



12 April 2016

Committee on the Rights of the Child
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais des Nations
CH-1211 Geneva 10, Switzerland
crc@ohchr.org

Submission for General Comment on children in street situations

Dear Committee members,

The [World Federation of the Deaf](#) (WFD) and [World Federation of the Deaf Youth Section](#) (WFDYS) present their compliments to the Committee on the Rights of the Child and are pleased to make this joint submission for a draft General Comment on the human rights of children in street situations.

This submission provides background and makes recommendations to assist the Committee regarding deaf children.

General

The *Introduction* to the General Comment should refer to 'children, including children with disabilities'.

The *Objectives* of the General Comment should include:

- 'ensuring that issues relating to children with disabilities are appropriately explored and addressed'; and
- 'the interaction between CRC and CRPD as it relates to street children is explained and addressed'.

'Key articles of the Convention[s] in relation to children in street situations' should also address corresponding Articles of the CRPD.

The right to an adequate standard of living (CRC Art 27, CRPD Art 28)

As the National Association of the Deaf in Ecuador points out, deaf children can fall into extreme poverty because of family abandonment, by non-provision of early intervention and therapy and due to a lack of positive treatment by parents - most problems are due to a lack of clear communication, dialogue, teaching and learning within the family.¹

Social protection schemes and national disability insurance schemes that support parents of children who are deaf and have other disabilities provide a safety net and should be encouraged.²

WFD and WFDYS submit that the *most effective* measures that States Parties can take to implement the right to an adequate standard of living and assistance to parents and others responsible for deaf children include supporting early intervention and teaching of sign language including to those responsible for the care of those children. The fostering of a strong cultural and linguistic identity for deaf children and

¹ Submission to WFD by FENASEC-Ecuador, 8 March 2016.

² For example, the National Association of the Deaf in Argentina notes that the Argentina Republic has a policy of protection to all persons with disabilities, through the SNR (National Rehabilitation Service under the Ministry of Health of the Nation) which gives every person with disabilities from an early age, a unique disability certificate and a range of benefits (www.snr.gob.ar) and also via a universal child allowance to vulnerable families including families of deaf children, which requires periodic reporting that the child is in school to receive benefits (www.anses.gob.ar).

strong family connections and communication competency are foundational to a strong sense of self esteem and connectedness. This is potentially a preventative measure to becoming isolated, disconnected, frustrated and becoming street connected.

Deaf Associations and sporting clubs work to provide for a high quality of life for deaf children and youth, including in their educational, social, cultural and sporting opportunities.

Strong deaf role models and qualified professional sign language interpreters are needed in educational, community and cultural settings to promote accessibility, opportunities for family engagement in the community and positive mental health and well-being for deaf children and their families.

Developing rights-based, holistic, long term strategies to prevent children developing strong street connections and to support children in street situations

a. What should be included in rights-based, holistic, long term strategies to prevent street children developing strong street connections and to support children in street situations?

Flowers notes that the causes of street children phenomenon are varied, but often relate to domestic, economic or social disruption including, but not limited to, poverty, breakdown of homes and/or families, political unrest, acculturation, sexual, physical or emotional abuse, domestic violence, being lured away by pimps, Internet predators, or begging syndicates; mental health problems, substance abuse, and sexual orientation or gender identity issues.³

In addition to the 'usual' factors, deaf children may experience additional risk factors. Parents may have low expectations of children who are deaf and fail to provide encouragement and nurture toward achieving aspirations.⁴ Additionally where deaf children fail to develop positive cultural and linguistic identity, and feel isolated, stigmatised, misunderstood or rejected by family or peers, this leads to further vulnerability. Shields suggests that in the USA, deaf gangs are for protection, more social than they are criminal and can provide a deaf child/youth with love and a sense of belonging.⁵

Deaf people may be co-opted into criminal street gangs. A police operation in China, rooted out 61 gangs engaged in abduction from 21 provinces across China, rescuing 70 deaf people who had been forced to commit crimes under threat of physical abuse. Gangs would punish the breaking of rules, cutting ears and hand tendons. Gangs were tightly organised, members used false names and communicated with each other using sign language. An 'expert' would train a 'rookie' how to steal. Each pair was ordered to steal goods every month. If they failed to reach a target they were ordered to stand or kneel all night or fast for three days.⁶

Reports of street children go back to the 1970s with evidence that some street gangs headed by deaf recruit other disenfranchised deaf; e.g. a deaf gang leader James Pacheco headed a group called 'the Deaf Mutes squad' part of the 'the Crazy Homicides' gang in New York.⁷

How can we best prevent deaf children from being street connected or help them when they are?

Preventative strategies include ensuring that deaf children and their families receive early intervention such as sign language teaching and adequate supports for their communication and wellbeing, as well as a sound understanding of their rights.

Members of WFD have submitted that it is a high priority for not only deaf children but also *their family members* to learn sign language to strengthen communication and bonds within the families. Failure to do so can lead to isolation and disenfranchisement of the deaf child and create vulnerability to leaving home in favour of being with others who provide the sense of belonging and support that is desired.

Families should provide opportunities for deaf children to interact with positive deaf role models within the broader deaf community.

³ Flowers, R. Barri (2010). *Street Kids: the Lives of Runaway and Throwaway Teens*. Jefferson, NC: McFarland.

⁴ Submission to WFD by Association Nationale des Sourds du Cameroun (ANSCAM), 6 March 2016.

⁵ Elizabeth Shields, [Deaf Street Gangs and Criminal Justice](#), 3 December 2013.

⁶ Chris Luo 'Chinese gangs abducted deaf-mute students and forced them to commit robberies' *South China Morning Post* 13 March 2013

⁷ Elizabeth Shields, [Deaf Street Gangs and Criminal Justice](#), 3 December 2013.

The National Deaf Association in Cameroon has proposed that strategies include: raising the awareness of the community on the rights of deaf persons, making schools more accessible, recruiting qualified teachers to ensure deaf children acquire academic knowledge, and developing initiatives for deaf youth.⁸

Outreach and rehabilitative strategies

It is critically important that deaf children be supported to achieve their right to education so that they are in school, not on the street. In the USA some deaf schools have liaison people whose role it is to assist homeless deaf children access their education.⁹

Family and school therapies can also assist deaf children, with the support of their parents and families.¹⁰

Mr Pedro Acavedo, a deaf counsellor, specialises in working with deaf gangs as an ex gang-member himself. He believes deaf kids are often alone, feel misunderstood and seek identity in street gangs and commit crimes to seek attention. He reintroduces deaf members to members of the deaf community who are not gang members. His research has shown that that deaf individuals receive longer sentences than hearing individuals committing the same crimes.¹¹

Resources for implementation

National Deaf Associations – as well as state, provincial or local deaf groups - often engage in advocacy, teaching, mentoring, supporting and providing referral services. They and deaf schools also hold deaf-specific community, education and sporting events that can prove effective at creating positive environments for deaf children and youth to socialise and receive the mentoring and peer support that they need to function and thrive.

b. What are criteria and/or indicators for an intervention to be considered a ‘good practice’ in relation to preventing children developing strong street connections and/or supporting children in street situations?

- Effective prevention strategies for deaf children are those which promote positive cultural and linguistic identity, health, well being and connectedness for deaf children, and support to their families.
- Good practice could be indicated by data on:
 - numbers of deaf children who are in school, in training courses, or higher education (i.e. who are not on the street).
 - numbers of homeless children who are deaf/have disabilities who have been successfully reintegrated into education settings.
- Good practice for outreach services should ensure mainstream services are accessible as possible and disability specific services are provided where warranted.

c. Key recommendations the Committee should be making to States:

1. All State and non-State actors must act in line with the CRC and the CRPD in any prevention, outreach and rehabilitation activities (and punitive measures).
2. States must promote positive images of deaf people, and promote the use of sign languages.¹²
3. It is critically important that States ensure that deaf children are supported to achieve their right to accessible education so that they are in school, not on the street.¹³

⁸ Submission to WFD by Association Nationale des Sourds du Cameroun (ANSCAM), 6 March 2016.

⁹ See, e.g., http://www.wtsd.tn.org/pdfs/homeless_plan.pdf

¹⁰ Submission to WFD by FENASEC-Ecuador, 8 March 2016.

¹¹ Elizabeth Shields, [Deaf Street Gangs and Criminal Justice](#), 3 December 2013.

¹² As required by CRPD [Art 21\(e\)](#).

¹³ See [WFD & EUD \(2015\) Submission to the Day of General Discussion on the right to education for persons with disabilities](#)

4. Prevention initiatives and programs should be disseminated in sign languages through deaf schools, and schools and deaf associations should be funded to offer positive parenting outreach programs.
5. States should facilitate deaf children and youth to socialise, have a sense of positive community connectedness, and receive the mentoring and peer support they need to function and thrive, e.g. through appropriately resourcing and funding deaf associations and deaf cultural and sporting initiatives.
6. Work with justice systems to prevent discriminatory attitudes that unfairly penalise street children who are deaf or have disabilities.
7. State actors must act with restraint in any punitive measures that are imposed, and consider diversionary actions to allow children who are deaf (and/or have other disabilities) to be rehabilitated into society.
8. Existing services for street children should disaggregate data by disability status to assist monitoring and evaluation of their inclusiveness and good practices.
9. To effectively reach and support deaf street children, consideration should be given to the training of existing service providers on deaf culture and sensitisation, and the establishment of specialist outreach services, including by people who are themselves deaf, and with the support of qualified professional sign language interpreters and counsellors who understand deaf culture.

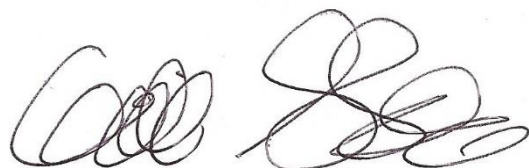
Contact details:

Ms Elena Down
Human Rights Officer
World Federation of the Deaf
elena.down@wfd.fi, info@wfd.fi

Authorised by:



Mr Colin Allen
WFD President



Ms Cecilia Hanhikoski
WFDYS President