



Shri Priyank Kanoongo
Chairperson
National Commission for Protection of Child Rights (NCPCR)
Fifth Floor, Chanderlok Building
36 Janpath
New Delhi – 110001

12 April 2021, New Delhi

**Subject: Request for Special Protection Measures for Homeless Children/
'Children in Street Situations'**

Dear Shri Kanoongo,

Greetings from Housing and Land Rights Network (HLRN)! We hope that you and your family are keeping well during these difficult times. Based in New Delhi, HLRN works for the recognition, defence, promotion, and realization of the human rights to adequate housing and land, which involves gaining a safe and secure place for all individuals, groups, and communities, especially the most marginalized, to live in peace and dignity.

We are writing to share our concerns regarding homeless children/'children in street situations' in the country. In the absence of safe housing, children living on the streets and in shelters experience high rates of violence, including sexual violence; undernourishment; ill health; psychological, mental, and emotional distress; and, the lack of access to education, water, sanitation, and safe spaces to live, play, learn, and grow.

As also noted by the Commission, comprehensive data on the number of street children in the country is not available.¹ Reports by civil society organizations reveal that there are at least 202,765 children in street situations in ten cities across the country.² Of the children identified, 58.1 per cent in the age group of 3 to 5 years had no formal education, one in four girls were sleeping on the street or footpath, and 43.8 per cent of children under the age of 14 beg for a living.³ State commissions, including the Delhi Commission for Protection of Child Rights (DCPCR) have undertaken efforts to enumerate the number of children in street situations. The 2018 survey conducted by DCPCR documented over 70,000 children in street situations in Delhi, living in highly inadequate conditions in multiple 'hotspots' across the city.⁴

The coronavirus pandemic has further heightened the vulnerability of homeless children, while also exposing their persistent neglect and marginalization. The harsh lockdown and pandemic-related economic crisis have exacerbated homeless children's already strained access to food, water, healthcare, and other basic necessities. They have also been adversely affected by school closures and the shift to online education. In the absence of access to 'smart' devices and data/internet, the overwhelming majority of homeless children lost access to education for the last academic year and continue to be deprived of their fundamental right to education.

In March 2021, with respect to India, UNICEF stated that, “Online education is not an option for all as only one in four children has access to digital devices and internet connectivity.”⁵

With the second COVID-19 wave in India severely affecting children,⁶ those living in street situations face greater risks, especially in the absence of secure housing and access to water, and on account of their low immunity. Increased COVID-related restrictions across the country, including night curfews and lockdowns, could also cause additional hardships for children who are homeless.

We appreciate the measures taken by the Commission to address the needs of homeless children during this unprecedented emergency, including the release of the ‘Standard Operating Procedure for Care and Protection of Children in Street Situations 2.0’ and the announcement to create a comprehensive database of the number of street children in the country.⁷ However, given their acute vulnerability and continuing distress, we would like to urge NCPCR to play a more proactive role in protecting their rights and ensuring their safety.

Since 2012, the ‘International Day for Street Children’ is commemorated globally on 12 April every year, in order to draw attention to their specific vulnerabilities and to emphasize the need to uphold their rights. The theme for Street Children’s Day 2021 is ‘Access to Essential Services’⁸ – with an emphasis on ensuring their equal access to basic services, including education, food, water, healthcare, and child protection. We would like to request the Commission to use this day as an opportunity to advocate with the government to prioritize the welfare of homeless/street-connected children in the country and to ensure that all social protection schemes, child protection measures, and mental health interventions—including COVID-19 response and recovery measures—incorporate their special concerns and needs.

In this context, we would like to make the following recommendations related to the protection of the rights of homeless children:

- Provide adequate housing, in special homes, for children living on their own on the streets. Adequate facilities, including drinking water, sanitation, nutritious meals, sufficient space, hygiene, recreation, and safe play areas should be provided in these homes. Where shelters are available, facilitate children’s access to them.
- Take measures to ensure the safety and security of children and to protect them from any form of abuse and violence, including sexual abuse and violence. Shelter home caretakers/managers and the police should be sensitized to the needs of children in street situations. Adequate measures also need to be taken to protect homeless children from trafficking. Officials found guilty of perpetuating violence against children should be investigated and tried according to the law.
- Provide universal coverage for all homeless children under the Integrated Child Development Services (ICDS) scheme and ensure that they are able to access *anganwadis* and related facilities, including for nutrition and healthcare.
- Distribute free milk and meals to children living on the streets to ensure their access to adequate and nutritious food. As long as schools are closed, ensure that mid-day meals are provided to school-enrolled homeless children as well.
- Uphold the Fundamental Right of all children to education. Facilitate the provision of ‘smart’ devices, including smartphones and tablets, and free data cards to all homeless children to enable their participation in online classes.

- Distribute, on an emergency basis, Oral Rehydration Solution (ORS) packets and refillable water bottles to children living on the streets. Ensure they have access to drinking water points across the city.
- Ensure that medical health vans regularly visit ‘hotspots’ where children live; conduct regular health check-ups of children, including timely vaccination; and provide free soap, water, sanitizer, and washable child-size cloth masks to children to protect them from the pandemic.
- Ensure that children living on the streets have free access to all public toilets/Sulabh Shauchalayas.
- Undertake a sustained campaign, including through adequate counselling, to prevent drug-use among children and the youth. Provide special de-addiction facilities for children who have developed chemical/drug dependencies. The Commission’s Joint Action Plan should be implemented in close consultation with child rights organizations, parents/guardians, and affected children, without criminalizing or penalizing children who have chemical/drug dependencies. Their specific vulnerabilities to addiction need to be understood and addressed through advanced psycho-social care and counselling as well as measures to address their endemic poverty and inadequate and unsafe living conditions.
- Provide adequate counselling and information to children to help them understand the coronavirus pandemic and risks of contraction, and to alleviate their fear and insecurity.
- Disseminate, translate into local languages, and promote the implementation of General Comment No. 21 (‘Children in street situations’) of the United Nations Committee on the Rights of the Child across the country.⁹
- Initiate measures and develop indicators to monitor and report on the living conditions of homeless children in the country, including ensuring that the Convention on the Rights of the Child (CRC) is fully implemented.
- Work with state child rights commissions on the status of India’s implementation of CRC as well as the status of implementation of recommendations on child rights made to India under its third Universal Periodic Review.¹⁰

We hope that the Commission will take adequate measures and work with state authorities to help implement the above recommendations aimed at protecting the human rights of homeless children, who are among the most vulnerable and deprived in our society.

We are looking forward to hearing from you and wish you the very best. Please let us know if we may be of any assistance.

Thank you very much.

Sincerely,



Shivani Chaudhry
Executive Director, Housing and Land Rights Network

NOTES:

¹ 'Standard Operating Procedure for Care and Protection of Children in Street Situations,' Save the Children and National Commission for Protection of Child Rights, Government of India, 2020. Available at: <https://ncpcr.gov.in/showfile.php?lang=1&level=0&linkid=116&lid=2002>

² *Spotlight on the #TheInvisibles*, Save the Children, 2019. Available at: <https://www.savethechildren.in/sci-in/media/PDFs/1c190306-bc6d-40d0-bb95-6c394eae0d7f.pdf>

³ Ibid.

⁴ 'On Delhi's streets, 70,000 children have nowhere to go,' *The Hindustan Times*, 1 January 2019. Available at: <https://www.hindustantimes.com/delhi-news/on-delhi-s-streets-70-000-children-have-nowhere-to-go/story-eOS1UqQCztDggXm4aztVgJ.html>

⁵ 'COVID-19: Schools for more than 168 million children globally have been completely closed for almost a full year,' Press Release, UNICEF, 3 March 2021. Available at: <https://www.unicef.org/india/press-releases/covid-19-schools-more-168-million-children-globally-have-been-completely-closed>

⁶ 'Coronavirus: Over 79,000 children tested positive since March as India grapples with second wave,' *Scroll*, 8 April 2021. Available at: <https://scroll.in/latest/991698/coronavirus-over-79000-children-tested-positive-since-march-as-india-grapples-with-second-wave>

⁷ 'COVID-19 lockdown: NCPCR to focus on creating database of street children,' *Business Standard*, 5 May 2020. Available at: https://www.business-standard.com/article/pti-stories/covid-19-lockdown-ncpcr-to-focus-on-creating-database-of-street-children-120050500989_1.html

⁸ For more information, see: <https://www.streetchildren.org/idsc2021>

⁹ General Comment No. 21: 'Children in street situations,' United Nations Committee on the Rights of the Child, 2017. Available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f21&Lang=en

¹⁰ Report of the Working Group on the Universal Periodic Review, A/HRC/36/10, 17 July 2017. Available at: https://www.upr-info.org/sites/default/files/document/india/session_27_-_may_2017/a_hrc_36_10_e.pdf