



Child Protection System in Mozambique: How co-responsibility works for street children in Maputo?

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Disclaimer:

This document represents part of the author's study programme while at the International Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

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List of Acronyms

CIES	Centro Informazione e Educazione allo Sviluppo
CNAC	Conselho Nacional dos Direitos da Criança
CRC	Convention on the Rights of the Child
DPMAS	Direcção Provincial da Mulher e da Acção Social
INAS	Instituto Nacional da Acção Social
UNICEF	United Nations Children's Fund
MINED	Ministério da Educação
MINT	Ministério do Interior
MISAU	Ministério da Saude
MJ	Ministério da Justiça
MMAS	Ministério da Mulher e da Acção Social
NGO	Non-governmental Organisation
PACOV	Plano de Acção para as Crianças Orfas e Vulneraveis
PNAC	Plano Nacional de Acção para a Criança
ROSC	Fórum da Sociedade Civil para os Direitos da Criança
UN	United Nations
USAID	United States Agency for International Development

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Abstract

What is happening to the co-responsibility between State, Civil Society and Family, in terms of child protection, towards street children in Maputo? The following paper aims to identify and understand how the Child Protection System in Mozambique works to guarantee protection for street children. If children need to go to the streets in order to help with the income of the household, the main causes for this to happen –poverty and violence within the family- are not being addressed. It is important that a clear shared responsibility among State, Civil Society and Family exists in order to guarantee the no violation of children's rights.

Relevance to Development Studies

The following research is relevant for Development Studies and specifically to Children Studies because it examines the importance of establishing a child protection system in a country, why within this system all sectors of society should be involved and, mainly, why children's participation should also be taken into consideration. It is relevant to consider that such system should not only consist of guidelines, but actually translate them into clear actions that help address the protection of their children, having at its heart the superior interest of the child -in general- and the most vulnerable -in particular-.

Keywords

Children, protection, vulnerable, street children, Mozambique, State, Civil Society, Family, co-responsibility.

*“I need someone to protect me from all the measures they take in order
to protect me.”
- Banksy.*

Chapter 1 - From the Start

1.1 Why Child Protection in Mozambique: Problematizing and Focalizing

The aim of this research is to present the Child Protection System in Mozambique and how the concept of co-responsibility between the State, Civil Society and Family works towards street children in Maputo. But why did I choose to do my research in Mozambique? There are three main reasons that drove me towards this decision. First, a personal motivation that moved me to choose Mozambique over my hometown: after working and learning in more depth about the situation of children and youth in Colombia I felt the Research Paper process would be a good opportunity to learn more about a specific topic -Child Protection- and how it is tackled in different places; rather than keep focusing on a specific country which I already know about and, to some degree, have come to understand about its dynamics in relation to children and youth.

Second, Mozambique is a post conflict country which places it in a similar situation to Colombia (even though Colombia is still in conflict there are different policies and projects that are addressing issues of post conflict) because there are ongoing processes to restore rights for those affected by the conflict, and of course this includes children and youth. Another important aspect to highlight is that both countries – Colombia¹ and Mozambique² – also have in common the existence of relatively new legislation (2006 and 2008, respectively) to protect the rights of Children and Adolescents. In Colombia, this legislation specifically introduces the term “co-responsibility”, to explain the share responsibility between the State, Society, and Family for the attention, care and protection to children and youth. In fact, there is an article in this law that specifies this term and its implications and this definition will be considered in the second chapter of this research in order to describe its meaning and associations. In the case of Mozambique such a concept has not been used but the responsibility that should be shared between these spheres is implicitly mentioned in official documents of Mozambique’s government³. It will be key to recognize how the collaboration between State, Civil Society and Family is understood by these three spheres and how it is actually working.

And, finally, because it will be relevant for children studies to examine the importance of establishing a child protection system in a country, why within this system all sectors of society should be involved and, mainly, why children’s

¹ In Colombia: Nuevo Código de Infancia y Adolescencia (Ley 1098 of 2006). In English: New Code of Childhood and Adolescence.

² In Mozambique: Lei de Promoção de Protecção dos Direitos da Criança (Law 7 / 2008 of July 9). In English: Law on Promotion and Protection of the Rights of the Child.

³ Such documents will be analysed in this research and are mentioned later in this document under Methodology.

participation should also be taken into consideration. It may be relevant to consider that such system should not only consist of guidelines, but actually translate them into clear actions that help address the protection of their children, having at its heart the superior interest of the child -in general- and the most vulnerable -in particular-.

Doing a research based on a different reality and context of the one known is that you also need to get familiarized with their context and learn about their different process throughout history. In my own process of researching about the child protection system of Mozambique it was important for me to understand not only their history and context, but also their social, political, economic and cultural dynamics. Thus, I consider important for anyone to read this document to have a general idea of Mozambique's socio-economic and political background in order to understand the purpose of this research.

After their independence from Portugal in 1975, a Civil War started in Mozambique (1977) and lasted three decades. In 1990 the war ended and the peace treaty was signed in 1992. During -and after- the war an important number of rural populations migrated to the cities, especially to Maputo, the capital city giving rise to increased levels of urban poverty and a reduction in opportunities for families to meet their basic needs, as Paulo, Rosario, and Tvedten, mention:

“(...) the increasing urbanisation in the country is accompanied by an emerging urbanisation of poverty: the reduction in the poverty rate has been smaller in urban than in rural areas and poverty is increasing in the country's main city, Maputo. The poverty headcount is currently near equal in rural and urban areas, and higher in Maputo than the national average. At the same time, the figures reveal a generally high but unequal access to employment opportunities, physical infrastructure, housing, education and health. In essence, this means that a large part of the population in Maputo are not in a position to exploit the opportunities in the urban environment to improve their situation and feed their families.” (Paulo, Rosario, Tvedten, 2007:16)

Mozambique has a population of 20,530,714 according to the 2007 census⁴. In the country 45.5% of the population is between 0-14 years old and 21.1% are between 15-14 years old⁵. Thus, an increase number of their population is below 18 years old⁶, which is an important fact to consider/bear in mind when researching how the child protection system in Mozambique works to guarantee care for a large group of its population.

⁴ Source: <http://www.ine.gov.mz/en/DataAnalysis>

⁵ Source: <http://www.ine.gov.mz/>

⁶ Considering the definition of Child gave by the Convention on the Rights of the Child which states that a person under 18 is recognised as a child (unless the State recognizes another age).

All the above is important if we consider that one of the main reasons why children are on the streets, according to what people I interviewed noted, is poverty: they are seeking a way to find their daily support for living. Abdul Faquir, Director of the Meninos de Moçambique organization mentioned that many of the families they work with come from rural areas in search of a better quality of life. But in the city the job market is difficult and sometimes children are encouraged by families –sometimes it is on their own initiative- to go to the streets, to devote their time to finding some type of support. This not only helps put education to one side, but is also a trigger for other risks that could affect their development. Eric Zapatero, Senior Social Protection Specialist from the World Bank comments that “only 11% of the population in Mozambique works in the formal sector” (Zapatero, 2013: personal interview). If the majority of the population is dependent on the informal sector, this could be a trigger for children head to the streets looking for a way to cope with poverty. Moreover, he indicates that “there’s not a fair distribution of the economy and this is why, despite the economic growth that Mozambique is facing, there’s a lot of poverty” (Zapatero, 2013: personal interview). And this information can be complemented with what Mariana Muzzi, Child Protection Specialist of UNICEF, said: “54% of the population in Mozambique is below the poverty line” (Muzzi, 2013: personal interview).

There is something in the Mozambican Child Protection System that is not working properly between State, Civil Society and Family, and this is somehow leading children to spend more time on the streets. If children, as mentioned above, need to go to the streets in order to help with the income of the household, the main causes for this to happen –poverty and violence⁷ within the family- are not being addressed. Then, what should be done to help tackle this problem? Where are the weaknesses evident? How are State and Civil Society working together? How is Civil Society working with families? How is the State working with the families?

The child protection system should help prevent children be on the street and protect those that are already on the streets. But, again, there is something happening in the interaction between the actors involved. I will refer to this interaction as the co-responsibility (or shared responsibility) that must exist between State, Civil Society and Family, and this concept will be explained later in this document. What is happening in Mozambique, and more specifically in Maputo, for children to be on the streets? What is the Child Protection System in Mozambique doing to protect street children? What are the links and gaps between the State, the Civil Society and the community that enable or prevent street children from exercising their rights?

The upcoming sections will present the research question and sub-questions, the methodology applied, and the structure this paper will follow.

⁷ This violence can be triggered for different reasons, including: parents’ new partner, or the concern and worries that can be driven by economic issues.

1.2 Objective and Research Question

The main objective of this research is to identify and understand how the Child Protection System in Mozambique works to guarantee protection for street children.

Therefore, my research question is:

What is happening to the co-responsibility between State, Civil Society and Family, in terms of child protection, towards street children in Maputo?

Throughout this paper I will also try to answer two sub-questions:

- a) Who are the main actors involved in the Child Protection System in Mozambique and how is this system organised in Maputo?
- b) How are these actors working in collaboration (co-responsibility) in order to guarantee the protection of street children in Maputo?

1.3 Methodology in Practice: How to reach the answer?

The methodology applied combined exploratory research with qualitative investigation⁸ and as Stebbins (2001) explains the exploratory research can be given different meanings based on its basic definition of exploring and discovering a new field or topic for the researcher.

“In the social sciences, the term exploratory research or exploration refers to broad-ranging, intentional, systematic data collection designed to maximize discovery of generalizations based on description and direct understanding of an area of social or psychological life. Such research is, depending on the standpoint taken, a distinctive way of conducting science—a scientific process. It is both a special methodological approach, separate from verification or confirmation, and a pervasive personal orientation of the exploratory researcher. The emergent generalizations are typically many and varied; they often include descriptive facts, folk concepts, cultural artifacts, structural arrangements, social processes, and beliefs and belief systems normally found in the group, process, activity, or situation under study.” (Stebbins, 2008: 327).

For this specific research, this method is appropriate because it seeks to understand how a system functions and allows me, as researcher, to discover and recognise how the interaction between different actors weakens or strengthens child protection practices. “Researchers explore when they have

⁸ Even though an exploratory research is not necessarily qualitative, it can also be quantitative.

little or no scientific knowledge about the group, process, activity, or situation they want to examine but nevertheless have reason to believe it contains elements worth discovering. To explore effectively a given phenomenon, they must approach it with two special orientations: flexibility in looking for data and open-mindedness about where to find them.” (Stebbins, 2001: 7) Since I was not familiar with the context it was important to first explore and study the realities and circumstances in Mozambique, to learn how the social, political and cultural dynamics determined the relation that the society has with their children, and how their protection is considered and planned. Therefore, this methodology was helpful in order to answer the research questions posed, enabling me paper to provide an understanding of the broad spectrum of the child protection structure in Mozambique and how it is intended to work, giving the reader and “outside-in” perspective of the current status of this system.

A qualitative investigation gives me the possibility to support my own analysis of the information with some of the voices of the actors involved in the implementation of programmes for street children in Maputo. This has been done through the compilation and analysis of information in two different phases and ways that support and complement each other: first, the analysis of secondary data and, second, gathering information on the field through interviews.

On the first phase, the material revised and read focused on how the child protection system of Mozambique works, how it is organised, which actors are involved and their roles, and narrowing the category of children specifically to street children. The analysis of secondary data was focused on academic documents and papers, journals and NGO reports that explain concepts and units of analysis –mentioned in the first section of this chapter- such as vulnerable children, street children (including the distinction that is made between children on the street and children of the street), child protection, and co-responsibility. It was also necessary and relevant to go through governmental documents that frame the child protection system in Mozambique, such as the Plano Nacional de Acção para a Criança II 2013-2019⁹ (PNAC) and the Lei de Promoção de Protecção dos Direitos da Criança ¹⁰ (Law 7 / 2008 of July 9). Additionally, documents written by international organisations such as Save the Children and UNICEF were consulted to provide an “external” point of view of the current situation of the child protection system in Mozambique.

It was also important to take into consideration some articles of the Convention on the Rights of the Child (CRC) to understand the framework in which the laws and plans have been designed and to analyse some of the work that NGOs have done in the country, in order to recognise the relationship between State and NGOs in child protection. Another public document that was also considered to frame the broader analysis of Children’s Rights was the African Charter on the Rights and Welfare of the Child, from 1999. This document that was written based on the CRC notes “with concern that the situation of most African children, remains critical due to the unique factors of

⁹ In English: National Plan of Action for Children II 2013-2019.

¹⁰ In English: Law on Promotion and Protection of the Rights of the Child.

their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger, and on account of the child's physical and mental immaturity he/she needs special safeguards and care" (Organization of African Unity, 1999: 1)¹¹. What this document suggests is that the concept of childhood can vary depending on the context, that there are cultural features that will not only make that the age range fluctuates but also the characteristics that defines them as children (naivety, irresponsibility, weakness, etc.) – but all of them always undermining their capacity of responding to different kind of situations, their agency, etc.

The second phase was developed in Maputo, where eleven semi structured interviews were carried out with people working with the Government, national NGOs, and international organisations. I contacted some of these organisations from The Hague but most of them were contacted during my fieldwork in Maputo. There was an anchor person, Fidelia Chemane, who helped me to get in contact with some people in Maputo. She is Mozambican and has worked in NGOs before, and is well acquainted with the social issues of the country and knew who might be some relevant people that could guide me into the child protection system in the country and especially in the capital. Around February, I got in contact with her through a Peruvian friend who lives in the UK and has worked for children and youth organisations for several years.

Emails were exchanged with Fidelia to explain what I was willing to do and what were my objectives. Fidelia and I also had a couple of Skype conferences in order to meet and have a more fluent conversation. After the formal submission of Research Paper draft (to my supervisor), I sent it to her to give her a better idea of my research aims. With this information, Fidelia Chemane had a clearer idea of whom I wished to interview and what kind of information I was interested in gathering. Her initial advice was to be patient and understand that it was better to schedule the meetings once I got to Maputo. She did, however, put me in contact with one of the first persons she had in mind. His name is Helder Machango and he works for UNICEF as a Policies Officer. He put me in contact with some of the people that I interviewed. This was a very useful contact because a person working for this organisation has contact with both governmental and non-governmental institutions. This was fundamental for my data collection.

These two anchor persons helped me contact people working at international and local organisations such as UNICEF, Forum da Sociedade Civil para os Direitos da Criança¹² (ROSC), Centro Informazione e Educazione allo Sviluppo (CIES), and Women and Law - Southern Africa; but also people working in governmental organisations such as the Police, the Ministry of Women and Social Action (and some of their offices at national and local level:

¹¹ OAU Doc. AB/LEG/24.9/49 (1990), entered into force Nov. 29, 1999.

¹² In English: Civil Society Forum for Children's Rights.

the Instituto Nacional da Acção Social¹³ (INAS) and the Direcção Provincial da Mulher e da Acção Social¹⁴ (DPMAS).

In addition to these two anchor persons, my previous search by internet had also been fruitful since I managed to contact a local organisation in Maputo called Meninos de Moçambique, which is very well known for the work that it does with street children. It was possible not only interview the director of the organisations but also to accompany them on some of their daily activities with children (e.g. home visit, capacity building, studying skills, etc.) There were also some personal contacts that helped me link up with people working at Save the Children and the World Bank.

An important aspect I need to emphasize is that no interviews were carried out with street children because the organisation clarified that the children they worked with didn't like to tell their stories of life to everyone. And I am, as an anthropologist that has worked very closely with organisations that work with street children, aware that their situation and their stories are often sensitive and that is better not to enquire a lot about them. Therefore, the fact that street children's voices do not figure directly in this research was done consciously but this doesn't mean that children were a focalpoint of the analysis. On the contrary, this research seeks to understand on how the Mozambican system and the different relations between its actors are organized in order to focus and center the importance on the main actors of the system: children.

The information gathered on the field complemented the analysis of the documents and helped me understand how the system works in Mozambique, how people involved in the child protection system understand the current laws relating to vulnerable children, and how NGOs are contributing to the protection of street children in Maputo. There were also four informal conversations held with people living in Maputo, working in social issues but not child-protection-related, except for one of them. These conversations gave me the opportunity to listen and learn from different perspectives about how childhood in Mozambique –and different problems affecting children- was perceived.

1.4 Structure

This document will provide an insight to how the Child Protection System in Mozambique is organised and how the actors involved in this system are working in order to provide care and protection to the children in the country.

In Chapter 2, I will explain the approaches considered to frame the research such the Socio Ecological Model and the Child Based Approach. I will also unpack concepts such as child protection, vulnerable children, street chil-

¹³ In English: National Institute of Social Action.

¹⁴ In English: Provincial Office of Women and Social Action.

dren¹⁵, and co-responsibility in order to support the analysis. In Chapter 3, I will present the findings from my fieldwork. Also, in this chapter, the existing dynamics between the three main actors identified in the child protection system -State, NGO, and family- will be described. Finally, in Chapter 4, I will reflect upon the protection of street children in Mozambique based on the approaches and concepts presented, giving some final thoughts and remarks.

¹⁵ This category has been divided into two sub categories: a) children of the street and b) children on the street. These sub categories will also be explained.

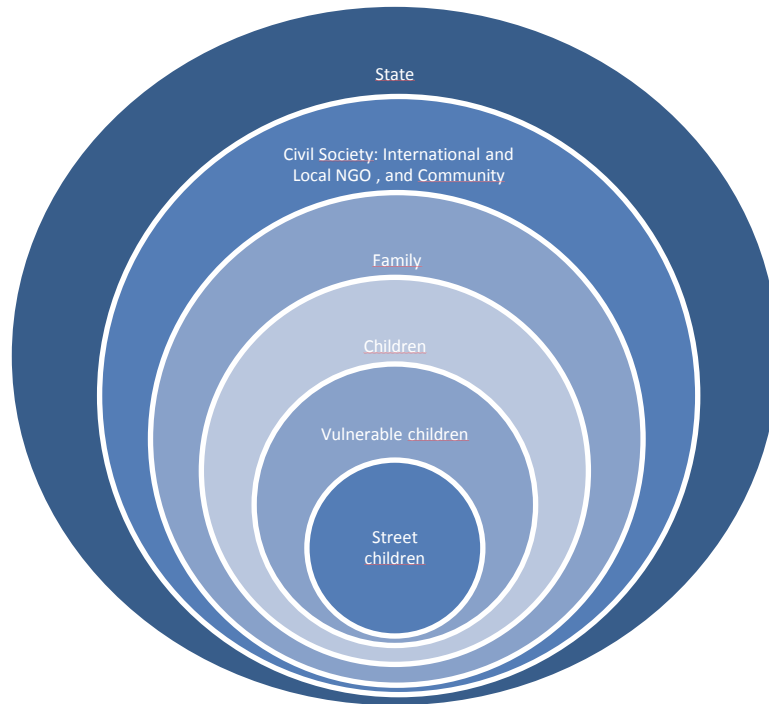
Chapter 2 - Presenting the Theory: Conceptual and Analytical Framework

As mentioned in the first chapter, this research aims to understand how the child protection system functions in Mozambique, and specifically for street children in Maputo. In order to analyse the system and its relation to a specific category of children, it is important to have an approach that helps such an analysis to be done and this is the reason why I decided to frame this research on the Social Ecological Model. This model not only places the child at the center of a system –such as the child protection system- but also allows exploring the outside layers of it, the interaction between all the spheres involved, and how they influence one another.

The Socio Ecological Model can be used to understand how any system is organised. In terms of a child protection system this model places the child in the center and helps visualize how the different actors are organised in order to build a coherent system. This model explains spheres that goes from micro to macro and that interact within each other. Taking into consideration this model and my understanding of how the structure of a child protection system is, synthesized in four concentric layers or spheres—from the most broad to the most narrow, and where all the attention should be focused- organized in: state, civil society, family and child(ren).

But after my fieldwork, my understanding of how the structure of a child protection system is had some modifications and my view of the child protection system in Mozambique developed into something more particular. Now, not only was it clear the importance of specifying the child through his/her needs, risks or the lack of rights fulfilled, but also how within one sphere it is possible to find different actors that are involved in children's protection (e.g. within the civil society sphere it is important to consider, in a more precise way, NGOs –local and international-, community based organisations, multilateral organisations, etc.). Therefore, a new way of visualizing the system emerged (Figure 1), and from this standpoint the recognition of how actors and spheres collaborate with each other in the interest of giving care and protection to their children, and how the acknowledgement of their needs helps to provide specific services and responsiveness.

Figure 1. Social Ecological Model.



Social Ecological Model showing all the actors involved in the Child Protection System.

Likewise, it is also relevant to note that the Convention of the Rights of the Child has been considered in the analysis done in this research. All the articles contained in the CRC look after the overall protection of children, hence, the entire document must be implemented and should be borne in mind when working with and for children but for this research there are some specific articles that are going to be taken into special consideration in order to frame the discussion. This is the case of five articles: Article 3 of the CRC which responds to the best interests of the child, talks specifically about the protection of children, and mentions some of the actions/roles that government, families and other institutions should take; Article 5 and Article 18 that speak about the responsibilities of the Family in the protection of children and the support that the state should give; Article 12 which refers to the participation of children, explicitly taking into consideration their opinion; and finally, Article 20 that relates to alternative care for children that should be provided or facilitated by the state. The documents read for this research were read under the light of these articles and adopting a Child Rights Based Approach, where it is important for the states to recognize their obligations and seek the way to accomplish them but also to strength people's (adults and children) capacities to know and understand their rights.

The CRC frames the laws and policies designed by governments, which at the same time frame and guide the work that Civil Society and Family should develop when exercising the protection of children and youth. As Kaime says, "CRC has not only attempted to create, for the first time in history, a truly international vision of childhood, but it has also succeeded in establishing binding mechanisms for the review of its enforcement. These mecha-

nisms provide encouragement to governments to legislate and adopt policies aimed at giving effect to the provisions that lie at the heart of CRC in all jurisdictions worldwide.” (Kaime, 2009: 82). In this way the “CRC has managed to provide the first ever framework within which discussions about the nature of childhood and the rights of children around the world can take place.” (Kaime, 2009: 82). But is important also not to take any of the conventions for granted (e.g. CRC, human rights) because they make reference to the individual and not to the individual as belonging to social groups. And here is where the debate between individual rights and collective rights might emerge.¹⁶

We can ask whether it is important to have a broad framework which indicates where to go and where to base the creation of policies and law, with regard to respect children rights. I think that the central issue here will be more about where this framework is constructed and by whom these guidelines and framework are created: we should bear in mind aspects such as their location, their age, and their gender: they are adults, from the Global North, and mostly men. (Kaime, 2009) In this sense, we should also question who makes policies and laws in the countries. States are designing plans and laws with the support of the Civil Society and, through them, doing consultation with children and young people. For example, in Bogota (Colombia) different civil society organised groups, family members and children were asked -in different moments and places- to participate in the process of re-designing the local guidelines of the Secretary of Social Inclusion in order to improve their services and work. And in Mozambique the Parliament meets each two years¹⁷ to discuss the major problems that are affecting children and present recommendations to the Government. But then, to what extent a) is the Mozambican State only providing guidelines and just being an observer –without taking action- on the execution of those guidelines?; b) children have rights but how do they really understand them, exercise them and participate in the process of their exercise?; or c) children need protection but, in the end, are they only being beholders of their rights within the child protection system?

In order to keep on this debate, we would probably need to start from the idea that every child, in principle, has the right to be cared for, and to be protected, and the state has the duty to provide this. How does this works out in reality? Are some children structurally more at risk and vulnerable? It is here where we need to gain a better understanding of the term vulnerable children.

Vulnerability is a concept that has different meanings depending on the perspective of who is giving the definition, then, the point of view fromr where it is seen defines children’s vulnerability. The definition of this concept also has different levels, giving children a different state/status of vulnerability depending on their socio-economic, cultural and political context. Therefore, as Daniel suggests “vulnerability appears simultaneously to be conceptualized broadly and narrowly with a view that all children are vulnerable, but some are more vulnerable than others.” (Daniel, 2010: 235)

¹⁶ Argument discussed during one of the lectures of the 4218 course Child and Youth Studies in the Development Context: Society, Culture, Agency and Rights.

¹⁷ This was defined in the last Parliament held on 2011.

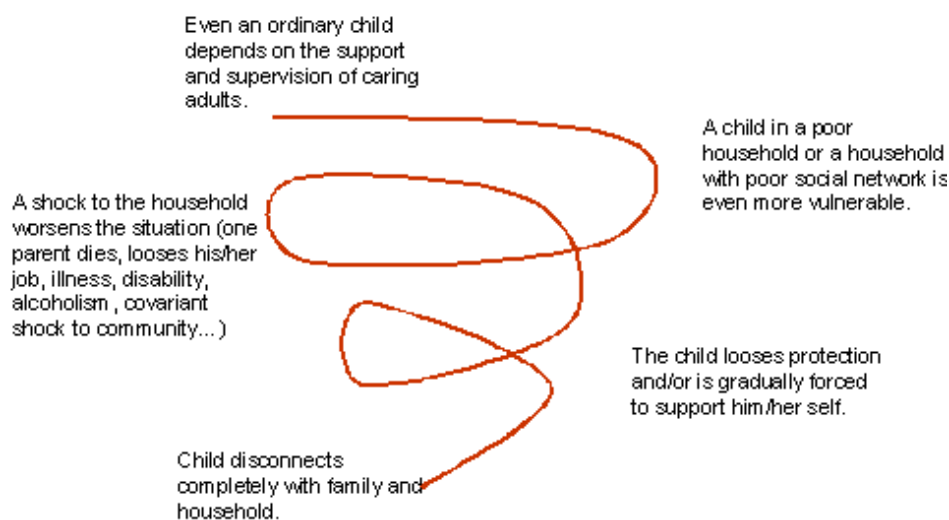
We can see that each country will give different definitions to ‘vulnerable children’ also depending on what they understand by childhood -as mentioned before-. All the countries, except two that didn’t ratify the convention, base their definitions on what the CRC defines by child -and consequently childhood- in its Article 1: “a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.” (UNICEF, 1989:2) Hence, childhood will be defined by age, and the level of vulnerability will be “assigned” -to every child- depending on the “level” of risk they are. This is how “vulnerability” is generally a highly contested term, and in regard to childhood in particular there are a range of possible positions about the extent to which children are conceptualized as vulnerable, merely by virtue of being children. Children may be viewed as vulnerable because of their size, their fragility when little and because they are still being ‘formed’”. (Daniel, 2010: 236)

In addition, Kaime (2009) in his publication *The African Charter on the Rights and Welfare of the Child –A socio-legal perspective*, highlights how childhood has been considered a significant period of life where everything that is needed to be an adult should be learned: “Within African societies, childhood has always been regarded as the time to grow up, to learn, to build character and acquire the social and technical skills necessary for participation in adulthood.” (Kaime, 2009: 73)

In sum, childhood is viewed as a stage of high vulnerability, therefore, every child is vulnerable but some are more vulnerable than others. However, is this idea of vulnerability the best starting point to design, analyze and implement child protection policies and laws? This notion that children are weak and need support reinforces the idea of ‘need for protection’, but doesn’t this, somehow, limit their ability to exercise their agency and undermine, in my opinion, one of their most valuable rights: participation? “Paradoxically, therefore, we can see that ‘concern’ about children as a group in need of specific attention because of their unique vulnerability can simultaneously signal a recognition that children should be accorded state protection but potentially de-humanise them and deny their role as active citizens in their own right.” (Daniel, 2010: 237)

Another document, this time from the World Bank, highlights that vulnerability “is shaped by risk and stress characteristics such as magnitude, frequency, duration, and scope, to which individuals, households and communities are exposed” (World Bank, 2005:8). Again, this suggests that vulnerability varies in context and time. Child vulnerability is explained also by the World Bank as “a downward spiral” where specific episodes, surrounded by different types of risks can alter the level of vulnerability:

Figure 2. World Bank downward spiral of vulnerability.



Source: *The OVC Toolkit for SSA: A Toolkit on how to support Orphans and Other Vulnerable Children (OVC) in Sub-Saharan Africa (SSA)*. World Bank (2005).

In this spiral we can see as a common denominator the household and/or the family; indicating that if children are not under parents' supervision or family care they are even more vulnerable than children who are.

On the other hand, is not appropriate to have within the category of children another one of vulnerable children and, within this, one that categorize them according to the risks they are more susceptible to face? In my opinion, if we consider that policies should be focalized then this will be a valid criterion. In fact, I believe that policies should exist considering vulnerable children in general and, then, more specific policies that cover those who need more particular attention and care; in this way, wider coverage will be given to those who need support and no one would be segregated. But it is important to bear in mind that having policies only divided by vulnerabilities –without being inside a bigger frame that covers every child-, can lead to discrimination of certain groups of children; this will allow some vulnerabilities to be seen as more relevant/important than others, undermining problems and risks that should also be addressed and, probably, also leading designs of projects/programmes –as well as funds- to be allocated in some and not all of them. In the specific case of Mozambique, the Ministério da Mulher e da Acção Social¹⁸ (MMAS), in one hand, through the Plano Nacional de Acção para a Criança II 2013-2019 (PNAC II) is not very clear about how vulnerability is specifically understand. But, in the other hand, the Plano de Acção para as Crianças Orfas e Vulner-

¹⁸ In English: Ministry of Women and Social Action.

aveis 2006-2010 (PACOV) gives different categories of vulnerable children which are divided into 13 categories:

- “1. Children affected or infected by HIV;
2. Children in child-headed households, youth, women and the elderly;
3. Children in households in which an adult is chronically ill;
4. Children and on the street;
5. Children in institutions (e.g. orphanages, prisons, mental health institutions);
6. Children in conflict with the law (e.g. children sought justice for minor crimes);
7. Children with disabilities;
8. Children victims of violence;
9. Child victims of sexual abuse and exploitation;
10. Child trafficking;
11. Children victims of the worst forms of labor (ILO 1999);
12. Children married before the legal age;
13. Refugee and displaced children.” (República de Moçambique e Ministério da Mulher e da Acção Socia, 2006: 11)

As mentioned in the introduction, for the purpose of this research I will focus on a specific group of children –within the concept of vulnerable children- categorized as street children. “Estimates suggest that tens of millions of children live or work on the streets of the world’s towns and cities – and the number is rising with global population growth, migration and increasing urbanization” (UNICEF, 2012). In Mozambique street children are classified by the Government as a specific category of vulnerable children. This is how, now, we will focus on the inner sphere or layer of the system (as it is presented in Figure 1).

Street children is a term often used by governments and local and international NGO to refer, mainly, to children that have no family or relatives to whom they can refer to and live on the streets by themselves, making them vulnerable to different risks such as sexual exploitation, forced labour, malnutrition, drug addiction, among others. As social and economic problems transform, they also transform the way they affect people and this is how it started to become clearer that street children were not only homeless children, without family, but also included a lot of children that remain on the streets for long periods of time during the day and go back home late at night. These children are as vulnerable as those who live on the streets but the fact that they have families that should be offering protection and care, differentiate them from the others. This is how the main category ‘street children’ is divided into two “sub categories”: a) children of the street and b) children on the street.¹⁹ (Ortiz, 2013)

¹⁹ Information presented in my final essay for the course 4311 - Children, Youth and Development Policy and Practice.

The first sub-category relates to children that live and work permanently on the streets; the second to children spending most of the day on the streets but returning home at night. In this sense, these children have family that are not dealing with the care and protection they need to provide –for different reasons-, facilitating their children to be in a vulnerable situation where they can drop into drugs, child labour, gangs, commercial sexual exploitation, etc. These sub categories can help to determine how programmes and projects should be designed.

“Children resort to living and working on the street for many reasons. Violence or abuse at home or in the neighbourhood drives many away (...) Poverty also plays a part. While abuse, conflict or neglect can happen in any family home, children whose poverty and marginalization leave them with few choices often see the street as the best available option for escape” (UNICEF, 2012). For different reasons the relatives of these children are not assuming their responsibility as carers of their own children, and remaining long periods of time in the street place them in a vulnerable situation where they can drop into drugs, child labour, gangs, etc. Those reasons may go from simply not being interested in their children to economic problems that force them to work many hours a day, not allowing them to have time to look after them (they are worried about providing shelter, food and –sometimes- education and this is the reason for them to be absent from home and working.)²⁰ (Ortiz, 2013: 5-6)

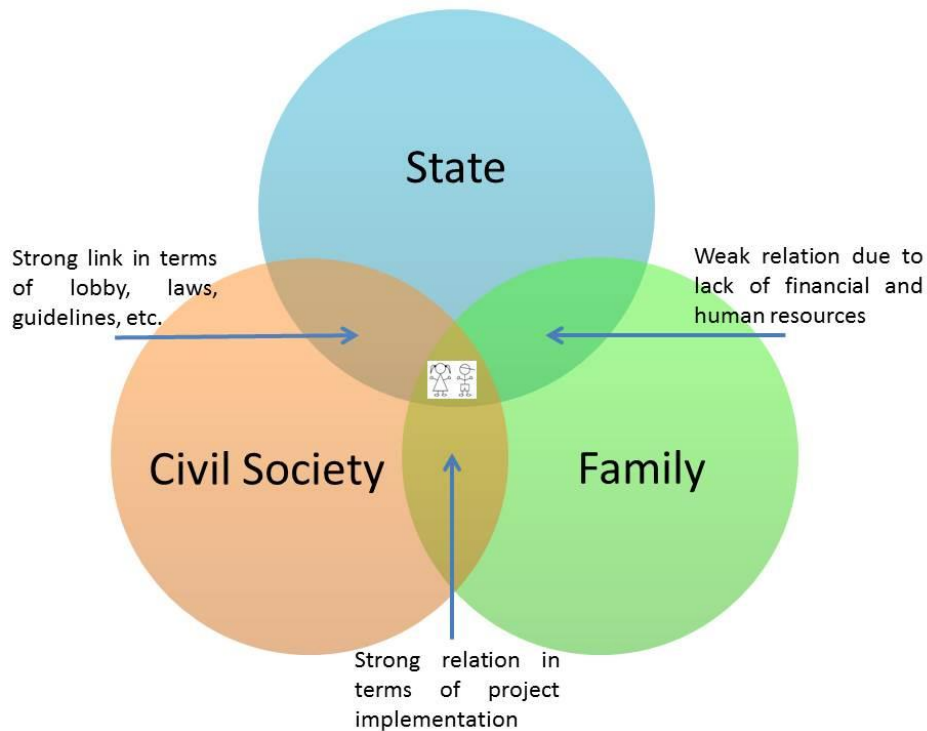
But are these sub categorizations making any real change to the way that programmes and services are provided? In Mozambique, although the category of street children is embedded in the wider category of vulnerable children, there is recognition by the State and Civil Society of their situation, their needs, and the risks they face. There is a clear differentiation, by these two spheres, in their discourse when referring to children on the streets and children of the streets; the difference is most notable when considering their practice: Civil Society puts into practice projects that differentiate the attention given to each of these two groups (children of the streets and children on the streets), whereas the State does not. Also, in the discourse of both actors –State and Civil Society- is clear that the work that must be done should be on prevention (for children on the street) and care (for children of the street). For example, the local NGO Meninos de Moçambique has projects for children on the street which aim to show the existing risks when being on the streets and, additionally, working with families raising awareness or giving them tools for them to improve their economic situation and, thus, prevent their children from going to the streets and help supporting the household. In the case of children of the streets the main purpose is family reunification²¹; the work done looks towards the location of the family in order to work with them and the child, ensuring that both parties are committed to the reintegration, reducing the risks children could face, achieving the care and protection of the child.

²⁰ Ibid.

²¹ In case there is no nuclear family, the extended family is also searched. This is always done taking into consideration the best interest of the child.

As a result of this perspective, it is possible to see there is a gap between the work that should be done together by State and Family. For instance, it will be possible to understand the system as shown in Figure 3.

Figure 3. Co-responsibility State, Civil Society and Family: Mozambique.



Co-responsibility between State, Civil Society and Family: Child Centered. Gaps and links in Mozambique.

For a better understanding of the figure above it is important to have an overview of how child protection is comprehend and what co-responsibility means, and how all these concepts engage together in this research.

In the document “Protect my future: Why child protection matters” written by different international organisations such as Better Care Network, Terres des Hommes, Consortium for Street Children, Save the Children, among others, child protection is define as:

“(...) strategies and structures aimed at protecting children from abuse, exploitation, neglect and violence (Save the Children, 2010). This maltreatment of children includes early marriage, child labour and other forms of exploitation, and all forms of abuse, including sexual abuse and physical violence against children in homes, schools and wider communities (UN, 1989). It is closely linked to the better care of children, which involves ensuring that more children grow up in safe and caring families, or, when this is not possible, have a range of high quality, alternative care choices open to them (UN, 2010a).” (Better Care Network, 2013: 5)

In my opinion, child protection needs also to be understood in terms of access to services (e.g. education and health): is their right. As a result, the risk of falling into child labour, commercial sexual exploitation and other forms exploitation might be reduced. And, for example, in the case of street children, they shouldn't be forced –because of external circumstances or the context- to work, not having food and shelter and, therefore, risking their health.

However, I think that there is also another debate that should be analysed in further research: is (child) protection leading children to not being able to “face the world”? Isn't this taking away from them responsibilities that probably they should be taking, considering that they are social subjects with the ability to exercise their agency? Why do they need to be protected? What do they need to be protected from? Isn't this a social construct and a fear that has been reinforced by society and media? But, for effects of this research, it is important to bear in mind the idea that child protection is a reality and it has a system that supports it. A child protection system, in general, includes laws, policies, guidelines, etc., that seek to prevent risks that I have already mentioned (e.g. exploitation) and to guarantee care to those who need it: “Key components of a successful child protection system include: a legal framework, national strategy and co-ordinating body; local protection services; a well-trained child welfare workforce; a strong focus on community and child participation; adequate resources and monitoring and data collection systems (Save the Children 2011b; UNICEF 2008b)” (Better Care Network, 2013: 13). This definition of what a successful child protection system should include, supports the idea that the system of care is socially constructed as well as the concept of childhood and that in each context there is distinctiveness and diversity²². Additionally, “this leads us to think about child protection from new conceptions of poverty (e.g. it is not a static concept and considers vulnerabilities and well-being) and looking forward to apply different cross cutting concepts that can contribute to understanding the specifics (as gender, age, agency, etc.) of this population. (Ortiz, 2013: 2)

The concept of co-responsibility enables me to identify how the State, NGOs and family in Mozambique relate to/with each other as regards the benefit and care of children. The term ‘co-responsibility’ is defined in Article 10 of the Colombian Code (Law) of Childhood and Adolescence of 2006 as the joint responsibility that the State, Civil Society and Family should share in order to guarantee the care and protection of children and youth, through the achievement of their rights:

“For the purposes of this Code, the term co-responsibility is understood as the combination of actors and actions that lead to ensure the exercise of the rights of children and adolescents. The family, society and the State are co-responsible in their attention, care and protection.

²² Discussion held during the course 4311 - Children, Youth and Development Policy and Practice.

The co-responsibility and combination apply in the relationship that is established between all sectors and institutions of the State.

However, the above, public or private institutions obliged to provide social services, may not invoke the principle of co-responsibility to deny the attention that demands the satisfaction of fundamental rights of children and adolescents.” (Ministerio de la Protección Social and Instituto Colombiano de Bienestar Familiar, 2006:11)

In order to ground this conceptualization, this paper will present the mapping of the child protection system in Mozambique from my personal perspective and understanding of how it is structured and how it functions. Considering that this research will deal with three big areas such as state, NGO/civil society, and community/family, the mapping of the child protection system presented will not be focused on a classification of formal sector and informal sector. I will work with the three areas mentioned above and will highlight how their “formality” or “informality” is understood by the different layers of the system and the actors involved.

This mapping also aims to show which actors are directly involved with the protection of Mozambican children and who they are coordinating with in order to design laws, plans or policies, and how to deliver the services required. This will finally give me the opportunity to analyse if there is a shared responsibility between those actors.

Chapter 3 - Actions and Relations: Overview of the Child Protection System of Mozambique²³

This chapter will describe each of the layers mentioned through the first two chapters –State, Civil Society and Family- and what they are currently doing to guarantee the protection of children in Mozambique, but specifically in Maputo. In order to do this, I will give an overview of the institutions working in each of these layers and will give more details on how they actually operate for street children. The description given here will show which governmental institutions are involved in child protection in Mozambique, how civil society is organised in terms of what kind of actions they are developing, and what is the role of the family in the protection of their children.

As a result, the chapter will be divided in four sections that will allow visualizing the three layers and the interaction between them: how these three spheres are working together and in collaboration -sharing responsibilities²⁴- towards the protection of street children in Maputo and where are the links and the gaps between these relations; where is the co-responsibility working or not. I will start with the State as it is the level where guidelines and policies are design and which determine where work should point to –for the State itself and for the other two spheres (Civil Society and Family). It is also important to bear in mind that these guidelines are built up from the CRC, giving the general framework to understand protection holistically. After this, I will talk about Civil Society, followed by Family, to finally conclude with a discussion of how these layers are linked to the concepts presented in the theoretical framework and why their relationship is important.

All the above will guide us to the last chapter of this research where I aim to conclude presenting why co-responsibility is or not important within the processes of protection and care of children, in general, and street children in particular.

3.1 State Institutions

One of the main aspects of this research was to explore and learn if there was a consolidated²⁵ system that works particularly for the protection of children in Mozambique. It was important to learn how the society and the state understood their role in this aspect and how the family was also incorporated to it. In order to do this investigation I needed to focus on the most recent laws and plans regarding children rights and their protection. Therefore, I refer to the

²³ Focusing on Maputo.

²⁴ Putting in practice the concept of co-responsibility.

²⁵ Understanding consolidation as the action of getting together something; in this case the system that protects children in Mozambique, working on behalf of a vulnerable group –as children are considered-.

Plano Nacional de Acção para a Criança II 2013-2019 (PNAC II), which is the guideline developed by the State –in collaboration with Civil Society organisations- by which governmental and non-governmental organisations should approach child protection. The PNAC II states, it “is not intended to duplicate or substitute sectorial measures. Its aim is to draw first, the guidelines for government action and create institutional mechanisms that facilitate the coordination of activities in favor of children.” (República de Moçambique e Ministério da Mulher e da Acção Social, 2006: 9)

The Government organised workshops with Civil Society to consult their opinion and, therefore, developed the PNAC II that afterwards was approved by the Consejo de Ministros da Republica de Moçambique²⁶ in December 2012.²⁷ UNICEF and USAID financially supported the workshops and the edition and impression of the document.²⁸ Before having this document there was a previous one, the first Plano Nacional de Acção para a Criança 2005-2010²⁹ which had an extension until 2011, and between January 2012 and December 2012 there was no document that guided the actions that governmental and non-governmental institutions should follow.

Even though the government worked on these documents and tried to achieve the objectives proposed in them, it was questioned for not achieving much in terms of the protection and no violation of children rights. In an article³⁰ regarding this issue, Romeu da Silva (2012) highlights some answers from civil society activists that note the importance of the government to report on what has been achieved during those years. It is important to have laws, policies or plans that guide and monitor the actions and processes, but have they actually been useful to accomplish their purpose of protecting children and those who are considered to be the most vulnerable? The problem, then, is whether there will be an effective implementation: “Fórum da Sociedade Civil para os Direitos da Criança³¹ criticized the Mozambican government for failing to report on the degree of implementation of the African Charter on the Rights of the Child, which can lead to loss of privileges.” (da Silva, 2012)

In order to understand how these processes are created and work, it is important to have a map of how State institutions that work on child protection are organised. At the first level we can find the Conselho Nacional dos

²⁶ In English: Council of Ministers of the Republic of Mozambique.

²⁷ This information was given by a Child Protection Specialist in UNICEF Mozambique.

²⁸ Based in my own experience a question came to my mind: Doesn't this have an impact on what is finally consolidated in the document, considering that sometimes financial support of donors influences the decisions taken?

²⁹ Together with other document called Plano de Acção para as Crianças Orfas e Vulneráveis 2006- 2010 (PACOV). The PACOV “is guided by the strategy outlined in the PNAC, operationalizing interventions necessary to meet the specific needs and plight of orphans and vulnerable children.” (MMAS, 2006: 9)

³⁰ <http://www.dw.de/mo%C3%A7ambique-pode-perder-apoios-na-defesa-das-crian%C3%A7as/a-16408547> accessed: 13.09.2013. Date article: 27.11.2012.

³¹ In English: Civil Society Forum on the Rights of the Child

Direitos da Criança³², (CNAC). This council was created by the government in 2009 to give more weight and importance to the problems involving children and youth. Its objectives are to direct, accompany and follow up the implementation of policies and programmes related to children and youth.

It is an entity created by the Mozambican government and its structure is made up of a president, vice-president and a secretary which are part of different ministries, there are also five civil society organisations and five religious organisations that take part and participate in this Council. This Council is formed by 1/3 ministers (five people) and 2/3 of civil society members (10 people: 5 from national NGO and 5 from religious groups). Despite this conformation, the council is seen by many people as part of the Ministry of Women and Social Action, as Ana Machaieie³³ stated in her interview. She also highlighted that it still doesn't have much incidence in terms of supervision and practice, probably due to its lack of funds. But it can be said that it has helped to raise the issue of child protection into another level, giving awareness to the people in general.

At the next level we can find the Ministry of Women and Social Action as mentioned above. This is the entity that deals with all the issues related to women –as its name indicates- and, under 'Social Action' is covered everything related to elderly people, people with disabilities, and children and youth³⁴. The MMAS is in charge of the design of plans and laws from where other governmental and non-governmental organisations are regulated. In other words, it is responsible for the laws and their implementation at national level. For MMAS, within the category of children there are 2 main distinctions or focuses: a) early childhood, and b) children in difficult situation. The latter is where every child in a vulnerable situation is considered (e.g. orphans, street children, etc.). In terms of funds, this unveils the weight that is given to support children's issues. The percentage allocated to Social Action needs to be divided into 3 different groups of the population as mentioned before³⁵, and within the category of children the sub-classification is very general which gives little margin of action for a big variety of problems that Mozambican children face. This can be affecting the relation and collaboration that can exist between State, Family and child.

Additionally, duty bearers from the government and staff from UNICEF agree that the government doesn't have enough social workers, due to lack of resources, to perform direct work with children and families. The government allocates few resources to social areas in general, and within this area the one that receives the least is children. Even though children in Mozambique make

³² In English: National Council for the Rights of the Child.

³³ Has been a consultant for the Ministry of Women and Social Action and has also worked with UNICEF before. I interviewed Ana during my fieldwork in 08.2013.

³⁴ Youth is not specified for example, in the organisation chart publish in the MMAS webpage; they only refer to children (criança in Portuguese). But some documents as the Plano Nacional de Acção para a Criança II (PNAC) 2013-2019, do mention Youth.

³⁵ a) Elder people; b) people with disabilities; and c) children and youth.

up 60% of the total population, Eric Zapatero from the World Bank highlighted that the elderly receive more funds even though they are only 25% of the total population in Mozambique (Zapatero, 2013: personal interview). In other words, figures are disproportionate between percentages of population and the allocation of funds to ensure adequate social protection.

A local organization, Fórum da Sociedade Civil para os Direitos da Criança³⁶ (ROSC), also agrees that there is lack of support and direct work of the government with children and families due to deficit of financial and, therefore, human resources. Albino Francisco, Director of this organisation said that “there are laws but there are not accompanied by human, material and financial resources” (Francisco, 2013: personal interview).

Despite what I just mentioned, in the 11 provinces that Mozambique has, the ministry also has offices. The Direcções Provinciais da Mulher e da Acção Social³⁷ raise awareness of social issues within the communities and gives information related to social protection programmes. In the case of Maputo, the Direcção Provincial da Mulher e da Acção Social (DPMAS) works in collaboration with the centers that support vulnerable children (including street children). Among the work they do together, the DPMAS refers children or youngsters that get in contact with them to specialized organisations³⁸; this was the case of a child that arrived at the DPMAS of Maputo when I was interviewing to Isilda Maibaze, Chief of the Children Department of the Office of Women and Social Action of Maputo City. The child is 14 years old and he mentioned that he had been living in the streets for almost a year³⁹. After telling his story the staff told him about the possible organisations based in the city where they could take him to.

Likewise, the Ministry of Women and Social Action have an operative branch called the Instituto Nacional da Acção Social⁴⁰(INAS). This institute is the body in charge of executing the social protection programmes and is also present, as Delegations, in the 11 provinces which conforms the country.

In order to cover all the key areas that look after a comprehensive protection of the child, and of course the attention and services that should be provided in order to guarantee the fulfillment of their rights, this ministry coordinates permanently with other ministries such as the Ministry of Interior (MINT), Ministry of Justice (MJ), Ministry of Education (MINED), and Minis-

³⁶ In English: Civil Society Forum for the Rights of the Child.

³⁷ In English: Province Offices of Women and Social Action

³⁸ There is one “emergency center” run by the government and supervised by the DPMAS -as the person interviewed, Isilda Maibaze confirmed- called Primeiro de Maio (May 1st) and the others are private.

³⁹ He used to live in an organisation for orphan children but left it. From the conversation Isilda Maibaze and he had, it was possible to understand that he didn’t like the place where he lived. But after more or less a year of being on the streets he wanted to look for other options.

⁴⁰ In English: National Institute of Social Action.

try of Health (MISAU)⁴¹. A clear example of the work done in collaboration between these ministries and their entities working under their guideline is the one done by the Police. The Police of Mozambique gives guidance and assist street children and youngsters, and depending on each case and the needs of each of the children they get in contact with.

The person interviewed in the Police, Delfino Raimundo, mentioned that “this institution might be the most visible for the community and, as a result, they created some offices that could look after the most vulnerable groups” (Raimundo, 2013: personal interview). These offices are called Departments of Women and Children; civil servants of this department give attention to the public and submit each case to the offices specialized in each topic (e.g. juvenile justice with the MJ). This is why most of the times the Police work as a place of transition. It’s in this sense that this institution considers that protection should be, and is, approached in a multi-sectorial way. In addition, the Police also have offices of attention in each capital city of each province (one office per city).

3.2 Civil Society

As part of my fieldwork and with the support of two important anchor persons in Maputo⁴², I managed to coordinate interviews with different people that are part of the organised Civil Society, such as ROSC, Centro Informazione e Educazione allo Sviluppo⁴³ (CIES), UNICEF, Meninos de Moçambique, the World Bank, Save the Children, and an independent consultant.

In Maputo there are many international and local organisations working from different levels in issues related to children and youth. Some of them do advocacy while others work directly with children and their families giving awareness, working in prevention and offering care. In this section I will mention and describe the work of several of them working in the areas mentioned.

International organisations such as UNICEF, Save the Children and CIES have different approaches of work on the child protection sphere. While the first one is more an advocate of the rights of the child and supports the government in the accomplishment of this rights, acting sometimes as an advisor, the second does also advocacy but also develop programmes to support specific matters such as HIV/AIDS, emergency response, etc.; and, the last one, an Italian NGO, supports local organisations by helping financially and technically the work these organisations execute.

⁴¹ These acronyms are for their names in Portuguese.

⁴² As mentioned in the section related to the methodology of the research, Fidelia Chemane and Helder Machango.

⁴³ In English: Center of Information and Education for Development.

Under this area it is also possible to consider networks that conglomerate different types of civil organisations as ROSC. This type of networks also work in an advocacy level looking forward to influence in policies, mobilizing resources, contributing in the creation of partnerships, as stated by the Mission of the organisation.⁴⁴

Furthermore, another interesting space of encounter and debate is the Children's Parliament organised by the MMAS. When I arrived to Maputo to do my fieldwork the IV Children's Parliament was taking place. Even though the Parliament is held each two years it gives the opportunity for children to be heard and participate, exercising their right to express. "The Children's Parliament is a mechanism created by the Government in collaboration with civil society organisations to guarantee the inclusion of children in the search of solutions that concerns them, allowing them to enjoy their right of freedom of speech." (Manjante, 2013: 10) I consider this as part of the civil society area because, despite that it is organised by the Government, those who participate are children that belong to schools, centers of reception of orphan and vulnerable children, within other civil institutions. They are chosen by, "for example in the schools, obeys to the criterion which relates to a better application of the students, who are then subjected to another clearance stage made by representatives of the Ministry of Women and Social Action and Civil Society Organizations". (Manjante, 2013: 10) In my opinion, even though, is remarkable that children are participating, this criterion to 'choose' the children that attend and participate in the Parliament can be bias –because whom is finally choosing who participates- and leaves others out of it.

On the other hand, the Director of Meninos de Moçambique, during the interview, notes that the Government only intervenes in the policy making and not in the work with children, meaning that "the Government gives the guidelines of what should be done but does not defines how it should be done" (Abdul, 2013: personal interview); hence, the organisations (NGO and organised Civil Society in general) are 'free' to work as they consider they should -and can (in terms of financial resources, because the government doesn't provide funds for them to work with children and families⁴⁵)- do it.

It is key to point that, as part of the Civil Society there are also organisations in the area of prevention and care. These are 'reception centers' that work directly with children. There are 'open centers' or 'closed centers'. In the latter, children are institutionalized: they live there and have access to shelter, food, health and tutoring (academic support). Most of the children institutionalized are orphans. In the 'open centers' children are part of projects and attend during part of the day –when they are not at school- and then go back home. But Isilda Maibaze, Chief of the Children Department of the Office of

⁴⁴ Source: <http://www.rosc.org.mz/index.php/o-rosc/visao-missao-e-valores>

⁴⁵ In contrast with what happens in other countries like Colombia, where the Welfare Department in charge of families, children and youth, provides some funds –not very much- to organisations in order for them to provide services to children and families. This is a way of subcontracting services when human resources amongst the governmental organisations are not enough.

Women and Social Action of Maputo City, noted that there is also an ‘emergency center’ (targeted to early childhood) that is part of the government.

Figure 4. Photo Children at ‘open center’ Meninos de Moçambique.



Prevention programme where they receive academic support in an alternate schedule to school. Polana Caniço Center. Source: Fieldwork August 2013.

One of the aims of these two types of organisations is the reunification for children with their families as the PNAC II 2013-2019 and the Law on Promotion and Protection of the Rights of the Child (Law 7 / 2008 of July 9) indicates, in cases that are suitable and convenient for the child.⁴⁶ This is why organisations such as Meninos de Moçambique also work with the families of street children and work in prevention programmes in some of the most vulnerable areas of Maputo in order to prevent children to spent a lot of time in the streets and, therefore, being at risk of dropping out of school, getting into drugs, etc. The purpose of working with families is not only to raise awareness within them but within the communities (neighborhoods) they live in, and –in the case of Meninos de Moçambique- to provide some psycho-social support and skills that allows the families to have some income that could also alleviate the emotional stress that comes with the basic needs that can’t be covered due to their economic problems. Working with families helps changing habits and behaviors that can be translated into responsible attitudes and practices of families -and their children-, towards the protection of their children.

⁴⁶ Reintegration needs to be consider but, of course, depending on each specific case and situation.

Finally, partnerships done by the civil society with other organisations are usually embassies or international organisations. During the interviews done I asked if the private sector, such as industry, corporates, etc. were involved in the child protection system and the same answer was given from several of them: this sector gives specific support in specific occasions of the year (e.g. Christmas) but are not seen as partners in the protection of Mozambican childhood.

3.3 Family

This layer is the one closest to the child, hence, the one where the actors can directly intervene and react in a more immediate way to respond to any need or problem their children have. This is the ideal scenery but not always this happens. Parents and families can neglect their own children, giving more importance to other issues in their lives that can “distract” them or move them away from their responsibilities as caregivers. As, one of the staff members at Meninos de Moçambique said⁴⁷, relationships within the adults sometimes become more important and they “forget” the relation and responsibility they undertake when having and raising a child. The prioritisation of aspects dealing with the protection and care of their children is rated and standard in such way that children can be left aside without giving them access to services, as we have mentioned before, such as education and health.

But not always neglect or lack of interest is the trigger for families to avoid their responsibilities, it is also poverty, inequity and lack of opportunities that can lead to the not fulfilment of children’s rights. In such cases some communities⁴⁸ organise themselves to look after their children. For example, working parents can ask neighbours or extended family members to take care of their children while working. Sometimes, this cooperation is organically developed and sometimes can be legitimately organised, meaning that this kind of informal initiatives that start as an action-reaction response to a specific “problem” in a community can be transformed into community organised projects or community based organisations.

The organisation of groups of families that share the same space also transcends to formal and organised spaces such as committees, where leaders are elected and they have actual participation in political spheres (e.g. in Colombia in community spheres is possible to find Community Action Boards/Groups -Juntas de Acción Comunal-, that not only take actions and decisions within the communities/districts but also represent the community in local levels, translating this action into citizen participation). In Mozambique, as the Director of ROSC mentioned, there are: a) community leaders; b) families; and c) community based organisations (Francisco, 2013, personal interview). The first one refers to the chiefs of the community and the second

⁴⁷ During an informal conversation while we were on our way to visit one of Meninos de Moçambique centres.

⁴⁸ Group of people living in a same area (e.g. neighbourhood).

one works in raising awareness and offering training to families and community leaders. I found that when talking about Family with some of the staff members of the organisations I interviewed, the relation with Community (and for effects of this research considered as part of Civil Society) was always overlapping, and the information given by ROSC, somehow, puts in evidence why there is a close interaction among the two (as also showed in Figure 3, Chapter 2).

There are also Community Committees for the Protection of Children (by district) which are formed by the three groups mentioned above and a representative of the MMAS. These committees, as explained by Save the Children, deal with problems of all the community members, they examine the cases and, depending on their specific need, they are submitted to an organisation that can give an accurate support. These committees also include the participation of children because as Ana Machaieie pointed out “the community recognizes their role within the system” (Machaieie, 2013: personal interview).

Likewise, it was mentioned by Delfino Raimundo from the Police, “there is a traditional structure in the neighborhoods that takes over the protection of their children” (Raimundo, 2013: personal interview). This structure is not a ‘formal’ one and this supports my opinion of how a child protection system includes governmental and non-governmental institutions, but also formal and informal actors which provide care and protection (e.g. extended family, friends, neighbors, etc.).

In the case of Maputo, during my fieldwork I visited two centres of Meninos de Moçambique (one is placed in the city center and the other one in the district Polana Caniço, located in the periphery of the city and considered a vulnerable district in terms of security, low income of its population, access to basic public services (such as water, electricity, etc.). It was possible to see how families cope with poverty by selling groceries or snacks in front of their homes or offering other services such as academic support (tutoring) for children (helping them to improve their skills in specific subjects or to do their homework).

In a culture like the Mozambican, the meaning of family extends to those who are not related, for example in the neighborhoods children relate to adults as “aunts” and “uncles”. There is also a sense of caring from those adults towards children who watch for them when their parents are not around. However, this is not a practice that can be generalized. There are cases in which, by believes (e.g. HIV/Aids is transmitting by sharing the same space with an infected person or a persona that has live with a person that carried the virus, etc.) neighbors and the surrounding community does not take care of the children who have been left alone⁴⁹, or their own needs and the ones of their families do not allow them to take care of other children that are orphaned or abandoned. For this reason, many programs seek to involve the extended family into the care and protection of children.

⁴⁹ One of the visits that I accompany staff of the organisation Meninos de Moçambique was to a young girl that was a clear example of this situation.

Many ways in which families protect their children are related to the coping mechanisms they used in order to ensure their children will not be at risk. A clear example I saw in the streets of Maputo was women selling different products with the help of their children (in their majority girls). This will probably give them the opportunity of spending more time with their children but also to monitor their activities. “Nevertheless, in some of these informal jobs (e.g. selling in the streets/stoplights, public/central markets, etc.) children are, again, at high risk –exposed to traffic, to weather, to exploitation, etc., not having a proper place to rest or do their homework (in case they study), etc.” (Ortiz, 2013: 6) Similarly, as mentioned before, extended family can be also helpful to overcome difficulties because they can take care of the children when parents are working or in case children lose their parents.

Figure 5. Photo Children at ‘open center’ Meninos de Moçambique.



Prevention programme where they attend extracurricular activities such as arts and crafts, sports, music, etc. Polana Caniço Center. Source: Fieldwork August 2013.

When talking about street children -specifically those living in the streets- it is also possible to consider the idea of Family as the one that is created among them; ergo, an ‘alternative family’ is created and a sense of care and protection is also created among those children that live in the street and they turned to become their own ‘support network’. Delfino Raimundo highlighted that is common to see how the boys protect the girls in this groups or sort of

families that have being created. He also mentioned that the number of boys in the street is higher than the number of girls (either on the street or of the street). This, I think, can perhaps happen –if the main reason why children are off the streets is poverty and, therefore, the search of livelihood makes them ‘go out’- because it might not be easy for girls to ‘go out’ if we bear in mind that, as a social construct, women are viewed as belonging to private spaces such as households, while men belong to public spaces such as the streets. Then, probably, girls can be staying at home helping with the duties inside the household or in some cases sent to work in other households to get some financial support for their family.

All this leads us again to the reasons⁵⁰ why children head off the streets and, thus, the importance of working with families as the Director of Meninos de Moçambique notes: “it is necessary to work with the families in order to change habits and behaviours” (Abdul, 2013: personal interview); this can be a mechanism of preventing children to decide leave their home.

3.4 Findings: Reflections

I will like to start this analysis returning back to the approach proposed in the Second Chapter of this document: the Social Ecological Model. If we understand that this model places the child at the center -for purposes of this research- of a system, but also that this model helps to identify and visualize the different layers and actors that puts this system together, the findings presented before give an idea not only of how the system is organised in Mozambique and in Maputo but how children are presented and recognise inside the system. Although, within the scope of children exists those who are recognised as vulnerable, this concept is still quite general and within this group there are only some that are differentiated such as orphans, children affected by HIV, children in conflict with the law, etc. As mentioned before, ‘street children’ is not a category that is explicitly recognised in documents such as the Law on Promotion and Protection of the Rights of the Child (Law 7 / 2008 of July 9 and PNAC but it is recognised by the different actors in the system (governmental and non-governmental) when talking to them.

In my opinion, the Law 7 / 2008 of July 9 focuses on the rights and duties of children in general (this means without specifying in their vulnerability) and also proposes the obligations and duties that the State, Civil Society and the family must meet; it is based on the CRC. On the other hand, the PNAC which contributes to the implementation and coordination of actions aimed at the protection of children in specific areas as health, nutrition, education, participation and care. PNAC is clear in its objectives and the actions that should be taken in order to fulfill those objectives, but does not specifies which actors should undertake which responsibilities.

⁵⁰ Ana Machaieie, as most of the people interviewed, considered poverty and domestic violence as the principal factors that lead children to go to the streets.

This group of children caught my attention because, in my experience, I have seen that being on the streets makes them prone of being exploited, or jeopardise their health, or get involved in gangs that can lead them to commit crimes, or become drug-addicts, among other situations that can put their lives at risk. Under this perspective it was relevant to see the causes that were leading children to be on the streets and what were the actions taken by State, Civil Society and Family in order to protect them from the risks mentioned. It was important for me to find out that the majority of street children in Mozambique –but especially in Maputo- work in order to gain some income they can take home and the consequences they face for being on the streets are not similar for street children in Colombia⁵¹. The socio economic problems that the country face will also determine the circumstances and problems that street children can face.

Another aspect that was also important to find was that Family reunification was very important in official documents and in practice. Working with families and not only with children places the ‘problem’ or its causes not in the child –which sometimes it’s tend to be seen- but within their family circle. It is important to understand that is not the child who needs to change his or her attitudes and practices, but family (and most of the times also the community) needs to be also aware of how their practices are affecting their children and, therefore, influencing or guiding their children to be on the streets. If we take into consideration that Family is the first layer in the system that should protect children from different types of risks that can lead to the violation of their rights, it is important to work with them too.

Finally, I strongly believe that the problem doesn’t rely on children spending most of their time on the street or leaving on them. One way of looking at this is that, in some cases, children are exercising their agency and taking the decision of looking for a source of income in order to help relief the day to day needs of their families or, in other cases, exercising their agency by taking care of themselves from domestic violence. What must be discussed is that children shouldn’t be put into situations that compromise any of their rights. Therefore, I think, the focus should be on how does the Government assumes a more participatory role with family and children, perhaps in prevention programmes where awareness can be raised. On the other hand, not only Civil Society should be addressing the issues related to child protection in practice because then the financial support taken will be relying only in external (international) support, which can’t be sustainable in a long term point of view. The government should look after other ways of supporting not only prevention but also care.

⁵¹ Most of street children in Colombia get involved in gangs, or steal, or use the money they gain working to buy drugs or alcohol.

Chapter 4 - Conclusions

As mentioned in the introduction of this document, the main objective of my research relied in the identification and understanding of how the Child Protection System in Mozambique works to guarantee protection for street children. It was important for me to bring the concept of co-responsibility used in the Law of Childhood and Adolescence in Colombia in order to find which are the links and gaps within the collaboration between State, Civil Society and Family, in terms of child protection, for street children in Maputo (Mozambique).

After the fieldwork and the analysis done, I can say that there is a strong and clear relation between State and Civil Society in terms of designing of plans and laws that can guide the way child protection should be approach in practice; in terms of knowing what each one does, collaborating to achieve a proper attention to vulnerable children, and to improve policies and plans in order to guarantee the fulfillment of children's rights. But there is also lack of specification for some other groups (e.g. street children) which should be considered. Governmental documents don't explicitly speak about street children but categorize them as vulnerable children. Even though on paper there is not a clear and specific recognition, in practice -and when speaking to the different actors involved in the child protection system- there is awareness about this difference, which is translated into the specialization of some non-governmental organisations that address this issue. This distinction will also help to design policies that can focus on the specific needs for those who are already living on the streets, and in preventing children to consider this a way of coping with poverty and domestic violence.

Likewise, the Government provides guidelines of how children should be protected (documents, laws, who does what) but there are no operationalization of the policies into governmental programmes. This is justified because of the small budget destined to the Ministry of Women and Social Action (MMAS). The government allocates few funds to the MMAS and this one, also, allocates a small percentage to vulnerable children. There is a general interest of the actors involved to offer more services to specific target groups within the category of vulnerable children –such as street children- but without the financial capacity is difficult to achieve it, and they somehow 'rely' on the practical work that the Civil Society organisations do. It will be pertinent, then, that issues related to children and youth become more relevant and visible for the Government, therefore, the reallocation of funds can be done by the Government. But also the MMAS needs to recognise the importance that this group of people deserves; of course women topics are also important but considering that more than half of the population is under 18 years old, other measures should be taken.

On the other hand, it is also possible to see a clear job done by the Civil Society with families and children. It is more likely to find this not only because most of the services for street children are run by Civil Society organisations but because the proximity that practice allows, gives them the opportuni-

ty to enquire their opinion -through participatory processes- in relation to laws/plans or even governmental programmes. This doesn't mean that there is not a direct connection within State, families and children, but as most of the people I interviewed from Civil Society and public servants pointed, there is still a big gap that needs to be covered by the State. Civil Society organisations have the capacity of going to the streets and work with the children, identify where they are, what they do, how to work with them, their families, and the community in general. The work done by Civil Society is reflected in how to address the issues affecting street children, how to cope with the risks they are facing and making a distinction in how to work with those who are in high risk of leaving home (children on the streets) and with those who are already living on the streets (children of the streets). With the first group is important to focus on prevention programmes while with the latter it is also important to offer mechanisms of care.

In my opinion every child should count with mechanisms of care and protection in order to guarantee the fulfillment of their rights. Not only laws, plans and policies should be well written and focused but also the actions that every actor of the system must develop should be supported and followed up. I think the system should help prevent children to be on the streets but also protect those that are already on the streets. In this sense, not only Civil Society and Family should work together in order to achieve the above but the State as the first and broader layer of the system should be more involved in putting into practice the guidelines they all contributed to design.

The concept of co-responsibility introduces us to the idea of working together for a common interest and this should translate into practice and not just remain on paper. Therefore, I think the Mozambican Government can do a little more, on the field, than what it's already doing. In order to accomplish this, it would be important for the government to focus on what is happening to children in the country and that the Ministry in charge (MMAS) entails for more collaboration in terms of financial resources, that can be reflect on more human resources to enable them to work directly with families and children. I need to highlight that not everything should be responsibility of the State, because it is also necessary that the most proximate network to children, their family, assumes responsibilities for the care and protection of their children. Besides, Civil Society cannot perform all –or most- of the work by its own considering that their financial resources are not sustainable in time, since the majority of donors are international organisations and their support is not permanently secure, these funds can be removed when the donor deems necessary.

A significant aspect in Mozambique is that the Government considers reunification as major step in the protection of children, but despite this importance, enough funds are not allocated for the MMAS to help in this process hand by hand with Civil Society and families, either working directly with them or subcontracting services from non-governmental organisations. This, for instance, is the case in Colombia. The National Welfare Department⁵² is in

⁵² In Spanish: Instituto Colombiano de Bienestar Familiar (ICBF)

charge of every issue related to Children and Family, this institution provides and regulates the guidelines by which other governmental and non-governmental organisations should work in relation to the integral protection of children in Colombia. Every child in Colombia makes part of the system but it is clear that those who are able to access the services that the Government offers are only a few (but those few are children that in the socioeconomic stratification in the country belong to the lowest one, those who are considered poor⁵³). In the case of street children –with or without family-, that are identify, are sent to care institutions where they receive support to enter the health system, the education system, food, shelter, and psycho social support (for them and their families in case they have identify where they are). Most of this institutions are non-governmental organisations that receive funds from international and national non-governmental organisation, and private corporates (as part of their corporate social responsibility); but they also receive funds from the Welfare Department depending on the number of children they can receive. These funds, which are not enough, can help the organisations to some extent support all the services that they need to give to the children. Subcontracting these services is a good option when human resources are not available and there are Civil Society organisations offering them. Of course certain specifications must be followed in order to be subcontracted. Subcontracting these services also help on the implementation of policies making, from a point of view, that the government gets more involved (clearly not directly) in it. But this doesn't necessarily translate into quality services because, from another point of view, this can also limit and obstruct the work that the Civil Society organisations do. They need to strictly follow the guidelines that the Welfare Department design, not giving much room to improvements on, for example, the psychosocial work with children and families, follow up on the processes, etc.⁵⁴ This research also expected to bring out a

This small comparison done with the Child Protection System in Colombia is relevant to show there are things from both systems that can be seen as 'good practices' that look forward to protect children and their rights. But in both of them there are things that are also not working. I won't suggest the Mozambican Government should apply what the Colombian Government is doing in relation to Child Protection because, as I have mentioned before, socio economic and political contexts are different and these also needs to be considered.

In relation to a gender perspective, and as mentioned in Chapter 3, Section 3.3, the number of male street children is higher than female street

⁵³ This is topic was briefly developed in the final assignment for the course 4144 - Social Policy for Transformative Development.

⁵⁴ In Colombia, the problem is that the State is only, until very recently, considering that family reunification is important and that funds to make a follow up for this process are really necessary. In contrast, as I mention in the last section of Chapter 3, in Mozambique family reunification has a strong support in terms of being recognise by every single layer of the system; even though, the support for this work is strongly being done by Civil Society.

children⁵⁵, and there is a long way to explore and understand the different dynamics that can explain these differences. My analysis is that the idea of women belonging to private spheres and not public spheres can be the reason why there are fewer girls in the streets compare to boys. It is, then, possible to believe, that the work they do is either helping with the duties in their own homes or they are probably helping other households in order to earn some money⁵⁶.

Finally, I think it is necessary for the State, the Civil Society and the Family to be involved in the Child Protection System and to share responsibility (co-responsibility) in the care and protection of their children. It is important for them to interact and communicate, in this sense care and protection will be holistic and will respond to children's needs and rights. The involvement of multiple actors in a child protection system including, of course, children as active agents of their protection and rights, can help to give more accurate services as well as having impact in the design of laws, policies and guidelines. In this sense, children and their families must also get involved in process of design and monitoring of policies and laws.

Many things came to my mind while finishing this research but most importantly, I think, new questions were raised: Why children need to be protected? What they need to be protected from? Adults? But then, again, who designs guidelines, policies and laws? The debate is still open.

Figure 6. Photo Children at 'open center' Meninos de Moçambique.



Polana Caniço Center. Source: Fieldwork August 2013.

⁵⁵ Even though there are no exact figures.

⁵⁶ This might sometime happen to girls coming from rural to urban areas. They can be send to extended family members and the nuclear family receive a payment.

Appendices

Appendix 1. List of People Interviewed

Name	Gender	Date	Occupation/Organisation
Albino Francisco	M	02.08.2013	Coordenador /ROSC
Ana Machaieie	F	15.08.2013	Independent Consultant
Aster Charmila Sitoe	F	06.08.2013	Oficial de Monitoria e Avaliacao/ Save the Children
Delfino Raimundo	M	01.08.2013	Police
Eric Zapatero	M	22.08.2013	Senior Social Protection Specialist/ World Bank
Faquir Abdul	M	30.07.2013	Director /Meninos de Mozambique
Ines Bobotela	F	21.08.2013	Chefa da Reparticao da Crianca em Situacao Dificil /MMAS
Isilda Maibaze	F	15.08.2013	Chefa da Reparticao da Crianca/ DPMAS
Karin de Rooij	F	05.08.2013	Child Protection Specialist/ UNICEF
Mariana Muzzi	F	01.08.2013	Child Protection Specialist/ UNICEF
Roberta Pegoraro	F	14.08.2013	Gestora do Projecto /CIES

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