Derechos de la Infancia. Infancia en riesgo*, Mexico: UAM-Universidad de Valencia-Generalitat Valenciana 2005. Coordinator of: *Los efectos de la crisis globalizada en los procesos de exclusión social de la infancia y juventud latinoamericana y del Caribe*, Mexico.

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Counseling Refugees: A Psychosocial Approach to Innovative Multicultural Interventions, Greenwood Press and Bemak, F and Chung, R, 2011, *Social Justice Counseling: The Next Steps Beyond Multiculturalism*, SAGE Publications, Inc.

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