

## **CHAPTER II**

### **An Essay**

#### **The “Worst Form” of Street Child Labour and it’s Adverse Affects in Kathmandu Nepal**

##### **2.1 Introduction**

Our increasing knowledge about people and their institutions has not resulted in an increase in our ability to participate meaningfully in a constructive way of life in the community. Divorce, delinquency, dropouts, and runaways have been threatening our communities and ultimately promote the situation that compelled the children to work on the street (WHO, 1993). The socio-economic indicators of Nepal point out that it is the poorest among almost all countries of the world. In the human development index Nepal has been ranked 144<sup>th</sup> (from the first), which is a most prominent indicator of deprivation of socio-economic fabrics (UNDP, 1999). The life expectancy at birth of men is 58 years whereas woman has 57 years (WHO, 1999). This is a clear indicator of gender discrimination. The maternal mortality rate is 1,500 per 100,000 live births, infant mortality is 75 per 1,000 live births and the under 5 mortality rate is to be 104 per 1,000 live birth (UNICEF, 1999). Moreover primary school enrollment rates have been recorded to be 80 percent and 41 percent of boys and girls respectively. However, this rate has been reduced to 49 and 25 percent in secondary school enrollment (UNICEF, 1999). UNICEF (1999) reported that 50

percent of the Nepalese population have been earning less than 1 US dollar per day, which is not enough to take 2 meals every day. The above mentioned poor socio-economic realities demonstrate that people lack fulfillment of basic needs. Due to lack of satisfaction of basic needs children are compelled to survive on the street or other invisible work such as prostitution.

Although street child labour is a violation of child rights, it continues as a global practice, is accepted by society and remains one of the most neglected human rights issues of our time (ILO, 1997). In some societies of our global village children are perceived as economic assets rather than economic liabilities, that is why they are being neglected and thrown on the street (Sharma 1999). In many cases children earn the money and give it to their parents, which is usually used for family food (ILO, 1995). Because of poverty, parents encourage their children to go for work and therefore children lose a chance to attain school. It has been reported that there are more than 30,000 children earning their life on the street by confessing a poor physical, mental and social status (CWIN, 1999). The works on the street are full of risks. Street child workers frequently receive bad treatment i.e. abuse, humiliation from employers and the general public.

The literature reported that street child work existed throughout history (ILO, 1995, Sharma, 1999 and WHO, 1993). The problem of the street child labour was first reported in the 16<sup>th</sup> century. This further expanded in different forms and areas in the 17<sup>th</sup> century and children became further exposed to high-risk areas in the 18<sup>th</sup> and 19<sup>th</sup> century (Pradhan, 1993). In Germany, France and the United Kingdom the

problems of child labour were obvious in factories: cotton mills, glass and matchmaking. In contrast in Norway and Sweden the problems existed in farming, herding and fishing. In France a welfare act was introduced in 1841 (ILO, 1995). In Nepal and India the problems appear in agriculture and small industries however in recent years street child labour has been introduced as a consequence of poor socio-economic realities in countries (UNICEF, ILO, 1994). The streets of urban cities are the best sources for poor people as well as children to win their bread (Pradhan, 1993).

## **2.2 Who is a Child?**

Different communities and institutions have defined a 'child' in different ways and for different purposes. Controversy appeared in the Nepalese constitutional and legal framework. The children's Act Nepal defines a child to be "a human being below the age of 16 years" (Children's Act, 1992). Section 17 of the Children Act states that:

"A child who has not attained the age of 14 years shall not be employed in any work as a labourer and further, that a child shall not be engaged as a labourer against his will" (CWIN, 1998, pp. 29).

At about the same time Nepal has ratified the United Nations convention on the Rights of the Child (UNCRC) on 14<sup>th</sup> September 1990. According to the convention, a child is defined as "To be a human being below the age of 18 years" (UNCRC, 1989).

The constitution of the Kingdom of Nepal 1990 does not specify the age of children. The Labour Act of 1992 defines a child as a person who has not attained the age of fourteen years and a minor as a person who has attained the age of fourteen years but has not completed the age of eighteen years. Moreover the Common Law Code of 1963 states that ‘a guardian or any other person is prohibited from engaging a child below the age of sixteen years in begging’ (Sharma, 1999). For all of these reasons the age recommended by UNCRC has been adopted to explore the cause, consequences of street child labour and a possible intervention to reduce the “worst form” of street child labour and its adverse affects in Kathmandu Nepal.

### **2.3 Who are Street Child Workers?**

Street child labour covers a wide range of geographical areas, different works, and cultures that embrace the unique individuality of each child. We use definitions and terms like ‘street child worker’ because they help us to communicate generalized ideas quickly. Some people do not like to use the term ‘street child worker’ as they feel it gives children a negative value and does not take into consideration the different circumstances of each child’s life. In different countries there are many local terms used to describe street child workers i.e. ‘Khate’ (hunger) in Nepal, ‘Chinches’ (bed bugs) in Colombia and ‘Bui Doi’ (dust children) in Vietnam (WHO, 1993). All these terms reflect the negative recognition of street child worker. One way of finding a positive term is to ask the children what they would like to call themselves. It may be possible to create a term, which highlights the children’s strengths rather than their weakness.

The International Labour Organization (ILO) and the United Nations Children's Fund (UNICEF) have defined the street child workers for their purpose. They considered that a child is a person under the age of 18 and child worker as a person under the 18 years, who works more than 6 hours per day. For the purpose of this study the ILO and UNICEF's definition has been modified to fit into the Nepali context. Street child workers are:

' Children below the age of 18 years who are working more than 6 hours a day or more than 36 hours a week, living and working on the street as a way of survival and confronting the "worst form" of child labour'.

(Adapted from; UNICEF, ILO, 1994).

## **2.4 Child Labour and it's 'Worst Form'.**

In a general perspective, labour indicates any kind of human work that needs certain times and efforts (CWIN, 1998). The word labour is more commonly used for legislative and administrative purposes for example: Labour Act. Labour Rules, Ministry of Labour, Labour Office and Labour Union (ILO, 1995). For the purpose of this study child labour includes rag-picking, farm working, construction work and luggage carrying.

The environment where the street child workers work directly contributes to the adverse affects on their health and moral. Most of children earn little money, which is not even enough to take one meal every day. This makes them vulnerable to become involved in lucrative work which can promote the situation that leads children

to confront drug use, violence, criminal activities, sexually transmitted disease, accidents, musculo-skeletal disease, environmental tobacco smoke, respiratory disease and diarrheal disease (ILO, 1991). The question here is what is the “worst form” of child labour? For the purpose of this study I have modified the definition given by International Labour Organization (ILO).

‘ The worst form is: any work, including prostitution, leading to abuse and violence that creates adverse affects on safety, health and moral of the street child workers’ (Adapted from, ILO, 1998).

## 2.5 Adverse Affects

Street child workers are compelled to live and work on the street, confronting serious risk of violence, disease and apprehension by the police; in this kind of condition, they can not even think what makes their life better (Blance, 1997). Street child workers are facing the continual stress of a day-to-day life. Use of alcohol and drugs is portrayed as a means of coping with stress, pain and suffering. A Filipino, street boy stated as a respondent in WHO’s program on substance abuse that:

“After intake (of solvent) you feel an earth quake and the God is above you. Once the half body of Rizal appeared as a ‘Manananggal’ (a flying witch), after a few hours, you loose your appetite, feel very weak, tired and sleepy” (WHO, 1993, pp. 9).

In broader perspective adverse affects indicates the damage on health, reduced quality of life and, lack of fulfillment of basic needs of street child workers. However, for the purpose of this study following factors are considered as adverse affects:

1. Lack of access to public health care.
2. Lack of access to shelter.
3. Lack of access to education.

These factors create a vicious circle with poverty and affects the life of street child workers adversely.

## **2.6 Situation of Street Child Workers in Nepal**

Different societies have different thresholds for demarcating the situation of street child workers. The situation can be analyzed by encompassing the numbers of children, kinds of work, work places, working hours and positive and negative impact of child work. Following factors contribute to understand the situation of street child workers in Nepal.

### **2.6.1 Children in Nepal**

The situation of children in Nepal is not being addressed from a holistic perspective. The demography, health and social services of the children in Nepal has been found poorer, compared to other South Asian Countries (UNICEF, 1999). The following facts and figures highlighted the situation of children as a whole i.e. rural, urban, and school attending child labour in Nepal.

The official figure of children's population below the age of 14 is 6.5 millions (Suwal, KC and Adhakari, 1997). However for the purpose of this study I use United Nations data related to children, child labour and street child labour. The total

population of children under the age of 18 years in Nepal is reported to be 11.14 millions which is 52% of the total estimated population. The annual population growth rate is 2.6 % (UNICEF, 1999). It is reported that economically active children (below the age of 14) represent 29.1% of the total estimated population in Nepal (CBS, 1996; UNDP 1998 and CWIN 1998). From the above figures we can calculate that the economically active adult population is lower than children's population. This may affect the socio economic fabrics of the country, and could contribute to street children having less access to basic needs i.e. food, shelter and education.

Every year about 450,000 babies are born, every day 2,286 and every hour 95 babies are born. There is only one children's hospital and one child specialist per 144,000 children in the country. Every year 75,000 children die and every day 205 children lose their life. The data show that 45,000 children die of diarrhea in a year. Only 37% of total population have access to potable water. It has also been noted that 1,500 pregnant mothers out of 100,000 die in childbirth every year. Annually 5,000 to 7,000 girl children are trafficked to the brothels in India. 35 percent of marriages involves girl children below the age of 15 years that can cause high fertility and high maternal mortality (CWIN, 1998). The lack of health services and poor women's status can bring negative impacts on children status.

There is legal provision that no children can be sent to jail but about 100 children are in various jails of Nepal. Out of 100 children 93 live in villages while 7 live in urban areas. The social acceptance of child labour brings negative affects on

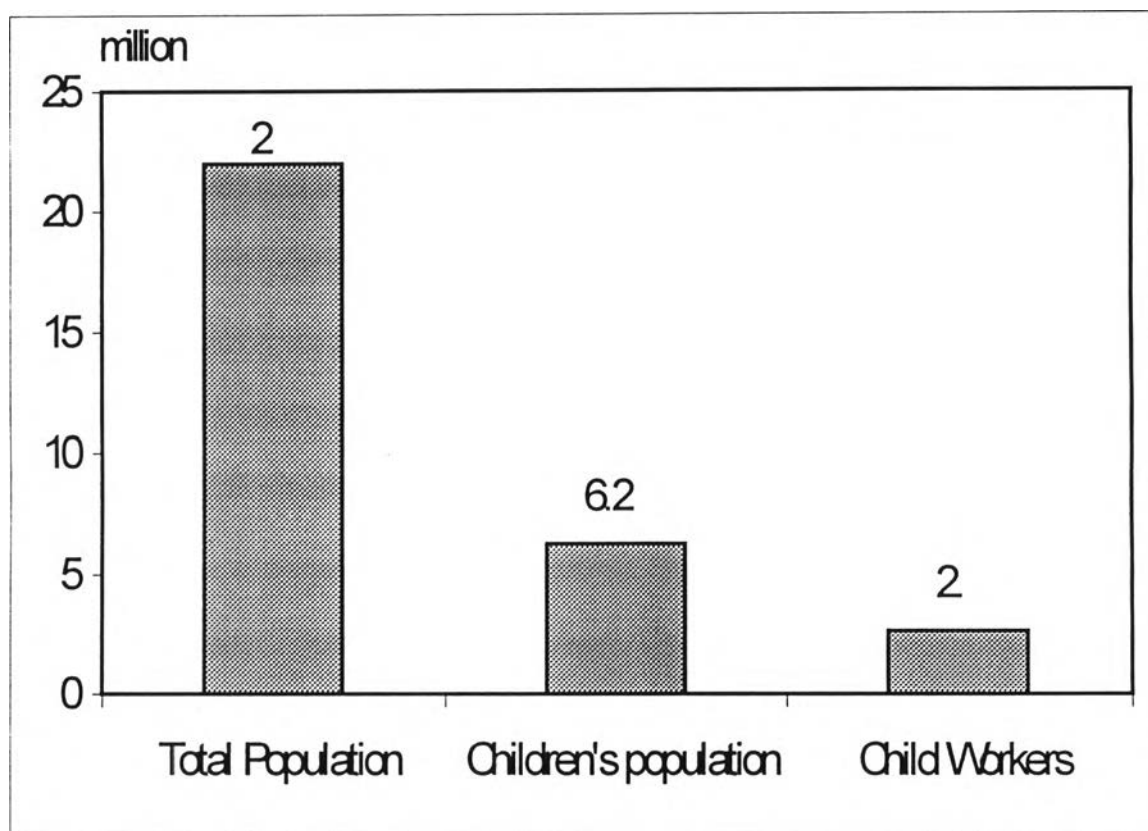


health and education of children because due to long hours work they lack the opportunity to access these services.

### **2.6.2 Working Children in Nepal**

While little extensive research has been done in the field of child work, anecdotal evidence from case studies suggest that the situation is getting rapidly worse in Nepal. Urban migration aggravated, and accelerated by rural poverty, has led to an increase in numbers and the extent of exploitation through child labour in recent years in Nepal (ILO, 1995). UNICEF has reported that the current urban population is about 11 percent of total population and the average urban population growth rate is 5.6 percent per year (CWIN, 1999). It is estimated that there are 2.6 millions working children in Nepal. Compared with male children (36.1%), the work participation rate is remarkably higher among female children (47.6%).

**Figure No.: 2.1 Child Workers in Nepal**



(Source: Suwal, KC and Adhakari, 1997)

ILO identified that higher work participation of female children is mainly due to their higher participation in non-economic work. However, male and female children do not vary much in terms of economic participation (27.9% for males and 25.5% for females) (Suwal, KC and Adhakari, 1997).

The estimation of work participation among rural children is nearly two times higher (43.4%) compared to urban children (23%) because the socio-economic

condition in urban areas is better than for rural areas. Awareness level among parents on the importance of education in rural areas is relatively lower than in urban areas. Moreover the work participation is highest in the mountains zones (52.2%) and is lowest (36.6%) in the terai (low land) (Suwal, KC and Adhakari, 1997). The majority of male adults from mountainous zones go to India for work and only female work in the house. Female adults only can not finish household and farm work therefore children are encouraged to work.

### **2.6.3 Street Child Workers in Nepal**

The existence of street child workers is not something new and special for Nepal. Historically, the streets of urban areas have been both theatre and battleground for the children of the poor (ILO, 1995). The street child labour phenomenon is not unique to Nepal but is experienced in many human societies.

There is a dearth of information in Nepal, which enables the calculation of the numbers of street child workers under various terms and conditions. No substantive research has been done in the field of street child labour. However UNICEF (1996) estimated that there are more than 30,000 children working on the various streets of Nepal. Street child labour is existing in various cities in Nepal. There are twelve industrialized cities in the country where we can find street child workers, among the cities the majority of the street child workers live in Kathmandu (CWIN, 1998). It has been pointed out that only in the streets of Kathmandu valley there are more than 5,000 (which is 20% of total estimated number) street child workers are working (UNICEF, 1996).

Among the 908 children surveyed in the course of the 1990 CWIN's study, only 17 per cent were local i.e. from Kathmandu areas. The rest had come from more than 30 districts of Nepal (ILO, 1997). The majority of the children were runaways, having been driven away from home by various poor socio-economic and psychological realities. An observational study conducted in Kathmandu found 48 street girls in different parts of the city. From conversations with these girls it has been estimated that the figure may exceed 150, including those girls who wander on the street during the day time for begging and rag picking but go back to their parents for shelter at night (ILO, 1995). However CWIN (1998) reported that 4% of total estimated street child workers are girl street child workers.

CWIN (1998) stated that girl street workers are found to have increasingly been engaged in prostitution earning as little as 10 to 20 Nepali rupees (0.25 USD) a night. The oldest girl found by the observation team was 14 years old and the others were 11 and 13 years old (Pradhan G., 1990). Other studies indicates that a major portion of the girl labour force is invisible (Suwal, KC and Adhakari, 1997).

In short both boys and girls living and working on the street are confronting serious risks. The deteriorating environment, faced by street child workers, may damage their physical, cognitive, emotional and psychosocial status.

#### 2.6.4 Kinds of Street Child Workers

To clearly conceptualize the problems of street child labour, it is essential to know what kinds of child workers are working on the street. All the children working on the street do not have the same scale or level of problems. Some children work on the street to earn pocket money, while many others are working to earn food for themselves and their family. Different individuals and institutions categorize street child workers in accordance with their purpose (UNICEF, ILO, 1994). Following is a widely accepted categorization of street child workers.

- Children who stay with their parents on the public pavements.
- Children on the street who have occasional family contact.
- Children who do not have contact with their families “ children of the street” (UNICEF, ILO, 1994).

In the real world it is hard to identify the differences between children who have occasional family contact and children of the street. Further these different categories often work together and face the same kind of problems i.e. food, shelter, health and violence.

For the purpose of this study ‘children who work more than 6 hours a day on the street’ will come under the same category. However, we need to pay special attention to protect those children who are sleeping on the street (WHO, 1993). Although the different categorizations, one may agree that ‘streets of urban areas happen to be a location where increasing numbers of children converge and congregate’.

### **2.6.5 What Street Child Workers Do and Where?**

In order to understand street life, work and place properly, interested persons need to get to know the street children in specific areas. The street is that place where children work, eat, play, learn, socialize, sleep and perform many other things. 'Many of the things that children do are influenced by their dire need to survive from one day to the next day' (Child Hope, 1999). Working for pocket money, food, shelter and other essential things is often priority for street child workers. In many cases street child workers work very hard, often for 9 to 16 hours a day in difficult circumstances (International Save the Children Alliance et. al., 1997).

In Nepal street child workers earn money by vending newspapers and cigarettes, rag picking, luggage carrying shoe shining, vehicle washing and, begging (ILO, UNICEF, 1994). Street child workers may also involve in more lucrative occupations such as pick pocketing (ILO, 1998) or take advantage of the opportunity to steal small items which can be resold in small shops and houses. Moreover, in many cases drug dealers recruit street child workers to act as lookouts or messengers. CWIN (1998) reported that street child workers are involved in drug trafficking. Further it has been reported that relatively significant numbers of children are involved in prostitution. Annually 5,000 to 7,000 girl children are trafficked to the brothels in India (CWIN, 1998).

Among various countries street child workers work in different places. Mostly street child workers tend to band together in the groups (5 to 10 children in one group) occupying particular territories of the city. We can find them in bus stations, garbage

dump, along the road, construction sites, market areas, tourist areas and temples. (CWIN, 1998). For further details please see annex 'B'. In conclusion, all these works offer serious risks to health and moral of street child workers.

### **2.6.6 Gender distribution**

In contrast to child labour, the majority of street child workers are boys. For example in Bombay 70 percent of street child workers are boys (UNICEF, ILO, 1994). In Nepal 96 percent of street child workers are boys (ILO, 1995). The gender scenario among street child workers can be attributed to several factors. In Nepal, girls generally live in a more sheltered environment and are less likely to be send out to work on the street, household chores occupy their day. Girl children are an invisible work force hired for domestic help or lured into prostitution and into the households of brothels, and therefore, are not counted or visible among the street child workers population (UNICEF, ILO, 1994). In the Nepalese context, the cultural environment tends to make girls less adventurous than boys and hence, they are less likely to confess high risk. Although girl children are little visible on the street of Nepal, they are being confronted with risk of being sold and abused in brothels and domestic work respectively (CWIN, 1998).

As stated by Pradhan (1990) the lower number and limited visibility of working girls on the street in no way minimizes their real situation which is often more acute and in highly exploitative settings i.e. sexual abuse, low payment. It was found that girl children earn 10 to 20 Nepali rupees. (0.14USD) per night with

prostitution. Legally they can not raise their voice to increase their income, and socially they have already been neglected.

### **2.6.7 Cast and Class distribution**

The existence of children on the street is not simply a cause of poverty, it is also a product of socio-economic exclusion. In Nepal both caste and class are profoundly relevant to the situation of street child workers. Caste and class dictate a family's landholding, access to credit and development resources, participation in water and forestry schemes, participation in education, and response from health service providers. All these factors have a negative impact on children's psychology and force them to search alternatives for their better life. Due to illiteracy they could not find a job and ultimately end up on the street work (UNICEF, ILO 1997). Literature reported that half of the total numbers of street child workers are from lower caste (Baker, Panter, Todd, 1997). If we compare it to the total estimated population of the country, then street child work is a most influencing way of bread winning for lower caste children. The total estimated population of the country is 21 million and the total population of lower caste is 4 million (UNDP, 1998). Findings demonstrate that those low class and caste children have been involving in street work more than other do.

### **2.6.8 Positive Impact of Street Child Work**

Some authors address also the positive aspects of street child work. Generally street child workers do not feel that much hesitation during conversation. They can



talk and share their ideas with anybody. Blanc (1994) suggests the following positive aspects of street child work and its impact to street child workers.

- “Increase in their sense of responsibility. Since they are working and living on the street without the presence of parents and relatives, their sense of responsibility increases from their day-to-day experience.
- Build their self-esteem and confidence. They earn money by their own efforts and give it to their parents for household work or they spend their money on their own, both of which certainly boosts-up their self-esteem and confidence.
- Regular work can improve the child workers decision-making capacity because they learn from every event that they use to face”. (Blance 1994).

Literature reported that street child workers are clever and non-hesitant to talk with outsiders (WHO, 1993). They stay in a group and set group norms, that provide practical knowledge on leadership and decision-making (CWIN, 1998).

However, research reported that a number of employers are interested to employ children because children work for a very low price i.e. 12 Nepali rupees (0.17 USD) per day (Gorkha Patra, 1999). The income that a child earns is even not enough to get 1 meal per day. The positive aspect here is unfortunately at one side only, namely to the employer.

In the Nepalese context most of the labour work happens during daytime while schools also open at daytime, thus poor children dropout from the school and involve in the labour market. The statistics show that only 25 percent girl children and 49 percent male children are enrolled in secondary school (grade 5 and up). Kantipur daily (1999) published that child labour has been increasing by 18.1 percent per year. The employer's interest to recruit children for work can increase unemployment and under employment of adults. It can affect the whole socio-economic fabric thus Nepal has to set-up various legal provisions to deal with this problem i.e. there is the Children's Act 1992 and Labour Act 1992 but at present enforcement of the existing laws need more concern and commitment. More over street child work is risky for children because it promotes situations which leads children to be involved in long working hours 9 to 14 hours, drug peddling and prostitution (ILO, 1996, CWIN, 1998).

### **2.6.9 Health of Street Child Workers**

While childhood is a time of relatively good health, various preventive measures need to be taken during child hood. A WHO (1993) report on child labour cites that; "normal growth spurts during puberty and adolescence are adversely affected by poor nutritional intake and increased manual work". Consequently continuous exposure to the street and lifestyles associated with living and working on the street makes children vulnerable to a range of health and other problems, which are not experienced by other children. Following factors are related with health of street child workers.

### **2.6.9.1 Factors Associated with Causes of their Street Existence**

The etiology of the street child work phenomena is closely related with the poor socio-economic reality of Nepal. Congestion in the slums, family disintegration, physical violence and abuse at home, over-loaded domestic-work, civil conflict, dislocation through migration, abandonment and natural disasters are the main causes of children's existence on the street. The causes by themselves may give rise to psychosocial problems among the children (UNICEF, ILO, 1994).

### **2.6.9.2 Factors Associated with the Physical Conditions of Street Child Workers**

Literature indicates that children are confronting serious risk on the street. Street children are generally malnourished and anemic, many of them physically stunted. Poor-diet, unplanned food habit, poor hygiene and sanitation and importantly lack of shelters are threatening children's life on the street (WHO, 1993).

### **2.6.9.3 Factors Associated with Survival Behaviors of the Street Workers**

The behaviors of the street child workers have highly been influenced by criminal activities surrounding by them. Children are also being used as carriers and intermediaries in drug peddling (WHO, 1993). Violence, drug use, prostitution and begging including acts of threats, and self-humiliation, are also associated with survival behaviors (ILO, 1995).

#### **2.6.9.4 Factors Associated with Inaccessibility to Services and Resources**

The World Health Organization (WHO) stated that: various researchers report that many street child workers do not want to use health services for treatment because, they felt unwelcome. Lack of awareness on existing services, inadequate primary health care; including vaccinations, administrative fees and inattentive staff at hospitals are primarily associated with inaccessibility of services (WHO, 1993).

The above mentioned factors contribute to make street child workers more susceptible to complication in infectious disease. Infectious disease repeatedly happens if they suffer from malnutrition, fatigue, anemia and inadequate sleep (UNICEF, ILO, 1994). Some of the common diseases reported are skin infections, respiratory tract infections, headache, eye/ear infection, diarrhea, stomachache, and fever. Table 2.1 shows the frequency of the problems reported by street children compared to schoolchildren. Street child workers report more infection (37.7 percent) and injuries (14.4 percent) than school children (12.6 percent) and (2.5 percent) respectively. Further 54.8 percent of school going children have not faced any of the listed problems while only 28.6 percent street child workers stated not to face any of the listed problems. Based on these data we can say that street child workers are facing more health problems than school children.

**Table No. : 2.1 Health Complaints by Homeless Children and School Children.**

Complaints	Street children		School children	
	N	%	N	%
Infection related to:				
Eye/ear	12	2.7	0	-
Respiratory	72	21.0	14	5.9
Diarrhea	42	9.5	14	5.9
Fever	20	4.5	2	0.8
<b>Sub-total</b>	<b>146</b>	<b>37.7</b>	<b>30</b>	<b>12.6</b>
Injury	64	14.4	6	2.5
Stomach				
ache	51	11.5	36	15.2
Headache	29	6.5	24	10.1
Other	27	6.1	11	4.6
None of <sup>1</sup>				
Above	127	28.6	130	54.8
<b>Total</b>	<b>444</b>	<b>100</b>	<b>237</b>	<b>100</b>

(Source:- Modified from Baker, Panter and Todd, 1997.)

While street child workers have any or many of the above health problems, street work will increase morbidity and mortality. Children who live on the street suffer more serious problems than other children do (UNICEF, ILO, 1994).

<sup>1</sup> Non of above: Number of children who have no health related problems

### **2.6.10 Efforts Undertaken**

During the 1990s, His Majesties Government of Nepal (HMGN) has expressed serious concern about children and child labour. The HMGN has ratified the United Nations Convention on the Rights of the Child (UNCRC) on 14<sup>th</sup> of September 1990 and prepared a status report on children. The UNCRC is focusing on a holistic approach for the development of children. This is reflected in the four basic rights of the child as defined by the UNCRC, which are: (1) survival, (2) development, (3) protection and, (4) participation. At regional level in the South Asian Association for Regional Cooperation (SAARC), as stated in the Colombo Resolution, governments commit themselves to work for eliminating child labour in a progressive and accelerated manner. In Nepal a task force has been formed for the elimination of child labour (UNDP, 1998). The Children Act 1992 and Labour Act 1992 have been introduced. Some efforts have been made by the Nepalese Government to translate the policy into action. For example, the formulation of a 10-year national program of action, and the formation of a child welfare board at national and district level.

The Ninth five-year National Plan (1997-2002) aims to develop children physically, mentally and intellectually, by protecting and promoting rights of the children. The plan aims to develop legal instruments to quell the child work practices (Sharma, 1999). Further, the plan aims to implement compulsory primary education in a true sense, which is expected to reduce the incidence of children's work. The International Non-Governmental Organizations (INGOs) and National Non-

Governmental Organizations (NGOs) have also been contributing to the mobilization of the community against street child work (ILO, 1995).

Provisions regarding the prohibition of child labour are not the same in various legislations, thus it is needed to make them clear and less contradictory. The intentions are there, the important next step is to bring these into action. A lot has to be done to reduce the “worst form” of street child labour. At present there are no reports yet on projects and programs focusing on the problems of street child workers by the government. Finally none-of the legal instruments are directed specifically towards street child worker’s problems. Thus the existing legal instruments are not sufficient to deal with the problem of street child workers in Nepal.

### **2.6.11 Social Cost of Street Child Labour**

The social, cultural and, educational cost of street child labour in the country is considered to be enormous but has not yet been quantified in monetary value (UNICEF, 1996). The loss in educational opportunity is often regarded as an important negative impact on child development. UNICEF (1999) estimated that if there were 10 percent increase in primary school enrolment of girls that the infant mortality could be expected to decrease by 4.1 deaths per 1000 live birth. Similarly a rise in girls secondary school enrollment would result in decrease of 5.6 deaths per 1,000 live births (UNICEF, 1999). Like wise each increasing extra year of schooling for girls can be translated into a reduction in fertility rates as well as a decrease in maternal death. For example in Brazil illiterate women have on average 6.5 children, whereas those with secondary education have 2.5 children (UNICEF, 1999). ILO

(1995) reported that almost all street child workers have not been continuing their education in Kathmandu.

## **2.7 Why Street Child Labour is a Public Health Concern?**

Debate and discussion regarding street child labour and its impact to the children's health and development is continuing throughout the world. The degree of problems faced by street children may vary from country to country. In general children are facing problems of accommodation, obtaining necessary clothing, unhealthy living environment, including unsafe water supply and, open sewerage, ill health, violence and obtaining enough food. Street child workers are facing illiteracy, fear of being killed, being threatened or hurt by elder or stronger peers and have a lack of awareness about health issues such as the spread of HIV/AIDS and sexually transmitted disease (WHO, 1993). Street child labour has been accepted as a genuine problem because it interferes with the education and health of street child workers. There is one saying 'children are compelled to hold the garbage, brick, hammer and sickle for their survival instead of pen and pencil in their tiny hands' (ILO, 1995).

WHO (1993) acknowledged that street children in developing countries like Nepal are often malnourished and have chronic health problems (e.g. skin infection, respiratory diseases, and parasitic intestinal condition). The use of drugs in this situation can make children more vulnerable. A further complication is that they are usually not vaccinated. The Child Workers In Nepal (CWIN) health clinic has been providing vaccination and vitamins to 120 to 130 street child workers daily (CWIN, 1999).



ILO (1995) stated that street child labour is a public health concern because children are more susceptible to thermal stress and environmental changes and more sensitive to ionizing radiation. According to Toybox (1999) the life expectancy of the street child workers is to be decreased, on an average, by 4 years. Problems are happening due to a poor lifestyle and the behavior of street child workers. McKeown (1976) in his analysis of factors governing population trends in England and Wales concluded that:

“Past improvement in health has been due mainly to modification of behavior and changes in the environment and it is to this same influences that we must look for further advance” (In, WHO, 1996, p.10)

WHO (1999) indicated that 48 percent of the risk of chronic disease is due to lifestyle (WHO, 1999). The life style of street child workers has been reported as poor (CWIN, 1998). Thus street child workers may have higher chance to face the problems of chronic diseases next to communicable diseases. A comparative chart is attached in appendix ‘A’.

In Nepal there are more than 30,000 street child workers in the various parts of the country. They work 6 to 14 hours per day at least 6 days per week thus it stifles physical, emotional, cognitive and social development of the children (ILO, 1995). The children’s Act 1992 does not allow working more than 6 hours a day but for the sake of survival children are compelled to work. Thus street child labour is a double-edged problem for street child workers; on one side is health and on the other is the violation of legislation. Another important question is how much do they earn? In

fact, they earn as little as only 12 Nepali Rupees (0.17 USD) per day (Gorkhapatra, 1999).

Street child workers are not facing only problems of disease, long working hours and wage discrimination but also a confrontation with sexual abuse. WHO (1993) stated that 44 percent of street girl children have been forced to have sex, and out of them 81 percent are not using condom and 60 percent do not know about safe sex. Street girls are often forced to be engaged in prostitution, again we can raise the question how much do they earn? The answer is painful, they earn as little as 10 to 20 Nepali Rupees (0.14 USD) per night (Pradhan, 1993). 79 percent of male street children reported of having had sexually transmitted disease (WHO, 1993).

Further WHO (1993) has estimated that 25 to 90 percent child workers use substances of one and another kind. The wide range shows the diversity of the practices of street child workers in different places. In conclusion street child labour is a public health concern because the magnitude of the phenomenon is increasing and it does damage health, safety and moral of street child workers that may adversely affecting morbidity and mortality.

## 2.8 Causes and Consequences of Street Child Labour

The causes and consequences of street child labour have been reported in various literature (CWIN, 1998; UNICEF, 1996 and ILO, UNICEF 1994). Table 2.2 shows the causes of street child labour in Nepal.

**Table No.: 2.2 Causes of Street Child Labour**

Reason listed	Percent responded
1. Stepmother maltreatment	23
2. Father's death	28
3. Father left the home	5
4. Mother's death	16
5. Mother left the home	9
6. Lack of home and food	12
7. Neglected or abused	83
8. Abandoned	5
9. Attraction to the city life	62

(Source: CWIN, 1999)

Neglect and abuse is reported as the most dominant cause (83%) of street child labour. 62 percent are working on the street because of attraction to the city life and 12 percent are being on the street due to lack of home and food. The table shows that 81 percent children come on the street due to problems related to parents.

The literature (CWIN, 1999) did not explain whether the reasons listed in the table 2.2 are single statements by respondents or reflect multiple reasons per respondent. A question can be raised about the difference between number 1 and number 7 in the table. The literature did not clarify this.

From a Nepalese perspective we can categorize the causes and consequences of street child workers into “DSELF” category which is:

D = Deception and victimization.

SE = Socio-Economic factors.

L = Legal enforcement.

F = Family immediate community and personal factors.

Following are the causes (DSELF) of street child labour in Neplease perspective.

### **2.8.1 Deception and Victimization:**

Some of the rural children are enticed to migrate to urban cities by middleman. The middleman receives commission form the employers. In some cases children can not tolerate the exploitation made by employer and run away from the work place and become a street child worker (CWIN, 1999).

As a result of natural disaster, children may loose their parents and come to street work for survival (WHO, 1993). Civil conflicts also cause the children's existence on the street because they are searching a better life (UNICEF, 1994). The parent’s victimization in epidemics could also cause the children to be on the street.

### **2.8.2 Socio-economic Factors**

Children of the so-called ‘scheduled caste’ are subjected to social discrimination in our society. Just because they are born in a certain community

children are deprived of their childhood rights in the Nepalese society (ILO, 1995). Social discriminations i.e. work as per caste, touchable and untouchable practices are prohibited and every child can practice their basic rights (CWIN, 1999). However, in practice many children from those communities are forced to work as cobblers, bonded workers, blacksmiths, tailors, prostitution and so on. Thus children run away from the family with an expectation of a better life and ultimately come on the street for work. (ILO, UNICEF, 1994).

As stated by ILO (1995) one style education (only daytime) can also cause the children's existence on the street (ILO, 1995). Children have to work in daytime and in the meanwhile they have to attend school at daytime, therefore they drop out from school and become solely involved in street work.

Poverty is widespread in Nepal, the country is placed as the fifth poorest country in the world with 50 percent absolute poor (less than 1 USD per day) population (UNDP, 1998). Despite being an agriculture based country, a sizable number of Nepalese farmers are either landless or have marginal ownership of land (Pradhan, 1993). High dependence on agriculture, declining productivity, skewed land distribution, land fragmentation and increasing landlessness have caused increasing unemployment, underemployment and poverty (ILO, 1995). Wage discrimination among gender, caste and age group (especially for children) also lead to abuse of children. Several studies in Nepal have indicated that street child labour is usually linked to poverty of the family (ILO, 1995; CWIN, 1998 and UNICEF, 1999). Lack of basic needs as having food, shelter and clothing compel children to work. Since

they are socially and economically deprived, they possess to find out jobs where they can make their living and feel less discrimination. However due to poor economic conditions they do not get access to education, they even can not calculate simple mathematics. If nobody gives them work in shops and small industries then they are compelled to work on the street.

### **2.8.3 Legal enforcement**

The existing legislative measures concerning street child labour are not only inadequate but have not been fully enforced due to constraints of resources including staff as well as low political commitment (ILO, 1995). For example, the slavery system was prohibited by law in Nepal seventy years ago, but slavery like conditions in the form of bonded labour, trafficking of children, and prostitution are part of the present daily reality in Nepal (CWIN, 1998). In short due to poor enforcement of the exiting laws, children, specially from poor family, can not get public health care services and social services that are being assigned for physical, mental and social wellbeing of children. Therefore poor legal enforcement of laws causes the children's existence on the street.

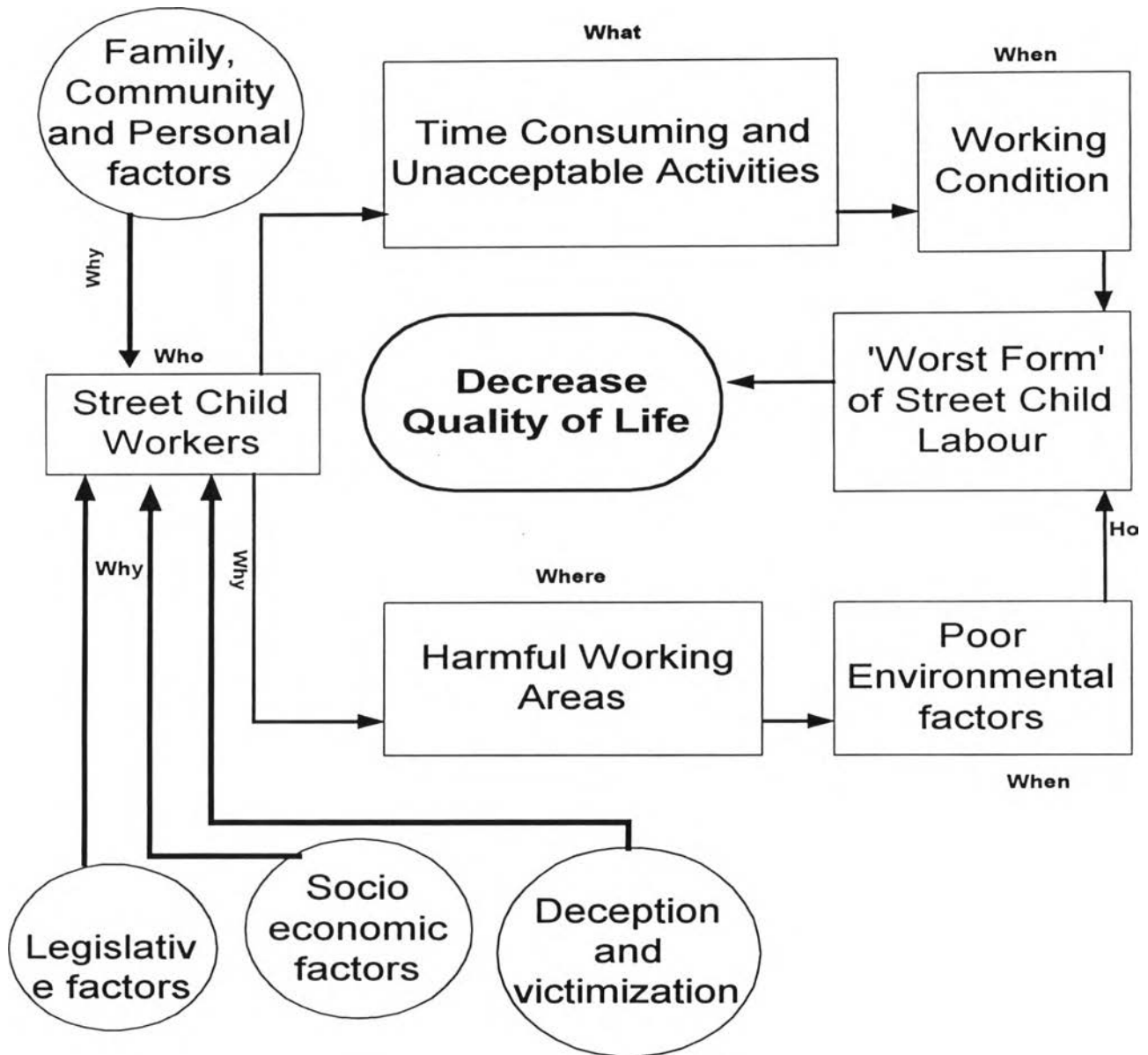
### **2.8.4 Family, Immediate Community and Personal Factors**

The prevalence of a public attitude and values, which tolerate and sometimes condone child labour also, contribute to a worsening of the situation of street child workers. Cultural malpractice force children sometimes to search for better options and then being influenced by peers to enter street work (UNICEF, ILO, 1994). Due to the increasing rates of desertion and separation, many children are left vulnerable to

socio-psychological problems very early in their lives (ILO, 1995). Some of the children therefore run away from home because of cruel treatment meted out to them by their families, especially when their mother died and the father remarried. Physical violence, famine, acculturation, over loaded domestic work and neglect often force children to escape from their “prison homes” and land on the street where they are highly exposed to all kinds of abuse and become a urban tragedy (ILO, 1995). Some of the street child workers are working on the street due to peer influence (CWIN, 1998). The expectations of city life also encourage children to work on the street.

The immediate community, i.e. slums, expose children to violence (Sharma, 1999). Due to violence and abuse in the slum children run away and ultimately end up on the street. Congestion in the slums also contributes to the children’s existence on the street (ILO, 1995). Because when many people live in the same room it may not give a positive environment thus children get neglected by parents or children themselves decide to escape from the environment and run away from the family. Finally family distraction, personal decision about their life and congestion in the immediate community forces the children to survive on the street.

**Figure No.:2.2 Causes and Consequences of Street Child Labour**



Due to the above-mentioned causes, children exist on the street. At the one hand, in their street work they perform rag picking, scavenging, employed vending and, construction works that needs long working hours. At the other hand street child workers are involved in unacceptable work i.e. drug trafficking, pick pocketing and



prostitution that may damage their health and moral. The working areas can promote many risks related to accidents, arrests and violence. They work in dumping sides where they have risk of getting wounded by broken glass and metals. Drug trafficking where there is high risk of violence and arrest by police. The poor working conditions and poor environmental factors contribute to the situation of 'worst form' of street child labour that may cause a decrease in the quality of life of street child workers.

## **2.9 A Search for Change**

Although socio-economic factors are the root causes of the problem, the inefficacy of legal measures and individual's attitude and values towards children, are more feasible entrée points for intervention. A major task is the development of a community mobilization strategy, which can support to implementation of policies concerning health, education and, employment of the children' (ILO, 1995).

Current and emerging approaches in responding to the immediate situation of street child workers fall into three broad categories of programmes or services. First there are community-based programs, which are preventive in approach, address the problems where it starts in the family, the community and the child. Second there are street based programs, which reach out to children in their work place on the street. The third there are center-based programs, which involves institutions, community centers, temporary shelters for homeless children, and the service provided therein. However, the questions here are: are these responses adequate to the needs of street child workers? Are these strategies only touching upon the margins of the problem? Do they absolve the state from dealing with the underlying causes that foster the street

child labour phenomenon? UNICEF pointed out that an adequate response requires a mix of various strategies and action at all level of society (UNICEF, ILO, 1994). Policies, programs and projects, must therefore be synchronized to address the problem, with innovative and brave approaches attempting to keep uppermost the best interests of the child. More importantly it requires a commitment from community, children, government and non-governmental agencies to move towards the elimination of 'worst form' of street child labour.

It is clear that we need integration of community, street and center (CSC) based approaches to deal with the street child labour problem. Next paragraphs deals with possible alternatives to address the problem.

### **2.9.1 Education**

Since children run away from the family in early age (5 and above) they have not had basic education. The irrelevance of the curriculum to the children's real needs, logistical rigidities in school location and school schedules that do not take into account the working patterns of children are constraints in addressing education needs (UNICEF, ILO, 1994). ILO has long recognized the centrality of education in combating child labour, as set out in its convention No. 138 of 1973 by which the age of entering into work should coincide with the age of completion of compulsory education. Nepal has also been set up compulsory education for the children below the age of 14 years. However street children do not have access to basic education (CWIN, 1998). Non-formal education classes can be designed and implemented for the children. However the venue and time for conducting class may prove to be a

problem. The high mobility of the children and diversity of their work can bring difficulties to organize the class regularly. It could be appropriate to offer a non-formal vocational education for street child workers. However, non-formal vocational education (i.e. vehicle repairing, paper cutting and tailoring) will require more time and resources. And programme organizers need to search jobs for trained street child workers. Therefore this alternative is not feasible for a short term project.

### **2.9.2 Health**

With regard to health services, many children do not want to use health services for treatment because they feel unwelcome (UNICEF, ILO, 1994). However the street child workers are confronted with the various health problems. There is no provision of mobile health clinics on the street. If we introduce this intervention it could be an ideal to deal with the health problems of street child workers because up-till now there is no out reach programme for street child workers in Nepal. The mobile health clinic in Brazil had achieved good results (WHO, 1993). However, it would not fit into the Nepalese context because to do that the current health policy needs to be changed which is time as well as resource consuming.

Another possible option could be the provision of street child volunteer. The program would be useful to assist in resolving the primary health problems of street child workers. However it is really hard to recruit volunteers from slum areas. Volunteers from outside can not continue for long time. Therefore street child health volunteers would not be a feasible approach to combat the 'worst form' of street child labour in Kathmandu.

### **2.9.3 Income Generating Programme**

Providing the opportunity of sustainable income generation programs for children's parents could provide an instrumental tool to prevent the children from entering street work. Deliberate government policies are required that can enable and maintain a collaboration between the public and private sector to sustain people's income generation activities. An Income generation program should be implemented as a complementary intervention with other interventions (ILO, 1995). Thus only an income generation programme to combat the adverse affects of street child workers in Nepal may not feasible.

### **2.9.4 Child Advocacy**

The existence of street child labour and its institutional practice in Nepal reflect the level of public awareness on the issue and socio-cultural perception, which allowed and forced the children to work on the street. The problem goes into the value systems of individuals and society. At present value systems are rapidly changing in the era of economic transition and increased consumerism. Most urgently needed, therefore is a change of attitude within society and that change could be achieved by advocacy efforts at different level of society (UNICEF, ILO, 1994).

When the prevailing circumstances leaves children without access to basic needs, advocacy action designed to increase the responsiveness of social institutions becomes necessary (Epnet, 1997). As an intervention, child advocacy represents "a search for devices, targets, methods, rationale and sanctions to make programme and

services more responsive and more available to children”(Kahn, Kamerman and McGowan, 1973). The child advocacy can be done by involving children, parents or adults and social institutions (school, labour union) at both the community and the temporary shelters of the children. Like wise advocacy can be done through media, and workshops at the policymaking and decision making levels. Street theatres can be organized to raise the public awareness.

## **2.10 Which Intervention is most Feasible and Appropriate?**

UNICEF, ILO, (1994) reported that the existence of street child labour and it’s continued institutional practice in Nepal requires public awareness. Thus, to create awareness among people, child advocacy would be an appropriate intervention. Organizing the educational, health and income generation needs Government’s support in terms of new policy adoption and most importantly policy enforcement, which takes time and resources. In the meanwhile if we can organize advocacy it may help to increase the people’s awareness level and create a voice against discriminatory laws and practices against children.

An advocacy programme is also less expensive compared to non-formal education, it requires 11,500 Nepali rupees (SAC-Nepal, 1997) per class of 20 -25 children, one advocacy campaign (500 to 100 campaign’s participants) a maximum 1,500 Nepali rupees, will be required (SAC- Nepal, 1997). In addition, advocacy does not require highly technical inputs the community can handle it (Sharma, 1999).

An advocacy programme could use 3 approaches 1) street based 2)-community based and 3) center based. The programs could be launched by adapting a Street Based Approach (SBA). A SBA refers to the maximum participation of street child workers in the program by forming child advocacy groups. Reports and research recommended that a positive attitude of the community towards street child workers is needed next to involvement of the street child workers from planning to evaluating the program (ILO, 1995 and, CWIN, 1998). There is no organization, which has integrated these 3 approaches into one programme. A child advocacy project intending to integrate these approaches into its project framework may create more concerted efforts.

## **2.11 Conclusion**

In conclusion, the hazardous working conditions, high risk of sexual abuse, drug abuse, poor health, lack of education and poor social indicators among street child workers provide ample evidence of the need to address the "worst form" of child labour. Although UNCRC (1989) provides the rights to participation, children do not influence or control the services designed to assist them because they are excluded from the planning, implementation and evaluation stages of programs. Child advocacy should respect the views of Hellen Keller based on her own experience.

" A person who is severely impaired never know his hidden sources of strength until he is treated like a normal human being and encouraged to shape his own future" Hellen Keller (O'connor, 1995, pp.27).

Finally a child advocacy programme has to deal with the adverse affects that are damaging the health, moral and safety of street child workers in target areas. In long term it should aim to reduce the 'worst form' of street child labour in Kathmandu, Nepal.

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