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Children Speak

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A Newsletter of the Organization for the Protection of Children's Rights

Message from the President

One of the most stringent pressures facing children and youth in an increasingly urbanized world is the disintegration of the family, compounded by the lack of services and support for the new family forms emerging as a result. This is especially evident in highly industrialized countries where the family as a social institution has undergone substantial changes in the past decades; an increasing number of children are experiencing their parent's separation and divorce - and are doing so at an earlier age - and are born and living in one-parent families, recomposed families and nonmarital unions. In developing countries, grueling urban poverty, the proliferation of slums and lack of state support have given rise to an apathetic society where children end up in the street fighting for themselves. All of these carry huge economic, social and human costs for children first and foremost, but also for society as a whole.



Riccardo Di Done

In its World Youth Report 2003, the Department of Economic and Social Affairs of the UN Secretariat noted that the fact that "countries with more urbanized populations have higher registered crime rates than do those with strong rural lifestyles and communities may be attributable to differences in social control and social cohesion. Rural groupings rely mainly on family and community control as a means of dealing with antisocial behaviour and exhibit markedly lower crime rates. Urban industrialized societies tend to resort to formal legal and judicial measures, an impersonal approach that appears to be linked to higher crime rates".

Family laws are a case in point. My own personal experience of having gone through a separation involving a complex, 16-year long legal battle to ensure the right of my son to have access to both of his parents was so gruelling and damaging to everyone involved - to my son most of all - that it spurred me to found the O.P.C.R. as well as write a book entitled *Please don't let me go Papa!* so as to prevent other children from ever having to experience the same ordeal and suffering. The book, to be launched in Montreal on June 21st, relates in poignant and gripping language a living nightmare that is shared by countless couples and their children in North America. It also presents research data on the effects of divorce and/or separation, especially as they relate to children's development, and provides concrete and achievable recommendations to ensure that the right of children to benefit from the love and guidance of both their parents and extended families, as set forth in the Convention on the Rights of the Child, is truly recognized and integrated into the social and legal structure of our society.

Copies of the book can be ordered from the OPCR website at www.opcr.org or by phone at (514) 593-4303



Creating Better Cities For Our Children

By Franz Vanderchueren

Over the last 20 years, the increase in crime has become a problem in the majority of the world's largest cities both in the North and the South. In the North, crime, and in particular petty crime, has risen by 3% to 5% annually between the 1970s and the 1990s in cities with more than 100,000 inhabitants. From the beginning of the 90s, thanks to initiatives taken in the field of prevention and law enforcement, crime rates stabilized in most countries, with the exception of youth crime (youth aged between 12 - 25 years) and crime by minors (12 - 18 years) which continued to increase. The latter type of crime has become increasingly violent and it has entrenched itself even in the schools, while the age of entrance into delinquency has decreased to 12 years.

In the South, beginning in the 80s, crime increased considerably and continues to increase up to today, while youth crime and crime by minors have witnessed an exponential increase. Phenomena such as street children, school drop-outs, widespread social exclusion, civil wars and the small arms trafficking that goes with it, served only to aggravate the situation.

This increase in crime has developed in a context characterized on the one hand, by the growth of drug trafficking and abuse and, on the other by the globalization of organized crime. The growth of organized crime contributes to the destabilization of political order and increases the effects of economic crises through housing market speculation. Organized crime also tends to draw in some young delinquents as a source of cheap labor.

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A culture of violence prevails in cities with gun-wielding minors and adolescents, reflecting a dramatic increase in urban crime rates

Causes of the Increase in Delinquency

The causes of delinquency are manifold. However, three major causes can be identified: social, institutional and those related to the physical urban environment.

Social exclusion due to long periods of unemployment or marginalization, dropping out of school or illiteracy, and the lack of socialization within the family seem to be the most recurring factors amongst the social causes of delinquency. None of these factors on their own can be regarded as sufficient explanation.

In the case of the family, the traditional approach, which blames juvenile crime on the lack of parental authority, is not sufficient. It fails to take into account the changes in the traditional family and of the multiple family forms of today. Half a century ago, a new model of the family began to develop, moving away from a patriarchal economic unit with strong links to an extended family into a nuclear family based on affectionate

relationships that often separate sexuality and reproduction. Subsequently, this has led to the development of multiple forms of family relations: traditional marriages, single-parent families, families without legal ties, families of divorced or separated parents and homosexual couples. The evolution of the traditional family into this multiplicity of forms results in the need for a variety of social responses. It is not possible to impose a "one-size-fit-all" policy.

In addition the families are confronted with varying scenarios shaped by the labor market, rapid social changes and the requirements of childhood education. Many families and social educators are not prepared to face these changes.

Changes in social controls, in particular the breakdown of social bonds at neighborhood level, seem to be prevalent causes in most situations. It is worth remembering that, contrary to the myth rooted in our minds, poverty is not a direct cause of crime.

With respect to institutional causes, it is necessary to mention the inability of the criminal justice system (police, justice and prisons) to handle cases of minor delinquency. Indeed, since the 60s, the majority of the police around the world have placed more emphasis on the fight against major crime and the technologies and approaches linked to this objective. In many countries, the use of foot or bicycle patrols has been rendered obsolete by the use of non-targeted motorized patrols.

These priority police objectives have distanced the police from the citizens who have subsequently lost their confidence in them.

With regard to the judiciary, it is not capable of facing the increase in the overall number of minor offences, which damage quality of life and



Narcotic drug addiction is rife among adolescents in the North

There are children playing in the streets who could solve some of my top problems in physics, because they have modes of sensory perception that I lost long ago.

- J. Robert Oppenheimer

perpetuate a general perception of insecurity. Justice is slow, ill-suited to developing urban conflicts, overloaded and uses an outdated working methodology. Its language is inaccessible to the majority of the population. Court decisions cover less than 10 % of the urban crime (major and minor delinquencies included). The sentences imposed, prisons and fines, are not adapted to responding to minor law breaking.

In addition, an inefficient judiciary and a lack of accountability with respect to offences such as money laundering, organized crime, involvement in the Mafia, corruption and violation of human rights have all led to an increase in crime by generating a feeling of impunity.

Prisons, with the exception of some modern and experimental

Contd. on Page 6

“Children have nearly the same wishes no matter where they come from. They want clean water to drink and enough food to eat. They do not want to be sick. They want space in which to learn, develop and play. They want to know their neighbors. Especially in cities, they want peace and safety from threats and violence. And they tell us that they want to collaborate with adults to make their world better. When children’s interests are at the centre of a society’s concerns, that society becomes humane. When forgotten, the society is thrown off balance.

The Convention on the Rights of the Child is a document which reminds us of our obligation to keep children at the center of our vision for development. What distinguishes this document from every other international human rights instrument is its broad capacity to focus our vision and drive public policy throughout the world.

A victory was won for the goals of the Convention on the Rights of the Child, and for children everywhere during Habitat II and the events leading up to it. In Istanbul, it was declared that the well-being of children is the ultimate indicator of a healthy habitat, a democratic society and good governance. What we accomplished, as partners in this process, was to remind Habitat’s participants of the Convention and of the importance of children and their living environments. We insisted throughout the entire process that the rights of children to homes, to safe, supportive neighborhoods and to healthy surroundings should be part of the City Summit’s goals. We now must take the gains made and move the process forward.”

- Stephen Lewis, Deputy Dir, UNICEF and Dr. Wally N’Dow, Executive Dir., UNCHS Habitat, at the workshop on Child friendly cities at the Habitat II Conference, Istanbul, June 1996

Hope for Brazil's Street Children



Street children in Sao Paolo, Brazil

The world's most urbanized continent, Latin America, is known for its brutality on children. The massacre by off-duty policemen of eight children sleeping in a square in the centre of Rio de Janeiro in July 1993, hardly a year after the global congregation of triumphant environmentalists departed from the city after the Earth Summit, left the world in a state of shock. The Candelaria massacre, as it came to be known, brought the world's attention to growing insecurities of street children in highly urbanized localities. Report of feral children roaming the streets of Brazilian cities, hunted down like rats by exterminators hired by shopkeepers fed up by the children's pilfering, soon came into global limelight. Indeed, it came to be known that the massacre was not an isolated example.

Almost 75% of Latin America is urbanized against 35% in the Asia Pacific and 34% in Africa, according to the State of the World Cities Report 2001 released by the UN Habitat Centre. It projects that urbanization will progress further to 81% in Latin

America within the next 20 years, equalling the industrialized countries, even as more than half the world's population begins to reside in cities.

Brazil, typical of most developing country cities, has seen rapid, unplanned growth in its urban centers. More than 11 of its cities are host to a population of more than a million people. The proliferation of these cities has not only brought about an unprecedented environmental crisis but also given rise to progressive social maladies: soaring crime rates and increasing dissatisfaction with the criminal justice system. A study on law enforcement in 7 Brazilian cities by Human Rights Watch, a UK based NGO, found that police often kill without justification and frequently file false reports describing extrajudicial executions as shootouts with dangerous criminal elements. In some cases, police have continued the abhorrent practice of forced disappearances. The anarchic situation is aggravated by the growth of slums, particularly in cities like Sao Paolo famed

for its *favelas* (slums) and the pathetic plight of its *meninos da rua* (its street children), easy targets for drug traffickers and smugglers.

There is, however, an exception to the rule. The Southern coastal city of Porte Allegre, for two years in a row, won an award for the local authority providing the best social services for children in Brazil. The award presented by the Abrinq Foundation, a Brazilian children's rights charity, was conferred to the Municipal Corporation of Porte Allegre for the extensive care that it has offered its children. The services it offers are modest: a shelter where the children can sleep, eat and wash; a Day Centre staffed with a few teachers, drug counselors and so on; and some staff to patrol the streets at night looking for children in need. Although legal protection for street children still remains dismal in most Brazilian cities, Porte Allegre is a unique model for the world. Following its example, two northern cities, Santos and Belem, are beginning to offer similar social services for children.

The Brazilian government has a federal system, much like the United States. Each state controls its own juvenile detention. But the federal government has a key role in enforcing the national juvenile justice law. The reason why other cities have not followed the example of Porte Allegre, say critics, is simply a lack of public spending, with governments having other priorities as well as repaying its creditors (Latin American governments are known to be the biggest debtors) than spending on vital social services. Porte Allegre, run by the Left wing Worker's Party for the past dozen years, has

Brazil has more than 11 cities hosting more than one million people; these cities face an unprecedented environmental crisis which, coupled with soaring crime rates and an increasingly ineffective criminal justice system, presents the most adverse conditions for poor children

proven its mettle. Yet Santos has carried its 'child friendly cities' scheme under both left and right wing administrations, demonstrating that it is not just money, but political will and the unwavering persistence of citizens to ensure equal rights for all children.

Researching the causes of the dramatic rise in street children population, Stela Graciani, professor of community studies at Sao Paulo's Catholic University, reports that Brazil's cities have had many street-dwellers, adults as well as children, since the start of the big migrations from the countryside in the 1930s. These have slowed, but a more modern factor is now driving children on to the street: the fragmentation of families, especially the very poor. Parents split up (if they were ever living together), the mother finds a new partner who resents the presence of another man's offspring and neglects them, or worse. In these conditions, a child might feel he (or she) is better off trying his/ her luck on the streets. And given the vigor of domestic violence in Brazil's poor families, they might well be right. Though family breakdown may be hard to prevent, what Porte Alegre has done to help its victims is worth replicating.

The large number of street children and their rampant exploitation in Brazil have also resulted in another positive development: the organization of street children into a movement in medium sized cities and towns, especially in border and mining towns, where prostitution and child labor are prevalent. The National Street Children's Movement (Movimento Nacional dos Meninos e Meninas de Rua) has set up Councils for the Rights of Children and Adolescents (Counsellhos de Direitos da Crianca e do Adolescente) and implanted the norms of the Statute of Children and Adolescents (Estatutos da crianca e do Adolescente) in municipalities where it has organized itself, setting up alliances with government and civil society to safeguard the rights of street children - bringing new hope to the bruised dreams of Brazil's street children. □

(The OPCR recognizes the inputs of the following organizations in compiling this article: Human Rights Watch, UK, <http://hrw.org>; Panos, UK, www.oneworld.org; and Movimento Nacional dos Meninos da Rua, Brazil)

NEWS...

Former Tamil Tiger Child Soldiers Remain at Risk

On April 9, the LTTE defeated a breakaway group under their former eastern commander, Karuna. The assault on Karuna's breakaway army was the first major fighting since the ceasefire began in February 2002, ending a two-decade long civil war in Sri Lanka which cost more than 60,000 lives and resulted in numerous atrocities by both the LTTE and government forces. Although there has been little fighting since the ceasefire, the LTTE has continued to recruit children under 18 years into their forces.

According to the United Nations Children's Fund (UNICEF) several child combatants were killed during the battle. Both the LTTE army and Karuna's forces of some 6000 fighters included many child soldiers. An unknown number of the latter surrendered to the main LTTE force. After the families of the children demanded their return, according to UNICEF, 209 were released to their families; a reported 800 others from Karuna's disbanded force returned home on their own. Thousands more child soldiers are believed to remain with LTTE forces in the north of the country.

"The release of hundreds of LTTE child soldiers to their families is good news," said Brad Adams, Executive Director, Human Rights Watch's Asia Division. "The issue now is whether the Tigers will permit these children to stay home or force their return to the front lines." In the eastern towns of Batticaloa and Ampara, the LTTE reportedly sent around vans with megaphones instructing Karuna's former fighters, including the released child combatants, to report for re-registration. Many families were reportedly seeking shelter for their children from international and local human rights and aid agencies, and even journalists.

Human Rights Watch called on international agencies present in eastern Sri Lanka, including UNICEF and the Norwegian-led Sri Lanka Monitoring Mission, which monitors the ceasefire between the LTTE and the government, to pursue active measures to deter the LTTE from recruiting the former child soldiers.

The LTTE has had a history of forcibly recruiting children and placing them on the front lines during combat operations, a history which they denied until recently. In February 2003, the LTTE released a press statement in which they pledged to cease all child recruitment, and to investigate and punish commanders found responsible for child recruitment.

"The burden is on the LTTE to honor its commitment and safely return all children in its ranks to their families, free from the fear of recruitment," Adams said. □

(Human Rights Watch, Asia Division <http://hrw.org>)

'The Future for our Children'

Fourth Ministerial Conference on Environment and Health, Budapest, Hungary, 23-25 June 2004

The effects of a degraded environment on children's health raise increasing concern. Every year, unhealthy environments cause the death of over 5 million children worldwide.



The Budapest Conference is the European response to this situation. WHO/Europe has taken the lead in the action for children and has focused the Conference on 'The future for our children'.

CONFERENCES

The Budapest Conference is the fourth in a series started in 1989, bringing together ministers of health and of the environment as well as major stakeholders. European ministers are expected to reach a consensus and make political commitments to ensure safer environments for children, through the adoption of a Conference declaration and of a Children's Environment and Health Action Plan for Europe (CEHAPE).

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Creating Better Cities for Children

prisons, constitute technical schools for the training and development of criminal networks.

Furthermore, the circulation of drugs and the promiscuity in prisons have contributed to the increase in crime. Among the causes related to the physical environment, poor management of the urbanization process, inadequate urban services, failure to incorporate security related issues in urban management policies and the apparition of poorly protected semi-public spaces are key issues. The promiscuity and lawlessness of certain districts lead to the development of zones of lawlessness.

Finally, there is the issue of the freedom to carry weapons and the illegal trafficking of small weapons resulting from civil wars or conflicts in bordering countries.

The Safer Cities Approach

The Safer Cities Program was launched in 1996 at the request of African mayors who wanted to address urban violence by developing a prevention strategy at city level. The main objectives of the program are to: (1) Build capacities at city level to adequately address urban insecurity; and thereby (2) Contribute to the establishment of a culture of prevention.

Violence does not happen spontaneously. It grows out of an unequal and exclusive society, and out of lack of institutional and social control. An inadequate urban environment and exclusion encourage crime and violence. The criminal justice institutions alone cannot stop the escalation of urban violence or even control it. International experience shows that reducing crime is everybody's responsibility. □

(Excerpts from "The Prevention of Urban Crime" paper presented at the Africities Summit, Windhoek, May 2000)



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