I. Text

D. Adequate standard of living

Article 27 on the right to an adequate standard of living

Support to parents, caregivers and children

49. In accordance with article 27 (3), States should ensure that all children have a standard of living adequate for their physical, mental, spiritual and moral development, to prevent them ending up in street situations and to fulfil the rights of children already in street situations. States shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing. Those prescriptions leave no leeway for the discretion of States. The implementation of the above in accordance with national conditions and within the means of States parties should be interpreted in conjunction with article 4, that is, to the maximum extent of States parties’ available resources and, where needed, within the framework of international cooperation, with particular regard to the obligations of States to fulfil the minimum core obligation for social, economic and cultural rights. In terms of material assistance, children in street situations prioritize the need for a safe place to live, food and free and accessible medical care and education, through State support to parents and caregivers, particularly in relation to subsidized, adequate housing and income generation. The interpretation of article 27 (3) is not limited to measures to assist parents and others responsible for the child. The obligation to provide material assistance and support programmes in case of need should be interpreted as also meaning assistance provided directly to children. This is particularly relevant for children in street situations with non-existent or abusive family connections. Direct material assistance to children in the form of services may be provided either by the State or via State support to civil society organizations. For single-parent and reconstructed families, States’ measures to secure maintenance for the child are particularly important (see article 27 (4)).

Adequate housing

50. The right to housing is an important component of article 27 that is particularly relevant for children in street situations. It has been interpreted broadly by the Committee on Economic, Social and Cultural Rights as the right to live somewhere in security, peace and dignity,¹ which clarifies that the concept of “adequacy” in relation to housing requires attention to: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy.²

¹ See Committee on Economic, Social and Cultural Rights, general comment No. 4 (1991) on the right to adequate housing, para. 7.
² Ibid., para. 8.
Children are among those who suffer disproportionately from the practice of forced eviction. Forced evictions, including through demolition of informal or illegal housing, can make life more precarious for children, forcing them to sleep on the streets and exposing them to further rights violations. A predominant theme of consultations with children in street situations is the inadequacy and inappropriateness of some State-run “shelters”, and their high levels of violence and insecurity, such that children prefer to be on the streets.

**Implementation measures**

51. States should take measures to address the structural causes of poverty and income inequalities to reduce pressure on and strengthen precarious families, as a means of offering better protection for children and reducing the likelihood of children ending up in street situations. Such measures include: introducing tax and expenditure policies that reduce economic inequalities; expanding fair-wage employment and other opportunities for income generation; introducing pro-poor policies for rural and urban development; eliminating corruption; introducing child-focused policies and budgeting; strengthening child-centred poverty alleviation programmes in areas known for high levels of migration; and offering adequate social security and social protection. Specific examples include child benefit programmes used in European and North American countries, and cash transfer programmes introduced in Latin American countries and widely applied in Asian and African countries. States should make efforts so that such programmes reach the most marginalized families who may not have bank accounts. Material support should be made available to parents and caregivers and also directly to children in street situations, and such mechanisms and services should be designed and implemented on the basis of a child rights approach. With regard to housing, security of tenure is essential for preventing children from coming into street situations. This includes access to adequate housing that is safe, with access to safe drinking water, sanitation and hygiene facilities. Children, including those living in informal or illegal housing, should not be subject to forced evictions prior to the provision of adequate alternative accommodation: States are required to make appropriate provisions for affected children. Child and human rights impact assessments should be a prerequisite for development and infrastructure projects to minimize the negative impacts of displacement.

II. **Definitions**

An adequate standard of living means the provision of safe and sound shelter in every community, nutrition that is sufficient for healthy physical and mental development, and education that provides the skills necessary for meaningful participation in remunerative employment.

III. **Legal and Policy Infrastructure**

A. Countries that have not done so should ratify the CRC and Optional Protocols, all of which have direct relevance to children connected to the streets.

B. Countries should develop and implement policies and practices that support an adequate standard of living for children and families in all communities, including

---

3 See Committee on Economic, Social and Cultural Rights, general comment No. 7 (1997) on forced evictions, para. 10.
those in rural and in urban areas, with the aim of reducing the number of children who become street connected.

C. Such policies and practices should focus on maintaining and strengthening already existing family and community infrastructures that provide housing, food, and education for children at risk of becoming street connected youth.

D. States should eliminate policies, laws, and practices that permit or encourage forced movement or re-location of street connected to locations where the provision of adequate shelter, food, and education is inadequate.

E. Countries should enact laws, policies, and practices that promote reunification of street connected children with their families and communities where such measures will promote an adequate standard of living and quality of life for the child.

F. States should support and encourage the work of civil society, including international organizations and NGO’s that work to promote the standard of living for street connected youth.

G. Countries should repeal laws and regulations that prohibit or discourage international organizations and NGO’s from operating within their countries, especially those NGO’s and international organizations that are working to alleviate the effects of structural poverty on street connected youth.

IV. National Strategy

A. State parties should develop and adopt a national strategy for implementation of fair, effective, and developmentally appropriate policies, programmes and practices for implementing the principles set for in Section III above.

B. Essential Components of a national strategy should include:
   a. A recognition that issues of structural poverty affecting children must be addressed.
   b. Concrete steps to provide the resources necessary to lift children out of poverty. These steps could include:
   c. A recognition that street-connected children are vulnerable to exploitation no matter where they live, and that all street-connected youth are in need of adequate protection.
   d. A recognition that the causes of homelessness may differ from country to country. In some countries such causes may include family breakdown and difficult schooling environments. In other countries causes may include the breakdown of society itself – government, civil society, traditional family and social structures, and economic frameworks.
   e. As a consequence of paragraph (d) above, state parties should establish policies, programs, and legislative frameworks that respond to the particular
causes of homelessness in individual countries.
f. In order to address the structural and other causes of the incidence of street-connected youth, state parties should create cabinet level or ministerial positions devoted to the alleviation of the factors that result in children becoming “street-connected.” Persons appointed to these positions should be empowered to implement legislation designed to improve the quality of life experienced by street-connected children.
g. Police particularly need to be educated in handling homeless and other children rather than charging them with status offences such as truancy, breaking of the curfew or no identification.
h. A draft set of principles should be developed by children’s advocates which are relevant to each country. With these principles, a moral authority can be developed that will encourage the development of resources and programs that children can access in times of need.
i. States parties should ensure that children are educated as to their rights, which often seems to create anxieties in many societies. This needs to go hand in hand with a process established to enable children to access services if their rights are abused.
j. State parties should be transparent in disclosing the research (money and personnel) devoted to reducing the impact of poverty in street-connected youth.
k. State parties should prepare inventories and/or audits of policy, legislation, and programs relevant to the improvement of the lives of street-connected youth. This information should be made public.

V. Monitoring

A. States should, in cooperation with international organizations and NGO’s, fund agencies of government to monitor the well-being of street connected youth and to implement the policies set forth in II and III above.

B. Such monitoring should include, but should not be limited to, determining the number of street connected youth, the causes of children becoming street connected youth, the resources being devoted to alleviating the effects of poverty on street connected youth, and the resources needed to promote an adequate standard of living for street connected youth as defined in Section II above.