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# Children and youth in contexts of vulnerability in Latin America

and examples of resistance on behalf of street connected children in Rio de Janeiro, Brazil.

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The International Center for Research and Policy on Childhood at the Pontifical Catholic University of Rio de Janeiro (CIESPI/PUC-Rio), is dedicated to engaging in research studies on, and social projects for, children, young people and their families and communities. Its purpose is to support the development and implementation of policies and practices for children and young people that contribute to their full development and the promotion and defense of their rights. CIESPI is particularly concerned with children growing up in contexts of vulnerability including poverty.



**Rio de Janeiro, december 2017**

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# **Children and youth<sup>2</sup> in contexts of vulnerability in Latin America and examples of resistance on behalf of street connected children in Rio de Janeiro, Brazil**

This bulletin examines the condition of children in Latin America, the particular situation of the most vulnerable children, children and youth in the situation of the streets, and examines in detail a successful attempt to roll back a regressive policy on street children in Rio de Janeiro.

## **The context of vulnerable children in Latin America**

Latin America in the 21<sup>st</sup> century has witnessed a continuation of poverty, unemployment, environmental degradation, ethnic tensions and the absence of solid, democratic processes to combat extreme inequality. Such problems particularly impact children and inhibit their full development.

Recent data show that about 40.5% of children and adolescents between the ages of 0-17 in Latin America and the Caribbean are living in poverty, which amounts to 70.5 million young people (CEPAL 2013). About 16% percent of this age group suffer from extreme poverty, that is, 28.3 million young people.

While countries within this bloc are different from one another, all show high negative key indicators for young people in this century. While there have been some improvements in the first decade, some indicators have worsened following recent economic crises including Brazil where the unemployment rate doubled in twelve months partly as a result of deliberate government policies to rapidly reduce inflation.

In addition to poverty, a major threat to this age group is the appallingly high level of violence they suffer. World-wide, in 2012, 95,000 children and adolescents between the ages of 0 and 19 were victims of homicide. Over 25,000 of these lived in Latin America and the Caribbean, the region with the highest rate of such homicides in the world at 12 per 100,000. Youth between the ages of 15 and 19 suffer the highest rates of homicide. In Brazil, rates for brown and black young people are much higher. UNICEF (2014) attributes these high rates of violence to criminal groups, the open presence of armed gangs in the streets, easy access to guns, economic and social

inequality, and low levels of education. In this region there has been a marked tendency to a punitive wave which among other things has contributed to the so-called politics of zero tolerance. The expansion of the penal state, the implementation of violent policing methods, and the enlargement of the criminalization of poverty have become priorities (RIZZINI, CORONA, LLOBET, 2016; WACQUANT, 2007). The massive growth of penal actions has produced in turn high rates of incarceration. In Brazil, data from the National Justice Council (Conselho Nacional de Justiça, 2014) show that over 700,000 people are incarcerated in Brazil either in prisons or in house arrest, many of whom are pre-trial.

The same cry for greater and greater punishment has also been directed at young people. One example is the demand for reducing the age of penal majority which demand is clearly a contravention of the federal constitution of 1988 and the Statute on the Child and the Adolescent (1990).

National Public Prosecutor Council figures (Conselho Nacional do Ministério Público, 2015) show that almost 22,000 youth live in what is known as social-educative confinement. Ninety-five percent of these were male and 73% between the ages of 16 and 18. Brazilian prisons are massively overcrowded and brutal and the incarceration of a young person is likely to wreck that person's life chances.

## Children and youth in street situations

Of all the children growing up in contexts of vulnerability, young people in the context of the streets (this includes children and youth who spend their days on the street and those who are on the streets for 24 hours a day), are extremely vulnerable. Many have lost contact with family and community, are out of school and not in work, suffer health problems and face daily violence and hunger.

In Brazil, a 2011 census of street children, the First National Census of Children

and Adolescents in the Situation of the Streets (META, SDH, IDEST, 2011), while exhibiting all the difficulties of counting this young population, gives some idea of the characteristics of the group.

Of 23,791 young people counted, 71.8% were male, 45.1% were between the ages of 12 and 15, 70.3% had not graduated from elementary school, 72.8% were brown or black and 32.2% said that the reason they went to the streets was because of verbal fights with their parents or siblings. Notably, the majority of these young people spend their nights somewhere other than the streets including the homes of relatives or friends suggesting that strengthening existing links with people and communities may be possible. There are limited supports available for street people in general including the Special Reference Centers for the Population in the Situation of the Streets (Centro Pop), the Special Reference Centers for Social Assistance (CREASS) and the Centers for Psychosocial Services (RAPS) but these supports are nowhere near sufficient.

While Brazil has legislation for the support of street populations, in general there are no specific provisions for children although a national effort is underway spearheaded by the National Network for Children and Adolescents in the Situation of the Streets to remedy this lacuna.

## **Street Children in Rio de Janeiro and examples of resistance**

The national census on street children cited above showed 5,091 children in Rio in the situation of the streets or 21.2% of the national total compared with the much larger city of São Paulo who registered only 9.8% of that total. Street children advocates in Rio de Janeiro (with CIESPI providing critical support) pushed for a strategic policy on street children and in 2009 the federally mandated municipal Children's Rights

Council adopted a concrete plan for how critical municipal departments would adopt practices for assisting street children. While the Plan is practical and concrete there have been very few attempts at implementation despite the best efforts of the same group of advocates.

### **Resolution 64 replaces resolution 20: Policy and politics in Rio de Janeiro**

However, a more recent series of events shows the possibility of joint action to improve policies towards street children. In 2011, with a view to the upcoming mega-events in Rio, the municipal Department of Social Assistance published a policy which severely impinged on the rights of street children robbing them of key due process rights, the so-called Resolution 20. So the street children coalition, with much assistance from CIESPI, started to organize against the Resolution. It was important to add to the coalition public sector voices so the Rio office of the federal Public Defender's Office (Defensoria Pública) and the Rio office of the federal Public Prosecutor's

Office (*Ministério Público*) were encouraged to join the coalition to discuss pushing for the amendment of the provision. After months of meetings and internal negotiations, on October 15, 2015, the Working Group made a formal public presentation of the proposed amendments. Finally, the Resolution 20 was substituted by the Resolution 64 and in April 2016, the Resolution 64 was signed by the Rio Secretary of Social Development adopting formally the new amendments. The Resolution 64 included the following provisions:

- 1 | Deleted the compulsory placement of street children in shelter;
- 2 | Provided that instead of street children only receiving health care in institutions, street children must receive care in the regular health networks;
- 3 | Deleted the prohibition of street children being on the streets at night;
- 4 | Provided that the social support system must not be confused with the public safety system and the social support system is not required to take the initiative in the detainment of street children.

This successful struggle took place during ongoing massive political, economic, and fiscal crises in Brazil, crises one of whose effects was to give new voice to the most conservative elements in the country. That such a coalition effort could succeed and attract powerful new support shows the possibilities of concerted, disciplined action for the most vulnerable children.

### **Humanizing the children: The power of video**

A major part of the struggle to improve the lives of street children is the negative caricatures that exist about them. These caricatures include the notion that they are all violent, that they are incapable of leading normal lives, that they are in fact sub-human. Reversing such stereotypes is no easy task but CIESPI is engaged in that task in a number of ways including capturing the voices of young people in the situation of the streets in videos in which they tell their stories. On 2013, CIESPI produced the film "When home is the street" that went on to win a major international prize<sup>3</sup>.

This documentary allows some young people, their families, and their street educators to tell how the youth got to the streets and their struggles to leave the streets. Noteworthy in that film were the touching stories of how the young people got to the streets in the first place.

*"My mother worked from 6 in the morning until 1 in the next morning to feed us and sustain the home. My father would drink and then beat my mother. I would try to protect her. Then he would beat me. I am like my father physically so my mother discharged her anger on me. Many times I would get close to her and try to kiss her and she would reject me and say she was tired... I got no attention from my family... At 13 I was picked up by the Guardianship Counselors for several thefts. I was with them for six months. Then my mother took me to a shelter and I just left there for the streets."*

The same documentary also described the contrast between the way officialdom dealt with the young people and the street educators<sup>4</sup>. The former picked the young people up by force and dumped them in the periphery of the metropolitan area. But as one street educator put it:

*"When the street educators meet the young people they converse, listen, play, feed them and invite them to a different space than living on the streets... What the young people need is a dialogue and a listening to that is respectful and sincere."*

In another shorter video produced in November, 2016, CIESPI staff got a few young women who were living on the street and who were pregnant to talk about the experience of being pregnant and on the streets<sup>5</sup>. The young women were pleased that people would recognize their essential humanity.



*"We are residents of the street but all of us street people have rights. We are also part of the human race. No one is an animal. No one is an animal!"*

The young women pointed out that their needs were simple.

*"There are many vacant apartments in the city which the city could open for those of us who are on the street. Those they take to these apartments will not be in the rain, they won't have to worry about their things getting wet, won't have to worry about and what about my blanket now? These things... and a decent bathroom that people could use."*

These efforts to resist the simply law and order approach to young people on the streets are, of course, minor in relation to the powerful forces that both push children and youth to the streets and vilify them when they are there. But a start has to be made somewhere. The fight against Resolution 20 brought together new and powerful allies, gave hope and encouragement to advocates, and righted a very serious wrong. The videos and other means of communicating the human voices of young people living in vulnerable contexts will flow through many channels and reach different kinds of people and thus combat the prevailing prejudices. But as the first sections of this bulletin show, far too many children and young people in Latin America face enormous challenges to their wellbeing.



# NOTES

<sup>1</sup> FAPERJ (Fundação Carlos Chagas Filho de Amparo à Pesquisa do Estado do Rio de Janeiro) is the Rio State agency for research support. Part of the data used in this publication was extracted from the study Políticas públicas para crianças e adolescentes em situação de rua: desafios da implementação (Public policies for children and youth in street situations: challenges to implementation), coordinated by Irene Rizzini. Rio de Janeiro: FAPERJ, Cientista do Nosso Estado, 2014-2017 (CNE FAPERJ, Ref.Nº E-26/201.274/2014).

<sup>2</sup> Both the UN Convention on the Rights of the Child (1989) and the Brazilian Statute on the Child and the Adolescent (1990) refer to adolescents and see them as young people between the ages of 12 and 18. In this text we use the same age period but refer to these young people as youth according to English language usage.

<sup>3</sup> When home is the street (Quando a casa é a rua) can be downloaded at: <http://www.ciespi.org.br/Publicacoes/Videos-17>

<sup>4</sup> According to a World Health Organization handbook, “the term street educator applies to anyone who is directly involved with street children and responds to their needs by providing support and care. Street education is one of the most effective ways to support street children because it takes place in the areas where they live and work. This can be on the streets, in the places they visit or seek shelter or in the community where their families live. The street educator must serve as the main link between the children and the community which can provide them with their needs.” Downloaded at [http://apps.who.int/iris/bitstream/10665/66756/3/WHO\\_MSD\\_MDP\\_00.14\\_Module2.pdf](http://apps.who.int/iris/bitstream/10665/66756/3/WHO_MSD_MDP_00.14_Module2.pdf), downloaded on March 29, 2017.

<sup>5</sup> The video “I am pregnant, what now?” was produced by CIESPI/PUC-Rio in partnership with the Associação Beneficente São Martinho, as part of a competition organized by the Rio Children’s Network for videos titled Let us be heard.

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