NGO Shadow Report for the

United Nations Committee on the Rights of the Child

56th Session: Ukraine

Prepared by the Consortium for Street Children

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CONTENTS

1. Introduction ............................................................................................................................................ 1
   1.1. The Consortium for Street Children ................................................................................................. 2

2. Situation in Ukraine .............................................................................................................................. 2
   2.1. Brief context ........................................................................................................................................ 2
   2.2 Family Environment and Alternative Care ...................................................................................... 3
   2.3 Basic Health and Welfare ................................................................................................................. 4
   2.4 Education and labour ....................................................................................................................... 4
   2.5 Special Protection Methods ............................................................................................................. 5

3 Recommendations ................................................................................................................................... 5

4. References .............................................................................................................................................. 6

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1. INTRODUCTION

1.1. THE CONSORTIUM FOR STREET CHILDREN

The Consortium for Street Children (CSC) is the leading international member-based network dedicated to advocating, promoting and campaigning for the rights of street-involved children. We are committed to creating a better and sustainable future for some of the most disadvantaged and stigmatised children by working together to inform and inspire research and action that influences policy and best practice worldwide.

2. SITUATION IN UKRAINE

2.1. BRIEF CONTEXT

According to UNICEF observations “the number of children living on the streets has risen steadily over the past decade, creating urgent problems in human trafficking for forced prostitution, forced labour and sexual exploitation”. A report from 2006 states that social workers estimate that there are 140,000 homeless street children in Ukraine. There are reports of 3,000-4,000 homeless children living on the streets of Odessa, 12,000 children and young people living or working on the streets in Kyiv and the number of orphaned and street children in Chernihiv Region is estimated to be around 2,600-2,723, with 300 in Chernihiv city. In 2007, reports were still of a steep increase 18.2% on the number of street children in this last area.

A research carried out by UNICEF estimated that 70% of street children are males and 30% females, with 52% in Kyiv and 60% in Odessa being under 14. Ukraine officials have reported that “half of all street children were thought to be under 13 years of age”. Street children are very mobile, migrating in search of milder temperatures and more employment possibilities. It is estimated that around 79% of children and young people living on the streets of Kyiv are from other parts of the country. The children’s mobility, combined with the lack of documentation, make it difficult to accurately count the number of children on the street.

Roma children are also often found on the street of Ukraine, at times forced into begging by their parents. Unlike in other countries of the region, there does not seem to be any studies on this particularly vulnerable group of children.

Street children seek shelter from the freezing winter temperatures by sleeping underground near hot water mains, in cellars, railway stations and in derelict buildings. Street children are however often evicted from where they squat and forced back on to the street. Children sometimes stay in specialised shelters but it is not uncommon that children cannot remember having slept in a bed. Recently the Ministry for the Family, Youth and Sport reported a decrease of 30% on the number of children on the streets, with less 8,000 children on the streets in 2009 than in 2008. It is reported that the decrease is due, amongst other reasons, to “migrant workers returning to Ukraine [and caring for their children, following the world economic crisis] and the work of the social services with “problem” parents”. It is reported that children homelessness has also been addressed by preventative work, often commissioned to NGOs.

CSC is pleased with the progress reported by the State Party, following the concerns raised by the Committee on the Rights of the Child in its Consideration of Reports Submitted by States Parties under Article 44 of the Convention - Concluding Observations: Ukraine, 68 (a). However, UNICEF has in the past
raised concerns regarding “the lack of an adequate national monitoring and evaluation system, [which makes it] also almost impossible to assess the outcome and impact of programmes and projects implemented by service providers working with this group”22. CSC encourages the State Party to monitor the number of children on the street, to assess the success of its policies and programmes, and share best practice examples.

Ukraine has several programmes and legislation being implemented to address street children23. However, there are concerns that these do not address the actual causes of child homelessness as much of the legal instruments created lack the relevant regulations for its full implementation24. CSC encourages the State Party to continue to work towards the Committee on the Rights of the Child’s addressing the concerns raised in paragraph 68 (a) of the Concluding Observations mentioned above, whilst taking into account budgetary constraints25.

Children’s homelessness has visibility at a political level. Relevant political bodies have acknowledged the problem of child homelessness with President Viktor Yushchenko, for example, admitting in June 2005 that “thousands and thousands of children who found themselves outside the society is a huge social problem. This has a negative influence on other problems: from crime to TB and AIDS, to human slavery and exploitation. The government mechanism of protection of rights of child and system of foster care do not work.”

Irrespective of the recent apparent progress, several NGOs are concerned that the implementation of children’s rights in relation to street children is not progressing26. Many street children in Odessa are reported to be saying they expect to die on the streets27.

### 2.2 Family Environment and Alternative Care

Ukraine can be said to be going through a third period of child homelessness. Unlike the first two waves (during civil war and Great Patriotic War) with many parents dead, a current study found that 60% of the street children interviewed in Kyiv and 43% of the children in Odessa had their mother still alive28. Some children spend periods of time with their families, but unstable relations lead them intermittently on to the streets29. 40% of the street children interviewed had seen their parents during the week of the interview and 21% had seen them more than half a year ago30. However, only 10-20% of children had been sought by their families31. A minority of 1% were living with their parents on the streets32.

In its National Report 2002 on the progress toward goals established at the World Summit for Children, Ukraine states that “[o]ver the past five years a series of urgent measures have been taken in Ukraine to prevent children’s homelessness and lack of care. The major thrust in this work was on getting children away from the streets and preventing them becoming street children.”33. The same report states that the State Party informs that “83 shelters for minors operate in Ukraine capable of accommodating 3,190 children. The number of children in shelters is growing annually and in 1999 amounted to 25,000 children. Nonetheless, Ukrainian law has so far no legal definitions for a “homeless child” and “a child devoid of care.” 34

Not enough resources are allocated to children’s homes leaving them destitute and unable to provide adequate food and clothing for the children or competitive salaries for qualified staff35. The State Party has not set minimum standards for the provision of services to street children or has not reviewed the standards and guidelines in place to translate current practices36 which is reflected in poor conditions of state orphanages and other institutions37.
Non-governmental organisations, such as Depaul, provide food and medical aid to street children in several cities of Ukraine as well as day centres where street children can access showers, food, laundry, a clothing bank, trained social worker and trained teachers. However, organisations are raising concerns that current legislation does not support the work that they do with street children, mentioning for example lack of clarity in the rules of co-operation with State agencies. This prevents the organisations from carrying out their valuable work to the best of their ability. Some organisations are reported to have closed due to the high taxes charged.

Also, Paulo Sérgio Pinheiro, Independent Expert for the United Nations, has reported that in Ukraine, homeless children “may be ‘adopted’ by military units from the age of 10 or 11”. The Independent Expert reports that although not integrated in the armed forces, “[t]hey also receive military training, raising concerns about their exposure to harsh conditions, bullying and other forms of abuse, and hazardous activities such as weapons training.”

### 2.3 Basic Health and Welfare

Most of the street children in Ukraine use drugs regularly, ranging from inhaling glue to injecting homemade drugs, with the vast majority reporting having tried drugs in the past. UNICEF found that “the longer the children and young people live on the streets, the higher their substance and drug consumption”. Street children often share needles with rates of needle sharing as high as two thirds. A research has showed that practically all street children have sexually-transmitted diseases and many are HIV-positive.

A research quoted on The Digital Journalist found that in the sample researched there were cases of HIV positive, fatal jaundice, Hepatitis C/B and TB. Children also report respiratory and gastrointestinal problems, fleas and lice, gynecological problems, kidney problems from exposure to cold and dehydration, dental and eyesight problems, spinal and head injuries and developmental delays, often presenting more than one health concern. Most children also have depression although they do not tend to harm themselves and suicides and overdoses are rare. However, there are no statistics on the number of children who die each year on the streets of Ukraine.

More than one third of street children reported not having used a condom during their most recent sexual contact. UNICEF quotes that about 5% of the children registered at the Ukrainian AIDS Centre are homeless. It is unknown how many of them are on antiretroviral treatment but estimates say that only 1% of children living or working on the streets are accessing HIV services.

### 2.4 Education and Labour

Although literacy rates are rather high in Ukraine, research suggests that only 10% of street children have basic reading, writing and math skills. The same research found that less than one third of street children were engaged in education but that only a few of the respondents had never attended school. Only a very small number of the children had finished secondary school.

Children find their subsistence by begging, often on train and underground stations, doing jobs at markets or in the bars and engaging in prostitution. They also clean cars, distribute flyers or sell newspapers, amongst many other activities in the informal job market. Street children have reported engaging in many illegal activities to earn money, including burgling of kiosks, robbing pedestrians, breaking into apartments or cars, picking pockets, stealing from stands at marketplaces, group attacks at computer clubs and robbing drunken people of their mobile phones or money.
2.5 Special Protection Methods

Street children are particularly vulnerable to sexual abuse. The lack of protection by an adult also leaves them vulnerable to human trafficking for forced prostitution, forced labour and sexual exploitation. Ukraine is recognized as a country of production of child pornography. ECPAT reports that “street children in particular are recruited into making pornography in return for financial or other kind of compensation”. Children have reported having had sex with “clients”, indicating exploitative sex.

UNICEF found that over 20% of street children had recently experienced sexual violence, most of them being girls. A significant number of children had also been beaten in the past six months. Children reported that physical abuse was perpetrated mostly by other street children and the police. Younger children complained about peer violence more than older street children but children over 14 years old reported more violence by the police than younger children. Furthermore, the same UNICEF research points out that children are sometimes afraid of complaining about violation of their rights, “especially if criminal elements or law enforcement officers are responsible for the violation”. Street children, however, seem to have an ambivalent relationship with the police, referring them as a source of some support, but also mentioning concerning practices of violence including torture.

3 Recommendations

- The State Party is recommended to prioritise the systematic data collection and research on street children and utilise this information to develop sustainable programmes which provide adequate nutrition, clothing, housing, health care and educational opportunities. CSC recommends that Ukraine develop a national strategy fully dedicated to working with street children.

- The State Party is recommended, as a matter of urgency, seek to address the particular situation of street children of Roma descent in order to develop and implement targeted policies and programmes.

- The State Party is recommended to address the bureaucratic and financial burden NGOs face when working with street children, which in worst case scenarios lead them to closing down.

- The State Party is recommended to work in close cooperation with NGOs to develop reinforced strategies for street education and health outreach initiatives.

- The State Party is recommended to develop and implement police training projects in child rights and child protection, with particular emphasis on street children, and in close cooperation with. CSC has particular expertise in this area, having carried out police training in both Ethiopia and Guatemala.
4. References


