GENERAL COMMENT LANGUAGE

Causes, prevalence and experiences of children in street situations differ within and between States. Inequalities based on economic status, race and gender are among the structural causes of the emergence and exclusion of children in street situations. These are exacerbated by material poverty, inadequate social protection, poorly targeted investment, corruption and fiscal (tax and expenditure) policies that reduce or eliminate the ability of poorer people to move out of poverty. Abrupt destabilization, caused by conflict, famine, epidemic, natural disaster or forced eviction, or events leading to displacement or forced migration, further compound the effects of structural causes.

Other causes include: violence, abuse, exploitation and neglect at home or in care or educational (including religious) institutions; the death of caregivers; child relinquishment (including through HIV/AIDS); unemployment of caregivers; precarious families; family breakdown; polygamy; exclusion from education; substance abuse and mental ill-health (of children or families); intolerance and discrimination, including against children with disabilities, children accused of witchcraft, former child soldiers rejected by families and children cast out from families as a result of questioning their sexuality or identifying as lesbian, gay, bisexual, transgender, intersex or asexual (LGBTIA); and families’ inability to accept children’s resistance to harmful practices, such as child marriage and female genital mutilation.

STRATEGIES FOR IMPLEMENTATION

States should assure that their laws:

● Provide definitions for sexual orientation, gender identity/expression;
● Prohibit discrimination on the bases of sexual orientation and/or gender identity or gender expression in the furtherance of health services;
● Promote Anti-bullying policy to help reduce and eliminate bullying in schools and in the workplace;
● Prohibit the act and use of conversion therapy as part of health or behavioral health services;
● Prohibit hate crimes that occur due to one’s sexual orientation and/or gender identity and expression;
● Promote LGBTIA cultural competency among health care providers and educators;

DISCUSSION: HOW DO WE GET THERE?

The discussion will be used as an opportunity to discuss how states can implement strategies towards achieving the goal of lessening the stigma LGBT street youth face.

Topics to consider for inclusion in this section are as follows. The final decision on what to include here is yours:

● Implementation: What policies need to be in place to ensure implementation of laws in this area?
● Justice: What should justice systems that interact with children and youth in street-situations look like? What due process should be in place? How does a state ensure that children and youth have access to justice?
● Legal Definitions: What legal definitions should be used within statutes and policies?
● Monitoring: How should states monitor and keep track of their progress on this particular topic?
● Research: Might there be a benefit to research within your particular topic? If so, what research might be helpful?
● Services: What services should street-connected children and youth have access to within this particular substantive area? What should these services look like?

● Stakeholder collaboration: What stakeholders should be engaged and involved to ensure that the rights of street-connected children and youth are protected? In what ways do state and local governments need to work together to implement these rights?

● Systems: What systems should be in place to ensure that the rights of street-connected children and youth are protected? What should states consider when designing any new system?

● Training: Should any training be implemented for stakeholders to ensure the protection of rights? What should that training look like or what topics should be covered?

● Youth voice: How should street-connected children and youth be collaborators in the drafting and implementation of any new laws or policies? What are examples of ways that they can and should be involved?