



Islamic Republic of Afghanistan  
Ministry of Labour & Social Affairs, Martyrs and Disabled

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**'Each of you is a shepherd, and each of you is accountable for his or her flock.'**<sup>1</sup>

## **A National Strategy for Street Working Children**

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<sup>1</sup> Hadith

## Acronyms

ACCI	Afghanistan Chamber of Commerce and Industry
ANDS	Afghanistan National Development Strategy
CiC	Children in Crisis
CFA	Child Fund Afghanistan
CFS	Child Friendly Space
CPAN	Child Protection Action Network
CRC	Child Rights Consortium
CSO	Central Statistics Office
DCPAN	District Child Protection Action Network
GoA	Government of Afghanistan
EC	European Commission
EU	European Union
IDP	Internally Displaced Person
IGA	Income Generating Activities
ILO	International Labour Organisation
MDG	Millennium Development Goal
MoE	Ministry of Education
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoLSAMD	Ministry of Labour and Social Affairs, Martyrs and Disabled
MoPH	Ministry of Public Health
MRRD	Ministry of Rehabilitation and Rural Development
NESP	National Education Strategic Plan
NGO	Non-governmental Organisation
NRVA	National Risk and Vulnerability Assessment
NSDP	National Skills Development Programme
PTSA	Parent, Teacher, Student Association
SHG	Self Help Group
SWC	Street Working Children
Tdh	Terre des hommes
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNDAF	United Nations Development Assistance Framework
UNESCO	UN Educational, Scientific, Cultural Organisation
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WHO	World Health Organisation
WFP	World Food Programme
VT	Vocational Training
YICC	Youth Information Contact Centre

## Glossary of Terms

### *Forced labour*

Forced labour is all work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.<sup>2</sup>

### *Underemployment*

Refers to persons who are in employment of less than the normal duration and who are seeking or would accept additional work.<sup>3</sup>

### *Child abuse*

Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.<sup>4</sup>

### *Physical abuse*

Physical abuse of a child is that which results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.<sup>5</sup>

### *Emotional abuse*

Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potentials and in the context of the society in which the child dwells. There may also be acts towards the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment.<sup>6</sup>

### *Sexual abuse*

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.<sup>7</sup>

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<sup>2</sup> ILO Forced Labour Convention, 1930 (No. 29)

<sup>3</sup> Eleventh International Conference of Labour Statisticians (1966); Thirteenth International Conference of Labour Statisticians (1982)

<sup>4</sup> 'Report of the Consultation on Child Abuse Prevention', World Health Organisation (Geneva), Social Change and Mental Health, Violence and Injury Prevention, 29-31 March 1999, pp. 13-17

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

### *Neglect and negligent treatment*

Neglect is the failure to provide for the development of the child in all spheres: health, education, emotional development, nutrition, shelter, and safe living conditions, in the context of resources reasonably available to the family or caretakers and causes or has a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. It includes the failure to properly supervise and protect children from harm as much as is feasible.<sup>8</sup>

### *Exploitation*

Commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. It includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.<sup>9</sup>

### *Child Labour*

UNICEF defines child labour as work that exceeds a maximum number of hours, depending on the age of a child and on the type of work.<sup>10</sup>

### *Child Development*

Child development is the process of physical, sexual, intellectual, and emotional growth and maturation of an individual from birth to adulthood. Working long hours on the streets without parental care or adult supervision and in hazardous conditions affects the healthy development and well-being of children. The ability of families and communities to meet the developmental needs of their children has long-term consequences for children into adulthood, and in turn, for their families and communities.

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> UNICEF, [www.unicef.org/protection/index\\_childlabour.html](http://www.unicef.org/protection/index_childlabour.html) (last accessed 24 February 2011)

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## **I. Introduction**

### **i. Country Background**

The Islamic Republic of Afghanistan has an estimated population of 23.9 million<sup>11</sup> people, more than half of which is under the age of 18. Bordering Pakistan, Iran, Turkmenistan, Uzbekistan, Tajikistan, and China, Afghanistan has historically served as a focal point for trade and migration, and has recently been a country of both origin and transit for families displaced by conflict.

For three decades Afghanistan has been in a state of conflict, which has not only perpetuated poverty, but has also prevented the country from developing both socially and economically. The consecutive years of conflict have devastated the country's social fabric as well as its social, economic, and political infrastructure. The Government of Afghanistan and the international community are currently working together to rebuild Afghanistan, reconcile its people, and stabilise its economy. However, despite attempts to address the socio-economic grievances prevalent throughout the country, the majority of Afghans continue to live in poverty and lack the ability and support to address even their most basic needs. As a consequence, it is estimated that one in every three school-age child is forced to work in order to contribute to the family income. It is believed that children often work on the streets or in workshops where there is little regard for their safety and security, thereby increasing their exposure to exploitation and abuse. As a result, many children in Afghanistan are deprived of education and vocational skills training opportunities, which has led to a real concern amongst the Afghan Government and international organisations that a cyclical dynamic exists, which will result in yet another generation of Afghans growing up lacking basic literacy, educational, vocational training, child protection, and life skills. In addition, food insecurity and natural disasters, such as drought and flooding, have remained a further impediment to the enhancement of the quality of life of many Afghans and have contributed to perpetuating the cycle of poverty.

In 1994, the Government of Afghanistan ratified the United Nations Convention on the Rights of the Child (UNCRC); however, the first report on the implementation of the Convention was not prepared until 2009 – 15 years following the Convention's ratification. As a result, despite the signing of the agreement, the Government and organisations alike have found it increasingly difficult to implement the UNCRC in many parts of the country. Although initiatives have been taken to address the issue of child labour, and specifically street working children, the problem remains widespread, with an ever-increasing number of street working children present throughout the country. In addition, the Government of Afghanistan ratified the ILO C138 on Minimum Age of Employment as well as ILO C182 on Worst Forms of Child Labour in 2010.

### **ii. Child Labour in Afghanistan**

The total number of households in Afghanistan is estimated to be around 3.4 million.<sup>12</sup> Overall, Afghanistan's labour market has the typical characteristics of a less developed economy: it is dominated by the agricultural sector and performs poorly in providing decent work, reflected in productive employment, secure income, gender equality, and social protection.<sup>13</sup> More than 90 percent of jobs can be classified as vulnerable employment – employment that does not

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<sup>11</sup> Central Statistics Organisation, [www.cso.gov.af/demography/population.html](http://www.cso.gov.af/demography/population.html) (last accessed 1 April 2011)

<sup>12</sup> The National Risk and Vulnerability Assessment (2007/08), MoLSAMD and European Union

<sup>13</sup> Ibid, pp. 4

secure stable and sufficient income.<sup>14</sup> In addition to vulnerable employment, traditional gender norms have generally acted as a barrier to the employment of women in the labour market. As a result, less than half (47 percent) of working-age females are currently active in the labour market, compared to 86 percent of males.<sup>15</sup> The lack of working females has also led to poverty being more widespread in female-headed households than in male-headed households.<sup>16</sup> This poverty has been further increased by the death of male family members or breadwinners due to the ongoing conflict. Also exacerbating poverty in some households is the disability of a parent or primary caregiver. In Afghanistan, approximately 10 percent of households have one or more members with a disability, which further increases family stressors and coping abilities.<sup>17</sup>

Poverty coupled with additional family stressors and the ongoing conflict has led to a high percentage of street working children in Afghanistan. It is historically accepted that a percentage of children in Afghanistan have always worked, which should not be viewed in a negative light as children have the right to work as long as the work is non-hazardous. Ultimately, it is the age, type of work, and impact work has on the mental and physical development of a child that can cause problems and needs to be taken into consideration. In this view, the urban phenomenon of children working on the streets is a new one and one that is believed to have been caused by the deterioration of Afghanistan's socio-economic situation due to the ongoing conflict and displacement of families. According to the National Risk and Vulnerability Assessment (2007/08), approximately 1.9 million children in Afghanistan aged 6-17 (21 percent of children) are working.<sup>18</sup> A child may be employed to do 'light' work at the age of 14 if he or she is hired as an apprentice or at the age of 15 if the employer has obtained parental approval.<sup>19</sup> Children between the ages of 15 to 18 are only permitted to work 35 hours per week. No child is permitted to engage in work that is hazardous to the health or well-being of the child, such as manual labour or work performed in extreme temperatures, such as in the sun or cold (Article 18, 4 Labour Act).<sup>20</sup> In addition, the Constitution of Afghanistan prohibits forced labour, including that of children.<sup>21</sup> However, to date, enforcement of the labour law has been limited, resulting in many children working long hours in conditions that are harmful to their physical, emotional and psychological well-being.

### iii. Goal

To guide and inform the Government, specifically MoLSAMD and other concerned Ministries, child-focused NGOs and UN agencies on providing effective and sustainable interventions to street working children and their families in order to both prevent children from working on the streets and to reduce the current number of street working children by providing adequate family and community-based supports.

The Strategy should not be viewed as an end in itself, but rather as a means to an end in the overall development of programmes aimed at tackling the issue of child labour. This Strategy

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<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid, pp. 11

<sup>17</sup> Ibid, pp. 16

<sup>18</sup> Ibid, pp. 5. The current numbers are likely to be higher.

<sup>19</sup> Afghan Labour Law, Article 13

<sup>20</sup> UNHCR, <http://www.unhcr.org/refworld/docid/48d7491d2e.html>

<sup>21</sup> Constitution of Afghanistan, Government of Afghanistan, Article 49

seeks to aid the Government and relevant organisations by providing an outline of possible support through short, medium and long-term actions to ensure that any future programmatic response addressing street working children is both effective and sustainable. Efforts to address the situation of working children must be tailored in a way that they are more palpable to meeting the needs and rights of this vulnerable group. As such, the present Strategy will be an initial one pending collection of further data on street working children in Afghanistan, which will contribute to the long-term goal of finalising the National Strategy. The final version of the National Strategy will be based on the increased availability of data and lessons learned from presently proposed pilot interventions, focusing on alternative support programmes for families of street working children. The timeframe for this initial Strategy will follow a three-year period (2011-2014). Following 18 months, a mid-term review should be conducted by a Consultant who will review and assess interventions thus far. Based on such findings, the Strategy will then be modified to include more comprehensive recommendations for interventions.

#### **iv. Key Objectives**

The Strategy for Street Working Children will:

- Provide a Framework for protecting children who are working on the streets as well as prevent children from working on the streets by acting as a guideline to increase monitoring and reporting capacities and coordination. It will focus specifically on street working children, not the wider issue of child labour;
- Act as a Strategic Plan for transforming existing services so that they more comprehensively address the needs and rights of children working on the streets in order to ensure overall sustainability of programmes;
- Act as a Guideline for the development of new policy, programmes and services so that families and communities are strengthened and better supported.

The Strategy underlines the principles enshrined in the Holy Quran, the Constitution of Afghanistan, the UN Convention on the Rights of the Child, and the recently ratified ILO C138 on Minimum Age of Employment and ILO C182 on Worst Forms of Child Labour. It is based on a series of consultations with MoLSAMD, the Child Protection Consultative Resource Group and the CPAN Working Group for Street Working Children as well as discussions with key informants from the Government, child-focused NGOs (both local and international), and street working children and parents themselves. This Strategy has been drafted with the hope of informing the policy making, planning and design of programmes geared not only at preventing the further increase of street working children, but also at addressing the needs of children who are already working on the streets. Ultimately, a multi-sectoral approach, including the health, education, and juvenile justice sectors is required in order to identify and respond to the protection concerns facing street working children. In addition, it is important to incorporate children themselves as well as family and community members into any decision-making process or programmatic design that will directly affect them.

It is also equally important to acknowledge that Afghanistan is a country embedded with environmental, cultural, and ethnic diversity. This diversity does not allow for the implementation of a 'one size fits all' programmatic approach, but rather requires organisations to assess the needs of recipient communities in order to ensure that programmatic activities are appropriate and sustainable.



## v. Scope and Definitions

The Strategy for street working children addresses the rights of this vulnerable group by recommending various avenues for programmatic and preventive response.

1. In accordance to the UN Convention on the Rights of the Child (UNCRC), a child shall be considered any person between the ages of 0 to 18 years.<sup>22</sup>
2. In accordance to the Convention on the Elimination of the Worst Forms of Child Labour, no child under the age of 18 years should be engaged in the worst forms of child labour comprising of: (a) all forms of slavery or practices similar to slavery; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities; and (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.<sup>23</sup>
3. Article 3 of ILO Convention 138 (Minimum Age Convention of 1973) stipulates that the minimum age for admission to any hazardous work likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.<sup>24</sup> This provision is identical to article 3 (d) of Convention 182. However, no child under the age of 14 years should enter the labour market (Article 2, 4); however, light work is permitted from the age of 12 years onwards (Article 7, 4).
4. In accordance to the UNCRC, State Parties should provide a minimum age for admission to employment, and should provide appropriate regulation of the hours and conditions of employment.<sup>25</sup>
5. The Constitution of Afghanistan stipulates that the family is the fundamental unit of society and is supported by the State. The State adopts necessary measures to ensure the physical and psychological well-being of the family, especially the child and mother, upbringing of the children and the elimination of traditions contrary to the principles of Islam.<sup>26</sup>
6. The Afghan Constitution guarantees the rights and privileges of pensioners, disabled and handicapped individuals and renders necessary assistance to needy elders, women without caretakers, and orphans.<sup>27</sup>

## vi. General Principles

### *The Quran*

Adherence to the tenets of the Holy Quran.

### *The Child*

A child is a subject, an actor and a resource in her or his own development.

### *Best Interests*

In all actions concerning children, whether undertaken by public or private social welfare

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<sup>22</sup> Article 1, *Convention on the Rights of the Child* (1989)

<sup>23</sup> C182 Worst Forms of Child Labour Convention (1999), Geneva, Switzerland

<sup>24</sup> C138 Minimum Age Convention (1973), Geneva, Switzerland

<sup>25</sup> Article 32, *Convention on the Rights of the Child* (1989)

<sup>26</sup> Constitution of Afghanistan, Article 54

<sup>27</sup> *Ibid*, Article 53

institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.<sup>28</sup>

#### *Child Participation*

Children have the right to express themselves freely on matters affecting their lives, and their views should be given due weight depending on the child's age and maturity. In particular, the child should be provided with the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body.<sup>29</sup> The views of the children themselves, the opinions of adult community members and the insights of local leaders are all essential in identifying appropriate interventions.

#### *Non-discrimination*

All children regardless of their sex, race, ethnicity, language, association with a national minority, state of health, disability or other status should be protected from all forms of violence and should be provided with such care and assistance as to ensure to the maximum extent possible their survival and development.<sup>30</sup>

#### *Right to Life, Survival and Development*

Every child should be entitled to a standard of living that is adequate for his or her physical, mental, spiritual, moral and social development.<sup>31</sup> Every child has the inherent right to life and to survival and development to the maximum degree possible.<sup>32</sup>

#### *Parental Obligation*

Parents or legal guardians have common responsibilities for the upbringing and development of the child. The best interests of the child should be their basic concern.<sup>33</sup> In order to guarantee and promote the rights set forth, the government should render appropriate assistance to parents and legal guardians in the performance of child-rearing responsibilities and should ensure the development of institutions, facilities and services for the care of children.<sup>34</sup>

#### *Do No Harm*

The *Do No Harm* principle takes into account the impact programme activities have on the stability or instability of local communities as well as the impact different interventions may have on recipients of support. Organisations should understand the cultural sensitivities in Afghanistan, and should seek feedback and guidance from community members while deciding on an appropriate programmatic approach. To minimise possible long-term harm, the Government and organisations alike should provide assistance in ways that are supportive to long-term development and the reduction of poverty.

### **vii. Operative Principles**

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<sup>28</sup> CRC, Article 3

<sup>29</sup> CRC, Article 12

<sup>30</sup> ILO Discrimination Convention No. 111, ratified by Afghanistan, prohibits discrimination in the world of work on the following grounds: race, colour, sex, religion, political opinion, national extraction or social origin.

<sup>31</sup> CRC, Article 27

<sup>32</sup> CRC, Article 6

<sup>33</sup> CRC, Article 18

<sup>34</sup> Ibid.

### *Context-based programming*

Exploit existing opportunities, such as knowledge, cultural practices and understanding in addition to recognising children's strengths and resilience as programme partners.

### *Capacity Development*

Programmes addressing the issue of street working children should ideally seek to prevent or eliminate violence, exploitation, trafficking and abuse by strengthening the ability of individuals; families and communities to better protect themselves and their children.

### *Socio-economic Development Approach*

Organisations should be guided by a socio-economic development approach in their programming to ensure individual and social human capacity development and social protection. Programmes should take this approach by determining what combination of advocacy and service delivery will ensure the long-term recovery of individuals, families and communities as opposed to solely focusing on needs and the short-term assistance required to restore functioning. Such an approach enables organisations to integrate all the basic needs of children and their family members into a holistic planning process to ensure long-term sustainability by adding legal and moral obligations and accountability.

### *Responsibility*

The primary responsibility for ensuring the survival and well-being of a child working on the streets is with his or her parents and family members. National and local authorities are responsible for ensuring that the child's rights are respected and that parents, families, and communities have the capacity to protect their children. In addition, national and local authorities need to be held accountable for ensuring overall protection through support to families and by holding perpetrators of child abuse criminally responsible. NGOs and UN agencies will provide support to the Government in the implementation of the Strategy, but will not replace the Government in its overall responsibility regarding child labour, and street working children specifically.

In addition, it is the responsibility of the Government to adopt legislation that can act to prevent children from working on the streets as well as reduce the number of street working children in general and to protect children from predators and abusive treatment by Government officials at all levels. However, it is the obligation of the municipalities to adhere to these rules and regulations, and to provide a network of child-friendly services. It is further the responsibility of the local authorities to engage in the development, implementation and monitoring of preventive efforts.

### *Prevention*

Prevention of children entering the streets to work requires cross-sectoral cooperation and coordination; including coordination across national, provincial and district level Ministries, as well as between the Government, UN agencies and local and international NGOs.

### *A Multi-stakeholder Approach*

All stakeholders are required to live up to their roles to better protect street working children, including the Government, members of civil society, local authorities, local and international NGOs, health-care workers, social workers, teachers, and families and children themselves. All actors should engage in open dialogue regarding street working children and should seek to build partnerships across all sectors to determine avenues to more comprehensively support

and protect street working children and their families.

### **viii. Child Protection Initiatives**

Life for many children in Afghanistan is an ongoing battle for survival. Many children remain vulnerable to physical and psychological abuse<sup>35</sup>, and due to the socio-economic conditions prevalent throughout the country many children are forced to work on the streets to aid in supplementing their families' income.

Various organisations (both local and international) have sought to address the issue of children working on the streets by providing access to accelerated learning courses; education and vocational skills training for children and youth; and community-based education. However, few have sought to provide alternative sources of income generation to families as a whole, specifically to parents who are not working. Nor have many projects focused on building capacities in child protection at the community level in order to ensure and promote wider support networks. Without addressing the underlying reasons as to why children are working on the streets, many projects have not been sustainable in the long-term. Overall, there have been gaps between the total numbers of children in need and the number actually reached by NGO programmes; large urban areas and the actual number of districts reached; and the critical needs of children and limited packages of programme services.<sup>36</sup>

Ultimately, programmes should focus on long-term solutions that build the capacity of individuals and communities to be better able to address stressors that arise within families that cause children to take up work. The provision of family and community supports is among the most effective of intervention strategies. Subsequently, there is a need for a family preservation strategy and multi-sectoral projects to address and alleviate family stressors as well as community-based mechanisms that can act as effective means of monitoring and protection. The well-being and protection of children needs to be viewed as closely linked to that of their parents, and the well-being of both to be linked to the availability of supportive structures within the community. These are likely to be much more important for children than externally provided resources. In addition, programmes providing protection activities (such as child protection committees or signing a code of conduct amongst employers), medical care, legal assistance, street education, emergency shelter, psychosocial support, and financial services, such as banking and entrepreneur programmes, should be provided to assist street working children and their families.<sup>37</sup>

### **ix. Key Findings of Research conducted on Street Working Children**

While an overall national assessment of street working children has not been carried out, several organisations have conducted research in various provinces throughout Afghanistan, such as Kabul, Nangahar, Mazar, Herat and Kandahar.<sup>38</sup> Research has primarily aimed to identify the prevalence of street working children in specific urban areas and border regions;

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<sup>35</sup> Save the Children, <http://www.savethechildren.org/countries/asia/afghanistan.html> as well as 'The Torkham Needs Assessment Report', CRC/Tdh (2011)

<sup>36</sup> As identified by the 'Assessment Report of Street Working Children in Afghanistan,' MoLSAMD (2010) as well as 'The Torkham Needs Assessment Report,' CRC/Tdh (2011)

<sup>37</sup> Ibid.

<sup>38</sup> CRC/Tdh carried out research in all 5 provinces (2010-11); ActionAid conducted research in Kandahar in 2008; and Save the Children is currently conducting research in Jalalabad (2011)

and to describe the living and working conditions of children. This research has sought to uncover the driving, protective and inhibiting factors of children working on the streets, and while it has been carried out in various regions by different organisations, it has had similar findings.

Overall, the research has shown that street working children face a combination of exploitative and abusive factors as well as family and community stressors. These include: a) poverty and unemployment; b) internal displacement and the weakening of community support networks; c) lack of parental supervision in a child's surroundings; d) health-related problems amongst family members; and e) inadequate, poor quality or inaccessible educational opportunities.

There also remains a high demand for child labour in the local labour market, especially along border regions where children are used to smuggle items across the border, including illicit narcotics and explosives. Female-headed households where the mothers or older female siblings cannot go out or work also contributes to children working on the streets. However, it is important to acknowledge that poverty alone does not push children to work. Children often do not have the capacity to cope with a multitude of family stressors. Subsequently, poverty coupled with other factors, such as inadequate housing conditions, conflict and displacement or an ill family member combine to push a child to take up work. Subsequently, measures that seek to mitigate children from working on the streets will not have an effect so long as the need for children to work remains. Thereby, any effective policies which seek to eliminate child labour in general and children working on the streets specifically must not only address the structural causes that lead children to take up work, but must also establish alternative institutions where children can spend their time, such as schools and vocational training centres.

## **II. Children in Islam**

Islamic jurists and scholars agree that Islamic Sharia focuses on accomplishing five key objectives in which all Muslims should seek to abide by. These include the following:

- safeguarding of progeny
- safeguarding of life
- safeguarding of sanity
- safeguarding of property
- safeguarding of faith

Issues facing children lie under the first objective. As such, Islam highlights a wide array of precise laws that seek to protect children. Universal principles highlight the necessity for recognising the rights of all children without discrimination. These principles are also put forth in the terms of the Quranic and Prophetic directive, thereby complementing such conventions as the UNCRC.

As mentioned in *Children in Islam*, it is also the responsibility of the Government to pass laws that guarantee the 'protection of children from exploitation in hazardous jobs, or in activities that may render them liable before the law.'<sup>39</sup> In this view, is the saying: 'Each of you is a

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<sup>39</sup> Al-Azhar University, UNICEF, *Children in Islam: their Care, Upbringing and Protection* (2005), New York, pp. 25

shepherd, and each of you is accountable for his or her flock.’<sup>40</sup> In addition, Islam provides children with a protective environment as evidenced by statements made by the Prophet, Peace be upon Him: ‘Allah will (on the Day of Reckoning) question each person in a position of responsibility about what he or she has (been) responsible for (in his or her life),’<sup>41</sup> and ‘All of you are guardians and responsible for your wards and the things under your care.’<sup>42</sup>

Finally, and importantly, Islamic Sharia does not expect its followers to undertake arduous tasks as stated in the Quranic verse: ‘And has not laid upon you in religion any hardship’<sup>43</sup> and that ‘Allah burdens not a person beyond his scope.’<sup>44</sup> It is evidenced by these verses that Islamic Sharia discourages the employment of children in hazardous labour as doing so would inflict hardship and harm on the child as much as it encourages the protection of children by their wider families and communities.

### ***III. Building a Culture of Respect for the Rights of the Child***

The main objective of the Strategy is to influence Afghan society’s perception of children and childhood so that child labour becomes socially unacceptable and education becomes accepted as a universal norm. This objective can only be achieved when all sectors of society have become aware of the rights of children and the harmful impact of working on the streets; when organisational practices have been strengthened and bridges have been built across professions to enhance the protection of children; when mind sets have been transformed; and when economic and social conditions that influence children working on the streets have been addressed.

It is the Government’s obligation to instil the culture of respect to the rights of the child and the sense of responsibility for children into all professions and individuals who come into contact with children through their work, such as social workers, police officers, teachers, judges, youth workers, and religious leaders. It is further the responsibility of these professionals and individuals to engage at a community level to raise awareness of the Government’s obligations concerning the rights of children.

### ***IV. Strategic Interventions***

- A. Short-term Initiatives
- B. Medium-term Initiatives
- C. Long-term Initiatives

#### ***A. Short-term Initiatives (immediate to 18 months to 2 years)***

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<sup>40</sup> Hadith

<sup>41</sup> Narrated by Al-Tirmidhi in his *Sunan, Kitab Al-Jihad*, chapter ‘Rulers pertaining to the (rights and responsibilities of the) head of state’, 4/208 in Al-Azhar University, UNICEF, *Children in Islam: their Care, Upbringing and Protection* (2005), New York, pp. 52

<sup>42</sup> 1/248, Hadith 893; 3/1459, Hadith 1829; 3/130, Hadith 2928

<sup>43</sup> Al-Hajj, or Pilgrimage, verse 78

<sup>44</sup> Al-Baqarah or the Cow, verse 286

Short-term initiatives focus on activities that directly support children, families and communities. They are activities that influence changes in attitudes, skills and knowledge. These initiatives should include such activities as follows:

## **Coordination**

1. Any initiatives undertaken by individual organisations should be shared, coordinated, and communicated with MoLSAMD and other relevant stakeholders, such as the CPAN Working Group. All NGOs should register with MoLSAMD and report twice annually to MoLSAMD. All project-related activities, lessons learned and best practices emerging from activities should also be shared and carried out in support of MoLSAMD. The sharing of information can be achieved through the MoLSAMD website where project documents, reports or other related materials can be uploaded and shared by organisations, and can act as a forum where MoLSAMD can monitor what organisations are working on. MoLSAMD should thereby work to improve and update the existing website.
2. The overall success of any street working children programmes relies on the capacity of MoLSAMD and other Government counterparts as well as the private sector, UN agencies, civil society, and local and international NGOs to increase livelihoods through the implementation of projects that seek to support families and communities. MoLSAMD should address the following in order to ensure maximum coordination and collaboration:
  - a) Assume the key role in coordinating and monitoring preventive mechanisms and interventions concerning street working children.
  - b) Conduct bi-monthly meetings with organisations working on street working children issues to strengthen coordination, monitoring and reporting.
  - c) Draft an annual plan of action for street working children together with all relevant actors, and map who is doing what and where.
  - d) Regularly monitor and report on all organisations, services and institutions responsible for the care and protection of street working children in order to ensure the provision of legal safeguards for children; enforcement of child welfare laws and regulations; and the appropriateness of public expenditure.
  - e) Immediately employ the use of the recently developed minimum standard of services to be used as a checklist for programmes developed by NGOs or UN agencies to ensure that programmes will be effective in supporting street working children and their families.
  - f) Efforts to strengthen coordination within MoLSAMD amongst the MoLSAMD departments should be undertaken by holding monthly meetings with identified focal points from each of the MoLSAMD departments. As for example, strengthening the synergy between the social protection and child protection programmes.
3. NGOs, UN agencies and other relevant actors should support MoLSAMD in assuming an upstream role in the overall child protection system, including support to strengthening capacity in strategic planning and costing of required services as well as advocacy for appropriate budget allocation. This support can be provided through the provision of technical support by NGOs or UN agencies.

4. The protection of street working children cannot be achieved via the efforts of one individual, organisation or sector, but requires the pooling of knowledge, skills and resources and joint problem solving between the local community, government organisations, and support agencies. Cross-sectoral cooperation and coordination involving the health, education and social sectors, law enforcement authorities, and the justice system is needed as concerns facing street working children must be mainstreamed into other sectors. The private sector should play a role in creating apprenticeships for street working children. MoLSAMD, as the Ministry responsible for the protection of children, should:
  - a) Hold monthly coordination meetings with counterparts from other government Ministries as well as relevant NGOs and UN agencies in order to share information and increase coordination amongst sectors, avoiding duplication and gaps in service provision.
  - b) Draft policy targets that include strategies for the monitoring and evaluation of State interventions.
  - c) Give the parents of street working children priority of placement in vocational training programmes and job placement assistance.
5. Provincial and local authorities should participate in and support local child protection and child rights organisations that focus on the prevention or reduction of children working on the streets in regards to financing, monitoring, reporting and evaluating, which should be monitored by MoLSAMD. These actions can be accomplished through:
  - a) Greater inclusion of child protection issues in MoLSAMD's annual budget.
  - b) Inclusion and regular participation of provincial and local authorities in the provincial and district-level CPANs (DCPAN).
  - c) Regular communication and coordination between the Government and other relevant stakeholders.
  - d) Establishment of a CPAN Working Group for Street Working Children at the provincial level that convenes monthly as a mechanism to ensure regular reporting and monitoring of activities, including preventive activities.
6. Child Protection Action Network (CPAN) involvement with emergency case management needs to be re-structured so that an immediate emergency care plan is organised that also addresses the long-term. As such, children will be immediately referred to an emergency shelter, such as the ASCHIANA/CRC run boys' shelter in Kabul or the women's shelter run by AWEC, if deemed necessary. Emergency response can be improved through the following:
  - a) Selection of one focal point from MoLSAMD, the Ministry of Justice, Ministry of Interior, and the Ministry of Public Health to be immediately available at all times to refer a child to an emergency shelter.
  - b) Focal points from these Ministries along with the relevant NGOs involved with the case (such as the CRC/Tdh or Children in Crisis) should form an Emergency Team to immediately address the case and to make referrals.
  - c) MoLSAMD needs to be strengthened in order to better refer children and to provide monitoring and follow up of cases.
  - d) A Government-authorized NGO or civil society organisation should establish a central



helpline with a single nationwide number that can be advertised to aid children in need of immediate support. Informal counsellors, such as university students or members of the YICCs, should be trained to work at urban call centres and should refer children to relevant organisations or Ministries.

7. Authorities at all levels should work together to strengthen the legal protection of street working children. Street working children are vulnerable to abuse and exploitation. In addition, survivors of abuse are often the ones who are penalised. Street working children who are abused should not be blamed. Instead, perpetrators of child abuse and sexual abuse should be penalised within a reasonable timeframe so that the justice system is effective in protecting survivors of violence.

### **Data collection and Mapping**

8. There is limited data available on street working children. The Strategy calls on MoLSAMD and the Central Statistics Office (CSO) with the support of relevant NGOs or UN agencies to improve national data on street working children by:
  - a) Conducting action research in the form of pilot projects, pulling on lessons learned and experiences of ongoing projects (such as those being carried out by the Child Rights Consortium (CRC)/Tdh), to determine which programmatic activities work and where. Action research would allow research to be collected in parallel to ongoing projects.
  - b) Conducting research assessments to obtain data on the number of street working children in urban cities; what factors contribute to decisions made by children and families to stop working; and impact assessments of what has been done so far. The CRC/Tdh will be conducting a mapping of street working children in all of the districts of Kabul in the near future.
  - c) Pilot projects as bases for interventions should also be established by NGOs or UN agencies in support of the Government. Different types of intervention should be piloted and should focus on different types of families, including dysfunctional families.
  - d) Update the national market survey, including a labour force survey and enterprise survey. Such an initiative should be carried out by the CSO with the analysis of the data being undertaken in MoLSAMD via the LMIA Unit (which needs to be reinforced).
  - e) A mapping exercise should be carried out by the provincial CPANs under the leadership of MoLSAMD and the national CPAN to identify existing services for children at risk. Local authorities should work alongside social protection systems in the community, such as schools, health facilities, NGOs, the police and others to increase the capacity for a multi-sectoral approach toward street working children. Such an initiative will also act to revitalise and strengthen the national CPAN.
  - f) As a component of such networks, local authorities should develop comprehensive local social support information packages on the availability of services that can help street working children and their families whether they are provided by the Government, NGOs or the UN agencies. These information packages could then be dispersed throughout communities so that working children and their families are made aware of available service and assistance schemes.

### **Awareness-raising**

9. Awareness campaigns should be established to inform and sensitise parents and community members on priority protection concerns of children working on the streets. Seminars should be conducted at the local level on labour rights awareness, following the example of the Asia Foundation.
10. Street working children are vulnerable to recruitment into armed groups as they are susceptible to being encouraged to join an armed group to carry out attacks in exchange for money. Greater action needs to be taken to prevent and address the recruitment of working children into armed groups. Prevention can be increased through the following examples of activities:
  - a) Conducting a situation analysis with the support of NGOs or UN agencies of children and their families and communities to better assess patterns of recruitment by local authorities. This analysis could be carried out in urban centres in provinces or regions where it is believed that recruitment into conflict-related activities is taking place, such as Kandahar.
  - b) Based on the findings of any situation analysis conducted, awareness-raising campaigns should be carried out at the local community level, specifically raising awareness of recruitment and its relation to children working on the streets, as they are vulnerable targets to armed groups.
  - c) Advocacy through the dissemination of media messages, pamphlets and posters to protect and promote the rights of street working children and to stimulate open dialogue should be carried out at the community level by NGOs or UN agencies in support of the Government. Such activities will enable parents and family members to understand the dangers of having their children work on the streets, and will enable children to understand the dangers of engaging in conflict-related activities.

## **Education**

11. Families place value on education in relation to the likelihood of future employment, the quality of teaching, and on the location and accessibility of the school. School enrolment of street working children can be increased through the following examples of activities:
  - a) Introduction of textbook and uniform borrowing schemes to encourage school enrolment, as well as the provision of Government subsidised school supplies and lunches so that families and children do not have to cover such costs. These activities should be carried out in the best interests of the child to ensure that children do not receive less food at home as a result of receiving food at school, for example.
  - b) WFP, ILO, UNICEF, UN-Habitat, UNHCR and NGOs should be approached to aid in the identification of vulnerable households.
12. Parental awareness of the importance of school attendance is essential. Schools should work towards improving school-parent liaison and helping families' support their children in continuing their education. At the community level, a higher number of Parent Teacher Student Associations (PTSAs) should be developed at all schools throughout Afghanistan, in line with the National Education Strategic Plan, in order to encourage and increase parental engagement and commitment to education (at present they exist and function effectively at few schools). PTSAs can be developed through the

following:

- a) Identification and engagement of positive role models from the community, such as religious leaders or community elders, who can help to raise awareness on the value of education and the short and long-term harmful effects of working on the streets.

13. Following in the steps of Parent Teacher Student Associations (PTSAs), should be the expansion of existing school health committees under the Ministry of Education and in coordination with the Ministry of Public Health to bring greater awareness of health and hygiene issues.

### **Healthcare**

14. The presence of an ill family member places additional strain on a family, especially one that faces socio-economic difficulties. Many children work not only to support their family's basic needs, but also to aid in the provision of medical costs. Families can be supported through:

- a) Free health services in urban-based clinics, providing basic healthcare established by the MoPH in order to help alleviate the financial burden experienced by a family due to the presence of an ill family member.

### **Psychosocial Support**

15. Children who work on the streets may show signs of physical and psychological duress due to working long hours and the constant stress levels associated with work. A holistic, child-friendly psychosocial approach is needed to design, implement, evaluate or continue support programmes for children and their families. Importantly, the distinction between psychosocial support and mental health should be made clear – psychosocial support relates to the impact of social events on psychology and is not related to mental health. Psychosocial support should be:

- a) Led by the MoPH and implemented with its full consent.
- b) In compliance with the MoPH's curricula and standards, and implemented by NGOs or UN agencies with relevant experience.
- c) Designed by NGOs or UN agencies with relevant experience in developing and implementing such programmes.
- d) Due to the lack of professional trained psychologists in Afghanistan, support should take the form of informal counselling and staff providing such counselling should be trained in accordance to international standards in order to mitigate any harm to programme recipients.

### **Birth Registration**

16. Birth registration is an important aspect of child protection as it strengthens children's access to basic social services and legal protection. It further improves national data, planning, policy and appropriate budget allocation. It specifically relates to street working children because children who are registered are more likely to access specific

services without facing additional barriers, such as enrolment in education. The following activities to improve birth registration should be undertaken:

- a) Organisations should work together in partnership with the Government, specifically the Ministry of Interior, to ensure that all children are registered at birth.
- b) UNICEF is working to support the Ministry of Interior to register all children at birth. The programme is linked to the Ministry of Public Health and the Ministry of Hajj and Islamic Affairs as these Ministries support birth registration at the local level through maternity hospitals and public awareness carried out at local mosques. These Ministries should continue to support the MoI through training of staff at maternity hospitals and by sharing information with religious leaders and community elders so that community members are better informed about the benefits of birth registration.

### **Drug Prevention and Reduction**

17. The increase of drug use is an immediate concern in Afghanistan, especially in the regions prone to insecurity. Research assessments of street working children have shown that many of these children are drug users or are vulnerable to becoming addicted to drugs.<sup>45</sup> In addition, many parents or caregivers of street working children are drug users, which has been both a direct or indirect cause of their ability to work.

- a) Public awareness campaigns should be strengthened to educate children and family members on the long-term effects of substance abuse.
- b) Inter-ministerial coordination in implementing drug prevention programmes should be improved.
- c) Centres with personnel who are trained to deal with the immediate effects of substance abuse as well as on methods of prevention should be established to a larger degree to aid children and youth and family members in overcoming drug addiction. Existing models, such as the NEJAT centre in Kabul should be replicated or home-based treatments should be developed.

### **Savings and Investment**

18. Self Help Groups (SHGs) should be organised in local communities in order to empower community members through savings and investment schemes. What links the groups is the knowledge that being a member of such a group will improve the socio-economic well-being of group members. Overall, SHGs provide a cost effective credit system, as the transaction costs of the lending are a minor percentage of the amount borrowed. As such, they can act to improve the socio-economic situation of street working children families. The CRC/Tdh and UN-Habitat have successfully initiated SHGs in various communities, and should be referred to for support. SHGs can be established through the following activities:

- a) Identification of natural groups by NGOs or UN agencies working to establish SHGs at the community level.
- b) Facilitators and community members themselves should identify and form groups, as

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<sup>45</sup> 'Child Protection Assessment of Street Working Children in Kandahar City and Spin Boldak' Report, ActionAid (2008)

well as collect information regarding credit needs, incomes, availability of natural resources, skills and markets etc.

- c) Groups should be formed once information has been collected and meetings should be held to discuss matters regarding savings and lending, facilitated by relevant Government officials with the support of NGOs or UN agencies.

## **Support Services**

19. The best interventions come from former street working children themselves. Organisations should aim to identify natural leaders amongst their street working children beneficiaries, and train and hire older children so that they can actively participate in the implementation of programmes through either peer-to-peer or child-to-child approaches.

20. Child friendly spaces should be established for street working children as they provide children with opportunities to meet other children and socialise, as well as to befriend the caring adults working at the spaces. They also make it easier to detect behavioural changes or problems that children might be facing, and to provide assistance to children and their families. These are locations where children can spend a few hours a day, where they can feel secure and comfortable and where they can take part in various psychosocial and child protection activities. They also serve as ways for children to access other services, such as education, health, nutrition – either through referring children to other services, or having them integrated in the child friendly space. They are also places that provide an environment for engagement and support of parents and families. The following activities could be undertaken to establish child friendly spaces:

- a) With support of all members of the community, set up child friendly spaces in communities in mosques, community centres (if available) or a designated home.
- b) Select and conduct training for community members who will work at the CFS.
- c) Such an initiative could be guided and supported by organisations, such as Save the Children, that have experience in establishing community-based CFSs.

21. The lives of street working children can be improved through sports and recreational activities. The Government, private sector, and community-based organisations should cooperate to establish recreational centres in urban areas as safe places where both male and female street working children can spend some time and interact with other children. Centres such as the youth centre built by the Aga Khan Foundation and Roshan in Kabul should be replicated.

22. Written agreements between the organisation providing support and the parents of street working children should be signed with the relevant Government authorities or local representatives to ensure agreements are abided by. The CRC/Tdh has experience of successfully implementing such an initiative and should be referred to for guidance and support. CRC/Tdh agreements have committed the CRC/Tdh to the provision of certain forms of support to families on the condition that parents take their child off the streets. This initiative should be replicated across Afghanistan. The agreements should:

- a) Clearly state the roles and responsibilities of both parties.
- b) Clearly state timelines.

- c) Clearly state feasible and achievable goals for the parents or caregivers to increase motivation.
  - d) Agreements should outline from the beginning what the expectations are on the sides of all parties; and should highlight the responsibilities of all parties signature to the agreement to diminish passive dependency on services.
  - e) As part of the agreement, service providers should regularly monitor and follow up on each case for a period of at least six months for each child.
  - f) Parents who have participated in such an initiative and who have been pleased with the results should be encouraged to participate in any wider programmes by speaking with other parents or members of their communities on the positive benefits of the signing such an agreement.
23. Employers should sign a code of conduct, agreeing that they will not employ children. This code of conduct should be in line with the Labour Law and the international standards that have been ratified by the Government as well as any ILO recommendations. The CRC/Tdh have developed a code of conduct for employers, which obliges shopkeepers who hire children (between 13-17) to provide adequate living conditions for the child; time for the child to engage in recreational activities and education away from work; and medical care when required. The code of conduct has been used successfully by the CRC/Tdh in Torkham and will be rolled out in Kabul. Other organisations should follow the example of the CRC/Tdh as well as their guidance in engaging employers in a code of conduct in order to better protect children who are working.

### ***B. Medium-term Initiatives (2 to 5 years)***

Medium-term initiatives should focus on activities that will prevent and reduce the number of street working children. Programmes responding to street working children will consist of the following programme activities or interventions:

#### **Social Assistance**

1. Social subsidies should be delivered to vulnerable families to support the upbringing of their children should be developed by MoLSAMD. These forms of assistance could include food or non-food items or materials for starting income generating activities to families of street working children on the condition that children enrol in part or full-time education or attend some form of life skills and vocational skills training that are tailored to the needs of street working children, for instance, with flexible hours.
2. It is essential that systematic improvements be made to the quality and use of social work, including an increase in the number of qualified social care workers under MoLSAMD. Social care workers should be trained under the National Social Work qualification, which is to be introduced through the NSDP and supported by the EC and UNICEF. In addition, existing social workers should be supported throughout the country to a greater degree. In addition, social work needs to be standardised and more effectively monitored by MoLSAMD. Organisations, such as the CRC/Tdh, Children in Crisis, and UNICEF should support MoLSAMD in the increase of hiring and training of social workers, especially females.

3. The Government and organisations alike should work together to strengthen the protective role of families through the following activities:
  - a) Development of parenting and care giving programmes that address gender stereotypes and promote non-violent relationships or forms of discipline and problem solving skills.
  - b) Provisions of childcare programmes so that parents are able to work, paying particular attention to single parent households and female-headed households in particular.
  - c) Childcare programmes could be community-run and held in a communal location in the community.

## **Education**

4. The Ministry of Education should work closely with MoLSAMD to ensure that street working children are included in the education system in accordance to the National Education Strategic Plan. The MoE should ensure that all schools are inclusive and child-friendly, and should thereby prioritise the special needs of street working children.
5. Schooling is not always a positive experience for children. It can mean learning in cold, unheated classrooms or in hot, airless ones. It can mean spending long days being hungry or thirsty without the adequate facilities in schools to obtain food or clean drinking water. Furthermore, it can mean being frightened by the threat of punishment or bullying by teachers and older students, as cited by several street working children in research assessments carried out. These conditions are impediments to learning. They are made worse without competent teachers to guide students or good quality learning materials. The Government should fulfil its obligation to ensuring that all schools are child friendly – schools that address the total needs of children as learners by making school environments welcoming and safe, while emphasising links with the wider community. The Ministry of Education can ensure all schools are child friendly by providing safe and protective schools; and trained teachers, equipped with adequate resources and learning materials. Monitoring and reporting should be strengthened at the school level to prevent violence in schools.
6. Policy recommendations regarding education need to target and include street working children. Within this framework, initiatives regarding educational issues need to be combined with broader poverty reduction, social inclusion and child protection strategies. For example, educational programmes could include:
  - a) Options for both formal and non-formal schooling opportunities.
  - b) Vocational training for children over the age of 13.
  - c) Accelerated learning classes carried out at day centres or shelters.
  - d) Flexible school hours should be established for street working children so that they can combine their work with education and so that children who need to continue working will not be excluded from educational opportunities.
  - e) Specific initiatives such as financial literacy for street working children.

## **Referral Mechanisms**

7. To accompany vocational skills training of parents or caregivers, a referral system should be established. Provincial level CPANs with relevant Ministries at the provincial level, NGOs, and private sector organisations who are able to coordinate efforts to support graduated trainees in finding employment or self-employment. It is likely that the children will not completely stop working on the streets immediately; however, if the parent(s) are able to work through support in vocational skills training then it will help to reduce the time children spend on the streets. The MoLSAMD Department of Labour plans to open Employment Services Centres in all provinces (in collaboration with ILO). These centres can act as focal points where graduated trainees can be referred for employment, and can act to achieve the following activities:
  - a) Assessment and mapping of the employment services available at the local level.
  - b) Identification of a focal point in each CPAN who is able to ensure cooperation and coordination amongst the public, private, commerce and other service sectors to evaluate and ensure the availability of employment opportunities, including the Afghan Chamber of Commerce and Industry (ACCI).
  - c) Identification of the most vulnerable households that have few skills or resources through research assessments or referral to the MRRD, WFP or UN-Habitat.
  - d) Training of Government officials at the provincial and national levels on referral mechanism activities with the aim those Government officials will have the capacity to take greater initiative in the implementation of programmes seeking to provide support to families through vocational skills training and job placement of parents or caregivers.
  - e) Provision of technical assistance to the Ministries by NGOs and UN agencies in order to ensure the sustainability of improved livelihoods beyond the skills training through the development of small and micro-enterprise development, internships, apprenticeships, and small infrastructure developments that are linked to value chains.
  - f) Identification of marketable skills in accordance to the NSDP; and development of training for local level marketable skills if not already developed by the NSDP. The private sector should also be called upon to aid in the training of trainers.
  - g) Increased support to communities by the Ministry of Commerce and Urban Development to develop local businesses with the support of MoLSAMD and the NSDP.

## **Law Enforcement**

8. Research assessments of street working children show that few police officers have knowledge of child rights and child protection issues. Training on child rights and protection should be included as a component in the broader training of police officers. It is likely that educating police officers on child protection issues will aid in reducing the abuse of street working children by police. It will also allow police to gain a wider understanding of how to handle alleged offenses involving street working children, and children in general. In this context, the CRC/Tdh recently trained 24 police officers in the Police Academy in Jalalabad on child rights and child protection issues to raise awareness, and received positive feedback from the police officers themselves. The CRC/Tdh is currently working with the Ministry of Interior to include training on child rights and child protection in the police curriculum. MoLSAMD and organisations working on child protection issues should support this initiative to ensure that the



training is rolled out across Afghanistan. A community level child protection network should also monitor rights violations of children by the police, such as arbitrary arrest and sexual abuse and should report back to CPAN.

9. A specialised and trained police unit should also be established to deal with children in contact or conflict with the law. While suggestions have already been made on paper to establish such a unit, these suggestions need to be implemented. Activities such as the following could be undertaken:
  - a) Identification of police liaison officers who can act as representatives of the police in each of the provincial CPANs.
  - b) In the event that a street working child comes into conflict with the law, police officers can refer the case to the police liaison officer who can then bring the case to the CPAN for further discussion to ensure appropriate measures are taken in the best interest of the child.
  - c) Training to police should encourage police officers to reunite street working children who come into conflict with the law with their families as opposed to referring them for detention.
10. Those who have perpetrated offences against children, including sexual or physical abuse, should be subject to criminal proceedings as well as access to effective intervention programmes that seek to prevent and minimise repeated offences. For instance, training on alternatives to physical punishment should be given to community members as a whole so that community members can monitor and find alternatives to physical forms of punishment within individual families.
11. Capacity of MoLSAMD should be built to develop a solid Labour Inspectorate that should be complemented by collaboration with the law enforcement agencies to take action on violators of the Labour Law. ILO will be starting a programme in support of MoLSAMD on Labour Administration, which will include a component on the strengthening of the Labour Inspectorate.

## ***VI. Long-term Initiatives (5 to 10 years)***

Long-term initiatives should aim to prevent vulnerable children from starting to work as well as reducing the risk of harm to children who are already working on the streets through capacity building, and the development of policy and legislation.

### **General**

1. All persons should prohibit the purchasing of items being sold by children on the streets; and should refrain from giving money to beggars. Doing so not only encourages but also supports the very reason why children are on the streets working.
2. Programmes should address attitudes, traditions, customs, behaviour and practices that are not gender sensitive – such as those that do not permit women to work in the formal labour market. This specific issue can be addressed, for instance, by encouraging women to work by providing literacy and vocational skills training to mothers so that they are able to gain a means of employment, thereby securing an income for their families will provide additional

incomes for families so that children do not have to work on the streets. At present, women are often involved in activities such as embroidery; quilt making and carpet weaving that are typically underpaid and often harmful to child health. The Government needs to lend greater support to women in gaining meaningful employment. Households, headed by women, specifically widows, may not be able to work outside of the home due to traditional gender roles. Therefore, appropriate employment opportunities that allow women to work and remain inside the home need to be provided, and equal wage for equal work standards needs to be developed and extended to the private sector and adhered to.

## Legislation

3. This Strategy should be understood as a multi-faceted and systematic framework that should be coordinated and monitored by MoLSAMD, and supported by sufficient human and financial resources. A system to monitor the allocation and impact of resources from national and international sources for child rights initiatives in general should be developed with the technical support of donors and UN agencies. The following activities should be addressed:
  - a) Establishment of a tracking system to use and allocate resources for child rights initiatives in general under the Child Protection Secretariat.
  - b) Monitoring and assessment of the effectiveness of resource allocation using UN recommendations for budgeting-by-results.
  - c) Ensuring transparent and participatory budgeting through public dialogue and participation, including that of children.
  - d) Defining of strategic budgetary lines for street working children-focused activities.
4. The UN Convention on the Rights of the Child has not been systematically incorporated into the domestic legal system. In addition, the rights of children continue to be negatively affected by different sources of law, such as codified, customary laws that remain in contradiction to the Convention. MoLSAMD should take the lead in ensuring that:
  - a) Customary laws are brought into compliance with the UNCRC and ILO Conventions through the drafting of a Child Act, which can act to supersede all legislation that is not in accordance to the best interests of the child, and thereby the UNCRC and the ILO C138 and C182. The Child Act is to be developed in the near future by the Ministry of Justice and MoLSAMD with the support of UNICEF, and should be supported by the Afghan religious community. It is to act as legislation on all matters relating to justice, social protection, education and health, and children in compliance to the Constitution of Afghanistan.
  - b) The UNCRC is applied to administrative proceedings involving children.
  - c) Integration of the 'best interests of the child' principle into all national legislation relevant to children and applied in all political, judicial and administrative procedures and decisions involving children as well as programmes and services.
5. The right of children to be heard in matters concerning judicial and administrative proceedings affecting them is not enforced, despite the provisions made in the 2005 Juvenile Code. The Government should amend the civil and criminal code to ensure that street working children who come into conflict with the law are heard in judicial and administrative proceedings.

6. The Government should fulfil its legal obligation under ILO C138 to develop legislature on a national minimum so that employers are not legally able to employ children below the age of 14. This legislature could be drafted with the support of NGOs, UN agencies and Workers' and Employers' organisations. In addition, advocacy for enforcement of laws by the police and law enforcement bodies to penalise employers who hire children should be carried out; and police should live up to their commitment to protect children by penalising employers who hire children in hazardous forms of work.
  - a) Regulations regarding child labour should be included in the Labour Law with reference to all forms of hazardous child labour, which the Government needs to identify in collaboration with Workers' and Employers' organisations.
  - b) Training to police should include information not only on child protection, but also on the Labour Law so that police are aware and have knowledge of the legal rights of children in regards to labour. MoLSAMD should develop such training with the support of NGOs, UN agencies and donors, specifically the U.S. Embassy, and the Embassy should include this training in the Police Training Mission, which provides training to police as well as the Embassy's training to Prosecutors project.

### **Policy Development**

7. All national policies relevant to the well being of street working children, for instance, employment, social care and social insurance policies, healthcare policy, and educational policy should contribute to the promotion and protection of the rights of the child. Priority should be given to policies aimed at reducing gender inequality, poverty and marginalisation; supporting families and communities; addressing unemployment and gaps in income; improving social networks; and facilitating the inclusion of migrants or internally displaced persons (IDPs) and their families. Despite the important roles of the health, justice and education sectors, child protection policies do not exist in most Ministries. As such, the Child Protection Secretariat should act to develop a National Child Protection Policy.
8. A national child labour policy is currently being developed by MoLSAMD and should be referred and adhered to by all relevant authorities once it has been finalised.

### **The Child Protection Secretariat**

9. The Child Protection Secretariat is currently under formation. The Secretariat is an office of agency established by the Government of Afghanistan to coordinate and monitor the overall implementation of child rights and child protection programmes at the national level. The Secretariat will enhance the capacity of the Government to fulfil its mandate to protect children by coordinating the implementation of the UNCRC. The Secretariat should be made independent under the Presidential Office so as to have the power to monitor implementation and protection of the rights of the child by all other Ministries and actors. In addition, national care standards should guide all Ministries in providing centres or institutions working with children, such as schools, orphanages, vocational skills training centres and juvenile rehabilitation centres.

Due to the all inclusive nature of child rights promotion and protection responsibilities, the

Secretariat will include representation from all possible actors and stakeholders, including children, parents, social workers, school communities, business organisations, Government ministries, civil society organisations, and professionals relevant to the purpose of addressing child rights implementation and protection initiatives.

## **Social Welfare Sector**

9. An overall social welfare system with services for children should be developed and adhered to in order to ensure the protection of children, following the guidelines set forth in the Afghanistan National Development Strategy (ANDS). As such, the development of appropriate regulations and guidelines to improve the quality of service provision is essential. Strategic approaches to the social welfare sector should focus on policy development, management and oversight capacity, as well as the quality and quantity of human resources, and better monitoring and information systems. Whenever services, such as schools, can offer additional assistance to children, such options should be taken advantage of and used to their full capacity. Services targeting older children should include, but should not be limited to, attaining vocational training skills that will prepare them for adulthood. Currently, the MoE is developing vocational education options in some schools so that older children have the choice of learning a trade or continuing academic options. The following activities should be carried out:
  - a) In depth assessment of the urban administration, including which persons are responsible for child welfare and what resources are available at the provincial level.
  - b) In depth survey of most vulnerable households in urban centres.
  - c) Social insurance schemes for the most vulnerable families, including chronically poor female headed households and households with persons with disabilities. These might include in-kind transfers (such as food or non-food items), preferably with conditions such as enrolment of children in school, skills training for income by able adults, participation of poor families with many children in MoPH family management initiatives. National resources for this social insurance could be explored by the introduction of a Zakat-based tax system, which the Government is currently considering.
10. Any social welfare system that protects children must also include services that are able to address, prevent, and reduce problems present in street working children households. Family support systems need to be developed and tailored in such a way that they are able to tackle the primary causes that lead children to take up work. Such policies are essential if children are to grow up in stable family environments.
11. Due to a history of residential institutional care, there is a lack of knowledge, skills and experience in the provision of community-based, child protection and family support services. Technical advice and assistance to MoLSAMD and other concerned Ministries will aid in capacity development and needs to be provided.

## **Education system**

12. Improvement to the environments of schools needs to be made under the leadership of the Ministry of Education so that schools become more attractive to children. According to research carried out by the CRC/Tdh, many children are on the streets instead of in school

by choice due to the poor quality of teaching and corporal punishment. The Ministry of Education, specifically the Teacher Training Department, with the support of UNICEF is currently in the process of revising the education curriculum as well as teaching methodologies to ensure that subjects are taught in such a way that is conducive to learning and captures the interests of students.

13. Despite the prohibition of corporal punishment in the Education Law, it remains a common practice in government schools. The Government should ensure that the laws banning corporal punishment are adhered to by holding individuals legally responsible for using corporal punishment. The following examples of activities could be carried out:

- a) Awareness raising campaigns on the harmful effects of corporal punishment.
- b) Penalties carried out against those who do not comply with the law.
- c) Monitoring of the ban on corporal punishment at the local level by PTSAs.
- d) Teachers should also sign a Code of Conduct that clearly lays out what is and is not acceptable behaviour.

## **VII. Partnership strategy**

Attaining the goal of preventing children from working on the streets as well as reducing the current numbers of street working children requires a committed, coordinated and collaborative partnership with the various Ministries, communities, civil society organisations working on child-focused issues<sup>46</sup>, NGOs, UN agencies, private sector and donors. The success of any programmes that seek to address the issue of street working children will depend on the ability of these stakeholders to link programme activities with other UN, NGO, and Government-led initiatives. This strategy has identified several projects in which to develop partnerships, thereby gaining support and greater coordination. These projects include, *but are not limited to*, the following:

- For sustainability, accountability, and communication, strong government involvement is necessary. The Ministry of Labour, Social Affairs, Martyrs and Disabled is responsible for overall child protection initiatives, and should serve as the focal point for other Ministries engaging in initiatives that either directly or indirectly affect street working children.
- The National Skills Development Programme (NSDP) under MoLSAMD can aid initiatives seeking to provide vocational skills training or employment for parents of street working children by acting as a guide to appropriate training resources. These include support from the NSDP on labour market needs, approved training providers, standardised curricular for a range of skills, training on business development services, and linkages to Employment Service Centres as they are re-established and expanded.
- In support of the NSP, thousands of Community Development Councils (CDCs) were established throughout all of the provinces and districts of Afghanistan. The main objective of the CDCs is to support the Government at the local level in providing services to local communities. CDCs make important and strategic decisions regarding matters of the community and should be approached for advice, support and feedback in all of the communities where organisations seek to carry out projects focusing on

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<sup>46</sup> Civil society can play a vital role as watchdogs on the implementation of the strategy and should be involved in any short-term and long-term initiatives and solutions.

supporting street working children and their families.

- Existing Health Committees, which are related to the MoPH and NGOs and situated in most villages throughout Afghanistan, will also be of benefit to any programmes developed to assist the families of street working children. These committees can be referred to in the development of school health committees in urban centres.

### ***VIII. Monitoring and Evaluation***

Due to limitations in available data on street working children, this National Strategy will act as an Initial National Strategy with a timeframe of 3 years. The overall goal of this Initial National Strategy is to identify increased data as well as lessons learned from pilot interventions based on the recommended activities set forth in this Strategy. A mid-term review and an impact study will be conducted by a Consultant to assess the success of pilot interventions carried out over the next 18 months as well as the data that will be determined through near future research assessments in different urban centres of Afghanistan. Based on the increased availability of data as well as lessons learned from pilot projects, the Strategy will be modified to more comprehensively address areas of intervention, and as such, can be modified to become the final National Strategy.

Following the adoption of this Initial National Strategy by the Government of Afghanistan, all organisations and relevant stakeholders and Ministries should come together to map existing services and to identify gaps in current service delivery. Based on the immediate recommendations set forth in the Strategy, organisations should prioritise areas of focus and amend or develop programmes accordingly, including jointly funded and coordinated projects and programmes.

## Annex

Initiatives	Short-term (Immediate)	Medium-term	Long-term
Government of Afghanistan	<ul style="list-style-type: none"> <li>• MoLSAMD to coordinate all initiatives undertaken by individual organisations</li> <li>• All NGOs to register and report twice annually to MoLSAMD</li> <li>• All lessons learned from projects shared through establishment of website under MoLSAMD</li> <li>• MoLSAMD to ensure this Strategy is adapted to address current services for SWC and services should be revised in accordance to the Strategy</li> <li>• Conduct monthly meetings to strengthen coordination, monitoring and reporting of activities focusing on SWC</li> <li>• MoLSAMD to draft annual action plan for SWC</li> <li>• Immediately employ use of minimum standards of services</li> <li>• Strengthen coordination amongst MoLSAMD Departments</li> <li>• NGOs, UN agencies and other relevant actors to provide greater technical support to MoLSAMD</li> <li>• MoLSAMD to hold quarterly coordination meetings with counterparts from other Ministries</li> <li>• MoLSAMD to draft policy targets that include strategies for M&amp;E of State interventions</li> <li>• Greater inclusion of child protection issues in MoLSAMD annual budget</li> </ul>		<ul style="list-style-type: none"> <li>• All persons to prohibit purchasing of items sold by SWC</li> <li>• Establishment of a tracking system to use and allocate resources for child rights initiatives</li> <li>• Monitoring and assessment of effectiveness of resource allocation using UN recommendations for budgeting-by-results</li> <li>• In depth assessment of budget needs related to establishment of social services</li> <li>• Defining of strategic budgetary lines for SWC-focused activities</li> <li>• MoLSAMD to take lead to ensure customary laws are brought into compliance with the UNCRC</li> <li>• UNCRC to be applied to domestic legal order</li> <li>• Integration of the ‘best interests of the child’ principle into all national legislation</li> <li>• The right of the child to be heard in all matters concerning judicial and administrative proceedings affecting them through amendment to civil and criminal code</li> <li>• Government commitment to development of legislature on a national minimum age</li> <li>• Inclusion of regulations regarding child labour in the labour law</li> </ul>

	<ul style="list-style-type: none"> <li>• Inclusion and participation of provincial authorities in provincial CPANs</li> <li>• Establishment of CPAN WG for SWC at the provincial level that convenes regularly</li> <li>• Restructure CPAN involvement in emergency case management</li> </ul>		<ul style="list-style-type: none"> <li>• All national policies relevant to the well-being of street working children, for instance, employment, social care and social insurance policies, healthcare policy, and educational policy should contribute to the promotion and protection of the rights of the child</li> <li>• Implement national policy on child labour</li> <li>• Child Protection Secretariat to be made independent under the Presidential Office so as to have the power to monitor implementation and protection of the rights of the child by all other Ministries and actors</li> <li>• Child Act to be established</li> </ul>
Data collection and Mapping	<ul style="list-style-type: none"> <li>• MoLSAMD with support of UN agencies and NGOs to improve data on SWC</li> <li>• Conduct action research in form of pilot interventions</li> <li>• Conduct research assessments</li> <li>• Update national market survey under MoLSAMD and NSDP</li> <li>• Provincial CPANs to carry out mapping to identify services for children at risk</li> <li>• Local authorities to develop local social support information packages</li> </ul>		
Awareness-raising	<ul style="list-style-type: none"> <li>• Awareness campaigns to inform and sensitise parents and community members of dangers of children working on the streets</li> <li>• Advocacy through dissemination of media messages, pamphlets, posters on risk of recruitment into conflict-related activities</li> </ul>		
Education	<ul style="list-style-type: none"> <li>• Accelerated learning classes</li> </ul>	<ul style="list-style-type: none"> <li>• Greater coordination between the MoE</li> </ul>	<ul style="list-style-type: none"> <li>• MoE to improve school environments</li> </ul>



	<ul style="list-style-type: none"> <li>• Flexible school hours so SWC can combine education with work</li> <li>• Initiatives for financial literacy for SWC</li> <li>• Expansion of Parent Teacher Student Associations</li> <li>• Expansion of school Health committees</li> <li>• Teachers to be trained to recognise behavioural changes of children</li> <li>• Teachers to be included in CPAN and DCPAN</li> </ul>	<ul style="list-style-type: none"> <li>and MoLSAMD</li> <li>• MoE to ensure all schools are made child friendly and to prioritise needs of SWC</li> <li>• Introduction of textbook and uniform borrowing schemes</li> <li>• Government subsidised school supplies and lunches</li> <li>• Options for both formal and non-formal schooling</li> <li>• Vocational training opportunities for children above 13</li> </ul>	<ul style="list-style-type: none"> <li>• Revision of teaching methodologies</li> <li>• Government to ensure ban on corporal punishment is enforced and to prevent violence and bullying in schools</li> </ul>
Healthcare	<ul style="list-style-type: none"> <li>• Free health services in urban-based clinics under MoPH</li> </ul>		
Psychosocial support	<ul style="list-style-type: none"> <li>• Led by MoPH</li> <li>• Increase of informal counselling</li> </ul>		
Birth registration	<ul style="list-style-type: none"> <li>• Organisations to work in partnership with MoI to increase BR</li> <li>• Greater support to maternity hospitals to register children at birth</li> <li>• Public awareness at local mosques on benefits of BR</li> </ul>		
Drug prevention and reduction	<ul style="list-style-type: none"> <li>• Public awareness campaigns on long-term effects of substance abuse to be strengthened</li> <li>• Inter-ministerial coordination in implementing drug prevention programmes</li> <li>• Expansion of centres with personnel trained to deal with effects of substance abuse and prevention in urban areas</li> </ul>	<ul style="list-style-type: none"> <li>• CPAN to refer parents who are disabled or drug addicted to relevant services</li> </ul>	
Savings and Investment Schemes	<ul style="list-style-type: none"> <li>• Establishment of Self Help Groups as cost effective credit systems</li> </ul>		
Support Services	<ul style="list-style-type: none"> <li>• Authorities at all levels to work</li> </ul>	<ul style="list-style-type: none"> <li>• Social subsidies to be offered to</li> </ul>	<ul style="list-style-type: none"> <li>• Development of a social welfare system</li> </ul>

	<p>together to strengthen legal protection of SWC</p> <ul style="list-style-type: none"> <li>• Greater community involvement to prevent and reduce number of children working on the streets</li> <li>• Identification of former SWC to actively participate in implementation of programmes</li> <li>• Establishment of Child friendly spaces</li> <li>• Establishment of sports and recreation centres in urban areas</li> <li>• Practice of written agreements between organisations and parents to increase accountability of programmes</li> <li>• Practice of signing codes of conduct amongst employers to increase protection of children who are working</li> </ul>	<p>vulnerable families to support in the upbringing of their children, i.e. non-food items or food transfers</p> <ul style="list-style-type: none"> <li>• Improvements to the quality of Social Work, including an increase in the number of qualified social workers under MoLSAMD</li> <li>• Establishment of an employment referral mechanism under MoLSAMD</li> </ul>	<p>with services for children, following guidelines set forth in the ANDS</p> <ul style="list-style-type: none"> <li>• In depth assessment of urban administration</li> <li>• In depth survey of most vulnerable households</li> <li>• Social service schemes for vulnerable households in urban centres</li> <li>• Programmes should address attitudes, customs, behaviour and practices that are not gender sensitive</li> <li>• Strengthening of protective role of families through development of parenting and care giving programmes and childcare programmes</li> </ul>
Law Enforcement		<ul style="list-style-type: none"> <li>• Training to police on child rights and child protection</li> <li>• Establishment of a specialised and trained police unit to deal with children who come into conflict with the law</li> <li>• Inspections of local businesses by police to ensure employers abide by the labour laws</li> <li>• Perpetrators of child abuse to be held criminally responsible</li> </ul>	<ul style="list-style-type: none"> <li>• Adopting and developing law/reinforcement</li> <li>• Regulations for child labour included in Labour Law with coordination of Government and other relevant actors.</li> </ul>

