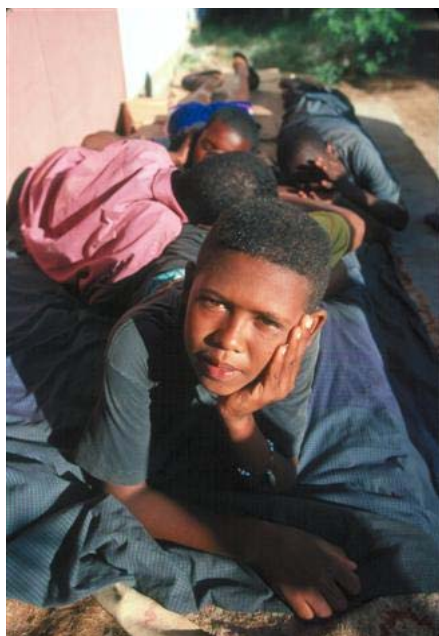




FUNDING PROPOSAL UNICEF DJIBOUTI

PROTECTION FOR CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES



ISSUE

Protection of children in especially difficult circumstances is to a large extent a very new issue in Djibouti. There is specialized institution in the country which caters for very difficult –or any, for that matter- social cases, and no legal framework nor NGO/UN projects or systems to speak off to protect children against a variety of serious abuse or risks, be they child abuse, child trafficking, child exploitation, etc...

Hampered by the absence of any project funding in such areas, UNICEF Djibouti has itself only recently made a strong effort over the recent months to uncover the challenges and potential abuse faced by children on Djiboutian territory. While much remains to be done to ensure a fuller picture of such disrespect of children's rights and their impact on their lives and growth, the current proposal wishes to focus on three important areas where action can and should be taken immediately to alleviate the suffering of these children.

CHILDREN IN CONFLICT WITH THE LAW

Children in contact with the law are subject to violence and mistreatment by any judiciary system in the world, and Djibouti is not an exception. While reliable data regarding children in conflict with the law is hard to find in Djibouti, a recent

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impromptu visit to the prison showed eight under aged boys detained there. Most were held without a judgment, which they had been waiting for a period varying from 1 to 2 years at the time of the visit.

This prison used to contain a separate centre for children between the ages of 12 and 16, but the center in question, too derelict, is not functional anymore. The children are thus separated through a location in the prison's health center, where they stay under safer but truly cramped and inadequate conditions. The Djiboutian Ministry of Justice is well aware of the problem, and keen to remedy to it. Limited funds have been released this year from the national budget in order to try and renovate the center, in an attempt to provide better detention conditions for up to 30 youths. All agree however that the upcoming works will only bring minimal improvements, and that much will be missed to offer to these children more appropriate living conditions, along with educational opportunities.

Beyond the detention issues, however, it is equally clear that most of the issues lay in the near total lack of any children-specific protective environment within the judiciary procedure. While the existing code caters for the need for specific children courts, judges, and accompanying specialists and measures (social workers, psycho-social assistance, children judges, etc..) none of these protective elements currently exist.

As a result, and of major concern to all stakeholders, the deprivation of liberty for under age children is not used as a measure of last resort and for the shortest time possible, as required by the convention on the right of the child, nor is it done in conditions which allows for the children to be protected and have a chance to continue their education.

STREET CHILDREN

A 2001 study estimated that up to several hundreds children would be living in Djibouti city. While many have since been forcibly returned to their country of origin in a 2004 strong repatriation program undertaken by Djibouti, tens of thousands of illegal migrants immediately returned, and the streets are once more become the nest, however inappropriate it may be-

many a child. Most children are between 7 to 17 years old and, despite their young age, they quickly learn to be very protective of their ethnic or geographic origin by fear of being evicted/arrested, which makes it hard to adequately estimate their respective place of origin.

They work mostly in the informal sector as shoeshine boys, beggary, car washer, and housewife or, for some of them, opportunistic prostitution, etc...

They are very visible in the city, frequently seen in pairs or small groups. They often sleep on the streets and sidewalks at night: Little research has been done on this problem. Most have never been to school, nor do they have access to health care. As all street children in the world, these are highly vulnerable to risks of abuse and violence. In addition, many sniff glue, nails polish, petrol and other industrial solvents in order to forget or make the day pass by quicker... A clearly desperate portion of the Djiboutian inhabitants, in urgent need of assistance.

CHILD TRAFFICKING

Child trafficking is one of the most violent form of child abuse. Children victims are clearly at their most vulnerable, as they are removed from their families' surroundings and forcibly brought in totally alien and often hazardous situation. Because of the clandestine nature of this criminal activity, statistical data is not readily available. Nonetheless, some recent informal data compilation provided to UNICEF Djibouti suggests the existence of child trafficking in –or through- the country. It is as yet unknown where the children would originate from, or where they would be taken to, nor the origin or systems of the perpetrators of such terrible human traffic.

ACTION

While these issues are significantly different in their impact on children's lives, UNICEF strongly believes that the remedies to address such terrible abuses on children will stem, to a large extent, from an adequate legal framework creating a protective legal environment for children, as well as from a much increased awareness and technical competencies from the various stakeholders of the social assistance and judiciary system in terms of prevention and protection from child abuses.

UNICEF thus intends to work towards such

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increased knowledge and expertise with government authorities, specialists such as judges, communities, NGOs, youths, women and religious leaders as well as the Media.

Advocacy, social mobilization and research

- Advocate at all levels to develop a better understanding of protection issues both for the population at large and public servants by organizing awareness campaign targeted at particular audiences depending on the issue at stake. Break the silence about the taboo surrounding these issues –particularly street children and child trafficking-.
- Conduct a comprehensive assessment on child protection issues in order to further the data collection on the above issue, as well as potentially uncover additional issues negatively affecting the lives of children. This will give way to the development of five years protection strategy and action plan around issues on which UNICEF will focus its support to government and community associations;

Capacity strengthening for social workers, police, judiciary staff and NGOs addressing the issues

- Provide training for social workers such as police, judges, and magistrates to familiarize them with child abuse and particularly with juvenile justice norms and practices, both national and international and adolescent/child psychology. It is important to introduce law enforcement official to the concept of diversion and the negative effect of deprivation of liberty, particularly incarceration in police cells.
- For street children with families, facilitate their reintegration through support to both social workers and NGO working on these issues.
- In close consultation with the ministry of interior and police departments, develop awareness raising programs for the police staff as well as solid identification and reporting systems aimed at early identification of possible child trafficking and immediate protective action for concerned children.
- Through support to existing NGOs, provide limited but urgent basic support for existing street children (basic clothing, food, facilitate access to basic health care and education,

where needed psychosocial support) and develop a more comprehensive proposal specifically focused towards resolving some of the underlying causes for the situation, and/or help develop sustainable national system to protect and cater for these children.

- Develop capacities of prison staff to ensure rights of children are not violated
- Support rehabilitation and equip the Djibouti youth detention center, and train teachers in order to provide appropriate education for children in detention and also prepare them for their return to society

Legislation review

- Advocacy for revision or creation of laws related to children in conflict with the law in order to meet international standard. Laws should seek to avoid custodial sentencing wherever is possible.
- Consider alternative measures to deprivation of liberty; such as probation; community service or suspended sentences
- Advocate for the appointment of a specialized judge who will primarily deal with juvenile justice
- Support national authorities to create legal protective framework for street children
- Search for the place of origin and families of street children so as to ensure they are returned in a protective environment.

Strengthening coordination, building partnerships and Alliances

Advocate for the launch of a Task Force on Juvenile Justice; an action oriented towards bringing together legal professionals for coordinating efforts to build an effective, child right based juvenile justice in Djibouti

Monitoring and Evaluation

Establish a mechanism of reporting inside the detention facilities and outside such police files; judge reports etc... A data base on child protection issue will be linked with other existing monitoring and data base. Reliable and disaggregated data will be collected and continually updated for policy advocacy and program development

IMPACT

- All children deprived of their liberty are appropriately informed about their rights, and accompanied or protected as per existing international standards on protection due to children in conflict with the law.
- Children in detention benefit from adequate services, protection, and opportunities for growth.
- Skills and knowledge of all police, judiciary staff and social workers involved in street children of juvenile justice are improved and enable them to handle/accompany the cases in a manner concordant with the Convention of the Rights of the Child.
- The protective environment is created, or reinforced regarding child protection issues such as juvenile justice or street children.
- Existing street children have access to at least minimal basic services and protection. Where possible, they are oriented towards families or shelters where they can benefit from adequate education.
- Communities will become aware about the importance of protective environment for children, and of the existing public support systems to assist in the matter.
- Early identification and action systems are established in order to target and prevent possible child trafficking in/through Djibouti

Summary BUDGET requirements –in USD- for 2006-2007

BUDGET ITEMS	AMOUNTS US
Advocacy, Social mobilization and research	60,000
Study visit for juvenile justice stakeholders for understanding of best practices	25.000
Public campaign awareness for breaking the taboo around street children	10.000
Comprehensive assessment on child protection	15.000
Technical assistance to develop a strategy and action plan	10.000
Capacity building of public servants and NGOs	115,000
Development of modules and materials for training	20.000
Training of police; social workers and judiciary staff with regards to juvenile justice procedures (including street children issues)	15,000
Support to grass root NGO for identification and care of street children	70,000
Conduct awareness raising sessions related to child trafficking with all police and other officials potentially involved. Support them in developing adequate identification and reporting systems	10,000
Support the legal framework	30,000
Technical assistance for revision of legal framework with regards to juvenile justice and street children	20,000
Draft a juvenile justice manual for judiciary official and prison staff	10.000
Support data collection a coordination mechanism	45,000
Support the Ministry of Justice in formalizing data collection and reporting systems for the issues at stake. Assist in producing at least a quarterly report.	10,000
National technical expertise to accompany and monitor the above project activities	35,000
Project support 10%	25,000
TOTAL	275,000