

UN Committee on the Rights of the Child General Comment on children in street situations

Save the Children Albania CO submission

I. Introduction

The input on this general comment is based on the long national experience in establishing a child protection system and providing services to the most deprived children.

This input is driven by the strong belief on the State responsibilities to take all the necessary provisions to guaranty special protection to all children without any discrimination on race, religious, sex or social origin.

We believe that a General Comment on children in street situation, together with the obligations deriving from ratification of UNCRC will guide the work of the State to fulfil its duties in development, improvement and implementation of legal, institutional, socio-economic conditions, guaranteeing the full enjoyment of children's rights, ensuring that the principles of UNCRC are reflected in national legislation.

II. Objectives

1. Bring attention on the actual situation of children in street situation, on the factors of vulnerability and conditions that push them to street involved experience;
2. Draw attention on the risks faced by children in street situation as they are exposed to violence, sexual abuse, exploitation and trafficking as well to the ability of national child protection mechanisms to early identify vulnerability factors, assess and adequately respond to the specific need through prevention and family strengthening approaches;
3. Guide the work of the GoA in establishing a comprehensive and integrated child protection system, able to prevent harmful experiences that children are subject to, and ensure that the rights of all children are respected and protected through relevant legislative frameworks and policies in place and effective implementation.

III. Being in public spaces

Children in street situation represent the most unprotected children in Albania. The number of hours a child works a day varies from two to eighteen hours putting in high risk their physical and emotional wellbeing and exposing them to risk of violence, abuse, exploitation and trafficking by third parties or directly by their parents.

A national study on children in street situation conducted by Save the Children and UNICEF (2014), states that the majority of children in street situation are from Roma and Egyptian communities given the extreme living conditions, violent or abusive home situations, neglect, discrimination, exploitation, lack of a parent or both parents, lack of birth registration, low education level, lack of access to schooling and dropping out, gender imbalance, physical/mental health issues, lack of legal work alternatives or other opportunities. While many Roma children live by begging, selling or recycling in the streets of Albania, a rising phenomenon of movement within and outside Albania is increasing, during seasonal holidays they migrate alone or accompanied by adults and relatives to

neighbouring countries: Kosovo, Montenegro and Greece where they engage in street work or begging.

The abovementioned study report use the definition of children in street situations adapted to the Albanian context:

Children in street situations are under 18 years old and have some connection to the street, usually due to living and/or working there even on a seasonal or transitory basis.

However from interviews with children, it was also possible to group them in terms of UNICEF's definitions:

- Children "of" the Street: those who stay in the streets during the day and also sleep in the street, possibly due to loss or absence of parents, alcoholism, domestic violence, divorce and/or remarriage of parents;
- Children "on" the Street: who mainly stay in the streets during the daylight hours and return to their homes or residential care centres at night; and Street-Family Children:
- those who live with their family on the street.

IV. Key articles of the Convention in relation to children in street situations

Article 27 (right to an adequate standard of living; implications of this for prevention and response).

There are not minimum living standards set for the context of Albania, except for the poverty line set at real per capita consumption of 4,891 ALL (40 Euro) per month with 2002 prices¹.

Save the Children and UNICEF² national study report shows that for children in street situation, home is usually a simple construction with one or maximum two rooms, not safe in terms of physical security, usually cold, and members of the family tend to sleep in the same room. The place is usually without electricity or clean water, therefore likely to be an unhygienic place for both the children and their family.

Main push factors for children engaging on street related activities are the very poor extreme living conditions. The poorer the household the more prone it is to send out children to work as to relax budget constraints and increase household income, which on the other hand may be used for younger children. Therefore school-age children of poorer household are at a greater risk to be left out of the education system and work inside or outside of home.

Less educated households tend to have more children thus increasing their incidence of being poor as well as sending their children in the street as a way to increase poverty. The majority of children in street situation do not live in places with adequate hygiene. Street activities make children more vulnerable to certain health problems. Poverty in the households may lead children to be more prone of committing crimes.

Spending in social care services is fairly insignificant at about 3% of the overall social protection budget programme. Social care services for children are very limited. The majority include residential services for children without parental care and/or children with disabilities, but there are also some day-care services with a limited capacity.

Due to the abovementioned facts and reality there is an urgent need for public service provisions as to increase levels of education, decrease child labour, and improve livelihood by breaking the cycle of poverty.

¹<https://albania.savethechildren.net/sites/albania.savethechildren.net/files/library/National%20study%20on%20children%20in%20street%20situation%20in%20Albania.pdf>

²<https://albania.savethechildren.net/sites/albania.savethechildren.net/files/library/Midterm%20analysis.pdf>

V. Developing rights-based, holistic, long term strategies to prevent children developing strong street connections and to support children in street situations

Child protection system in Albania is still fragmented using a case based approach which does not allow for comprehensive, sustainable results. The system is based on 2 main mechanisms: the referral mechanism for children victims of trafficking and the referral mechanisms for protection of abused children that is still under development. Main issues that need to be faced by the National strategies and action plans include:

- a) Birth/civil registration – the lack of registration brings the denial of the access to services: health, education, employment, social protection etc.
- b) Low education – children in street situation especially children from Roma community have a low level of registration in schools/pre-schools, high level of school drop-out, contributing in the continuous growth of illiteracy.
- c) Health – children in street situation have limited access in vaccination, early identification and treatment of different pathologies.
- d) Exploitation – children in street situation are exposed to child exploitation and abuse including sexual abuse.

We recommend:

- The local and central government should provide necessary means to prevent the engagement in street related activities of children through investments in access to education, literacy classes, vocational training for parents and youth as well facilitation of access to employment schemas;
- Coordination of interventions among public and non public service providers to offer a wide range of services that will focus on family strengthening; Budgetary allocations for local child protection units to provide necessary child protection services; Promote education programs for children on risks of abuse and Exploitation
- Invest in early childhood care and development for children from marginalized groups as preventive measures to street involvement.

Best practices include micro-enterprise development to increase children's ability to secure legal income on the street; provision of education on health and risks that children in street situation face, to raise awareness of the numerous risks accompanying street life; provision of basic needs such as food, shelter and a place of safety through drop-in centres and outreach programmes.

VI. Resources for implementation

The government's efforts to address the phenomenon by children in street situation and their families are currently addressed through the development of a national action plan addressing ad hoc/case by case issues of children in street situation and their families, and more generally through its social care service reform. The latter should introduce case management as a requisite tool for all social services, and provide a full package of social services in each specific region, thus favouring decentralisation. Furthermore Government is finalizing a strategy on social protection and revising laws and mechanisms on child protection. During development of these documents, the government is urged to provide durable solutions for the effective integration of children in street situation.

In terms of financial resources, while the official response is that resources for social services are adequate, for civil society, it is likely that more adequate funds will be needed to properly deal with poverty and social exclusion, especially through the proposed reform.