



Violation of the Rights of the Children of the Street of Lubumbashi and Kipushi in the Province of Upper Katanga, Democratic Republic of the Congo

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Abstract

The street children are girls or boys who have not reached adulthood and for whom the street in general (building abandoned, vacant lots, etc.) has become the habitual residence, and the means existence. In the DRC, many of these children are estimated at 70,000 for the entire country and 20,000 for Kinshasa alone, the number is growing every year. These children living on the streets suffer from extreme poverty and are exposed to daily violation of their rights. We conducted a study that aimed to describe the different types of the rights of street children in violation in the province of Haut-Katanga, Lubumbashi and precisely Kipushi. Their violations include rights to protection, safety and healthy environment, rights to health and food, Education rights, rights to protection against abuse and rights to be protected against the consumption and illicit use of narcotic drugs and psychotropic substances. This is a cross descriptive study which was a non-probability sample of convenience. Data collection was conducted among 815 street children, 360 parents and 8 supervisors of street children. The observation with an information guide and

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an interview with a self-administered questionnaire was used as data collection techniques. The results of this study show that the rights of street children are subject to violation of Lubumbashi Kipushi. Their violations concern in particular the rights to protection (63.4% of cases); the rights to health and to food (78.2%; 68.5% of cases); the right to education (72.3% of cases); the rights to be protected against the consumption and illicit use of narcotic drugs and psychotropic substances (87.7% of cases). It takes special attention to children of such a street that provides the international convention on children's rights.

Subject Areas

Sociology

Keywords

Violation, Rights, Street Children, Lubumbashi and Kipushi, Province of Haut-Katanga

1. Introduction

The street child is defined as boy or girl who has not reached adulthood and for whom the street in general (building abandoned, vacant lots, etc.) has become the habitual residence, and livelihood. It is not protected, supervised or directed by responsible adults [1].

Democratic Republic of Congo appellation street child is referred "Shege" sparrow "vagabond" [2]. The results of the joint study by the International Labour Office (ILO) and the United Nations Children's Fund (UNICEF) indicate that 120 million children live on the streets around the world with a precarious standard of living [3].

They are 30 million in Africa, 30 million in Asia and 60 million in South America confirms the same UNICEF report. The report further indicates that more and more children are growing up in cities. More than half of the world population, more than one billion children lack access to basic services such as clean water and medical care. These children have been abandoned in the street have very few places to host educational and social vocation stresses [4].

In Africa, as everywhere, the street represents the greatest danger of social destabilization efforts in raising children [5]. It is an important challenge for policy and technical factors of social work. The street child, or better yet, the child at odds with society is the unacceptable victim of an evil in development of the whole society.

The Democratic Republic of Congo, a country with around 72.5 million inhabitants, the number of street children is now estimated at 70,000 for the entire country and 20,000 for Kinshasa alone, the number increases each year [6]. The future of humanity depends on the future of today's children. The situation of children in the Democratic Republic of Congo reflects the state of Congolese so-

ciety.

Thousands of children living on the streets suffer from extreme poverty and are exposed to daily violation of their rights. They are battered by bad weather and victims of sexual, physical, emotional, disease and accidents. These children do not have access to health, social and educational structures. They have no access to food, housing and other basic needs. These children are exploited by adults who use them for illegal activities to the detriment of their health and their well-being in violation of basic human rights [7] (Human Rights Watch, 2006). Children from broken homes are ineligible victims of a world in the process of casualization and disaffiliation Balaam says in 1997 cited by Kakudji A. [2]. The support provided by international agencies and NGOs to local partners to address this phenomenon has led to the insignificant results: The number of children living on the streets is growing.

The lack of a national reintegration strategy and the lack of a concerted response grassroots organization have been stigmatized as the cause of failures in the context of reintegration of children [2] (Kakudji, A. 2006).

Studies conducted in Katanga by the team of the observation of urban change (OCU) under the direction of Kaumba, L. [8], indicate that street children face many health issues that deserve to be better identified by an epidemiological investigation regarding sexually transmitted diseases, diseases related to unclean, use the services of medical care or other factors related to illness and health.

Indeed, the proportion of children who report having ever had a sexually study has been conducted in Lubumbashi on the situation of street children, to name but one conducted by Malemba, G., Kaumba L [8] and Lupitshi. W. [9]. But it is worth note that the question of law of those children still minimal concern for these researchers. Therefore in view of this situation we assigned the objective to describe the different types of the rights of street children in violation, in the province of Haut-Katanga, to improve the quality of life of these children.

2. Materials and Methods

2.1. Study Framework

Lubumbashi is a city in South-east of the province of Haut-Katanga which it is the capital. It covers 747 km². In 2007, its population was 1,372,726 inhabitants, a population density of 1815.9 inhabitants/km². The city Kipushi is the capital of the territory of the same name. Its area is 25 km². In 2008 its population was 105,000 inhabitants.

2.2. Study Population

The study population consisted of children from the street, the framers of street children and the parents in the city of Lubumbashi and Kipushi, during the period of étude. Les information collected through records survey (questionnaire) which we filled through direct interview of street children, preceptors and relatives of the two aforementioned areas. A descriptive cross-sectional study was

conducted in Lubumbashi and Kipushi in the province of Haut-Katanga from January 2013 to September 2014.

2.3. Methods

The sample was selected through non-probability sampling technique of convenience for the problem of reliable frame without posed by street children phenomenon. The collection of information was carried out among 815 street children.

The following variables were analyzed namely: socio-demographic variables such as age, sex, address, etc. as well as variables related to violation of the rights of street children (housing, healthcare, education, protection against violence, and illicit drug use, etc.). The study protocol was approved by the ethics committee of the University of Lubumbashi. Data management and analysis were performed with software means Epi Info version 3.3.2.0 Excel 2007. We resorted to the usual statistics to describe our samples and calculate the frequency measurements.

3. Results

Table 1 show that 59.5% of street children surveyed in Lubumbashi Kipushi cannot find housing and places of asylum, even places to sleep at night, 78.2% of street children found in Lubumbashi Kipushi do not access to health care and

Table 1. The right to housing, access to health care and safe drinking water.

Housing	Lubumbashi		Kipushi		totals	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
No	319	52	166	82.2	486	59.5
Yes	294	48	36	17.8	330	40.5
Total	613	100	202	100	815	100
Accessibility to health care	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
No	523	85.5	114	56.4	637	78.2
Yes	90	14.7	88	43.6	178	21.8
Total	613	100	202	100	815	100
Supplies of food and drinking water	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
No	415	67.7	143	70.8	558	68.5
Yes	198	32.8	59	29.2	257	31.5
Total	613	100	202	100	815	100
Access to education	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
No	423	69	166	82.2	589	72.3
Yes	190	31	36	17.8	226	27.7
Total	613	100	202	100	815	100
drinking, liquor, drugs	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
No	549	89.6	166	82.2	715	87.7
Yes	64	10.4	36	17.8	100	12.3
Total	613	100	202	100	815	100

medicines, 68.5% of street children are provided with food and drinking water, 72.3% of street children are deprived of schooling, 58.3% of children have a primary school education, 87.7% of street children consume alcohol, strong drink and drugs.

Table 2 shows that 63.4% of street children were victims of torture.

4. Discussion

The study objectives were to determine the different types of the rights of street children in violation in the province of Haut-Katanga, the sampling method used was non-probability convenience. The type of study was descriptive cross. We used the technique of observation using observation guide and interview technique using a self-administered questionnaire. Since this technique was consistent with the methodology used, we affirm that these objectives were achieved. Compared to the comparison made with the provisions of international conventions and treaties, regional and provisions of national legislation in matters of child rights protection, the results of this study indicate that the rights of street children in Lubumbashi Kipushi and are subject to violation. Their violations concern:

- Housing Rights

Article 7 of the African Charter on Rights and Welfare of the Child and Article 20, 21 of the Convention of Child Rights reaffirmed that the State has a duty to provide special protection to children deprived of their family environment and to ensure that it can benefit from an alternative family care or placement in an appropriate institution [10]. Article 53 of the Constitution of the DR. Congo stipulates that everyone has the right to a healthy environment [11]. Articles 18, 19 and 26 of the convention of child rights recommend that parents or their representatives have the obligation to raise their children in social security, protecting against abuse and to provide appropriate family environment [12]. The article 239 of the Family Code in DR. Congo has provided for the supervision of the State as a support mechanism for minors whose parents are unknown; abandoned children; without family orphans [13]. In Lubumbashi and Kipushi, 59.5% of children surveyed the street are private housing. This is a violation of children's rights under the above articles.

- Rights to protection against mistreatment

63.4% of children surveyed the street were torture victims. The Article 37 of the Convention on Child Rights and Article 9 of Law N° 09/001/2009 of 10 January

Table 2. Street children victims of torture.

Victims of torture	Lubumbashi		Kipushi		totals	
	<i>Number</i>	%	<i>Number</i>	%	<i>Number</i>	%
Yes	378	61.7	139	68.8	517	63.4
No	238	38.3	63	31.2	298	36.6
Total	613	100	202	100	815	100

2009 in the DR. Congo Child Protection stipulates that no child shall be subjected to torture, to cruel... This is a violation of art. 37 of the of the convention of child rights and article 9 of Law N° 09/001/2009 of 10 January 2009 child protection stipulating that no child shall be subjected to torture [14].

- **Rights to health, water, food**

78.2% of children have no access to health care for illness in the street. 68.5% of street children are provided with food, good quality water. Article 25 of the Universal Declaration of Human Rights states that “everyone has the right to a standard of living adequate for the health and well-being of himself and his family” [15]. Article 24.1 and 2 of the convention of child rights recognizes the child’s right to enjoy the highest attainable standard of health and to receive medical care [12]. Articles 47 and 53 of the Constitution of the DRC indicate that: the right to health and food safety is guaranteed. The State shall ensure the population health protection [11]. Article 21 of Law N° 09/001/2009 of 10 Janv 2009 with child protection in DRC states that every child has the right to enjoy the highest attainable standard of health. This right includes health care and a healthy diet. Our results on the sidelines, this is a violation of children’s rights as recognized by the Universal Declaration of Human Rights, the convention of child rights, constitution of the third Republic in the Democratic Republic of Congo and Law N° 09/001/2009 of 10 Jan. 2009 child protection of DR. Congo.

- **Education Rights**

72.3% of street children have no access to education despite the assertion of the right to education of children recognized in articles 28 and 29 of the convention of child rights as well as Articles 43 and 44 of the constitution of the third Republic in the Democratic Republic of Congo; which stipulate that the child has the right to education and the state has the obligation to make primary education compulsory and free. This is a violation of children’s rights in relation to education, despite the recognition of this right by the convention on children’s rights in articles 28 and 29, and Articles 43 and 44 of the constitution of the third Republic in DR. Congo [11].

- **Rights to protection against illicit drug use**

Article 33 of the of the convention of child rights states that States Parties shall take all appropriate measures, including legislative, social and educational measures to protect children against the illicit use of narcotic drugs and psychotropic substances. This is not the case in the DRC 87.7% of street children surveyed in Lubumbashi Kipushi consume narcotics, Alcohols, strong drink, drugs. This is a violation of children’s rights as stipulated in article 33 of the convention of child rights [12].

5. Conclusion

At the end of this study, which made it possible to study the different types of Rights of Street Children in violation in the province of Haut Katanga. The results reveal that the rights of street children are being violated in the Haut Ka-

tanga. The future of the country depends on the future of today's children. The political authorities, the Government of the Democratic Republic of Congo must be actively involved in the protection and supervision of street children for a better development and future of the country, by creating favorable conditions in the social care of the population, the regulation of the churches of awakening and the creation of the centers of care of these children of the street.

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