



**A Rights-Based Approach to Sexual Abuse: Exploring Street
Children's Experiences of Sexual Abuse in Kirkos, Addis
Ababa**

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List of Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
CRC	International Convention on the Rights of the Child
CSA	Central Statistical Agency of Ethiopia
FDRE	Federal Democratic Republic of Ethiopia
FGD	Focus Group Discussions
ICCPR	International Convention on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
RBA	Rights-based Approach
STD	Sexually Transmitted Disease
UDHR	Universal Declaration of Human Rights
UNICEF	United Nations Children's Fund
WHO	World Health Organization

Abstract

Street children are one of the most marginalized groups in Ethiopia. Sexual abuse prevents street children's enjoyment of their fundamental human rights. This research examines the street children's experiences of sexual abuse from a rights-based approach perspective. It also scrutinizes how a rights-based approach can play an important role in addressing sexual abuse of street children. In examining these points a combination of qualitative and quantitative research methodology were employed. Female and male street children in Kirkos are subject to multiple marginalizations. Different interrelated and complex problem contributed to the process of becoming street children. Street children are victims of various forms of sexual abuse. Because of sexual abuse, street children in Kirkos encountered various health and psycho-social related problems. A rights-based approach to sexual abuse recognizes street children as a right holder. In the case of Kirkos the State fails to enforce the international human rights instruments which are granted to the street children. The experience of street children confirms that a rights-based approach is still far from being realized in the case of Kirkos. This study has demonstrated that a rights-based approach to sexual abuse entails addressing the fundamental challenges encountered by the street children and by efforts to protect street children from sexual abuse.

Relevance to the Development Studies

A rights-based approach to development aims at addressing the fundamental cause of marginalization, poverty, abuse and exploitation. It tackles the fundamental problems that prevent the realization of child rights. It also strength the accountability of responsible organ for human rights at all levels. In Ethiopia, street children are one of the most marginalized parts of the society. Street children are victims of sexual abuse because of the absences of care and protection. The impacts of sexual abuse are enormous, both at individual and societal level. It prevents street children from enjoying their fundamental human rights. There is therefore need to investigate the issue of sexual abuse street children from a rights-based approach perspective so as to scrutinize how a rights-based approach can play an important role in addressing the fundamental causes of the problem.

Keywords

Sexual abuse, Rights-based approach, Survival and Development Non-Discrimination, Accountability, The Best Interests of the Child, and Participation

Chapter One

Introduction

1.1. Background of the Study

The issue of street children has become a major concern throughout the world. According to UNICEF (2012:32), tens of millions of children live on the streets of various cities. Globally, a combination of various factors underlay the vulnerability of children, including absence of parental care, natural disasters, poverty, internal migration, as well as HIV and AIDS (Williamson and Greenberg 2010). Street children are among the most vulnerable groups at risk of various types of abuse. According to De Oliveria (2000), the absence of opportunities for schooling, family protection, health care and shelter are among the factors that make street children vulnerable to various types of abuse. Hence, compared street children with other children who are in a family situation, street children are more at risk of becoming exposed to different types of abuse.

In Ethiopia the increasing number of street children is one of the main social problems (UNICEF 2011). A number of factors contributed to the prevalence of high number of street children. According to a 2011 UNICEF report the socioeconomic conditions and more in particular, the level of poverty in Ethiopia aggravated the issue of street children. In the 2011 Human Development Report, Ethiopia is ranked 174th out of 187th in the Human Development Index (UNDP 2011). Poverty is thus widespread. In Ethiopia in the year 2007 more than 800,000 children were registered as having lost one or both parents because of HIV/AIDS and other causes (Ministry of Health 2007:2). Loss of parents is one of the major factors which forces children to live on the street (Ministry of Health 2007:4). Another report also confirmed that Ethiopian children are left without parental care because of chronic food insecurity, malaria, maternal mortality, and poverty (Family Health International 2010).

The largest number of street children lives in the capital city of Ethiopia with the total number of 11,830, out of a population of 2,739,551 (UNICEF 2011:17). Hence, 0.43% of the Addis Ababa populations are street children. “Only 49% of the children in Addis Ababa live with two parents” (Central Statistical Agency 2006:13). Even though the number of street children is increasing there is no holistic and integrated policy which targets the street children (USAID 2011; UNICEF 2009). The community perception towards street children is also negative: they are viewed with fear and suspicion (UNICEF 2009).

In relation to the classification of street children, the term street children include two categories of street children. Firstly, the phrase ‘children on the street’ “is employed to describe those children who work on the streets to earn money for themselves or their families” (UNICEF 2009:30). These children are primarily engaged in economic activities in the street, including but not limited to peddling, carrying goods, shoe shining, and car washing to earn income, but they have a home elsewhere. Secondly, ‘children of the street’ “are those children who are homeless and live on the streets” (*ibid*).

1.2. Statement of the Problem

Street children do not get protection and care from major institutions that affect childhood, including the family, education and health care institutions (USAID 2011). Female and male street children are subject to multiple marginalization because of different problems including the absence of basic needs, shelter and food (Grugel and Ferreira 2012). A USAID (2011) report indicated that street children in Addis Ababa are among the most invisible and marginalized part of the society. The vulnerability of the street children in Ethiopia and particularly in Addis Ababa is not only caused by the absence of family protection, but also because of the community and the government do not offer them alternatives (UNICEF 2011).

Conceptually, the discourse of sexual abuse is controversial and researchers have not yet reached a consensus on how inclusive the discourse should be (Burton et.al 1992; Bolen 2001). There is no clear consensus on the type of abuse, the age differential between victims and perpetrators, as well as the type of victims and perpetrators. The dominant narrative in relation to sexual abuse narrowly focuses on sexual abuse of female children (Gavin 2005). It also emphasized on the issue power and age difference between the victims and the abusers. On the other hand, the discourse of sexual abuse cannot be isolated from, human rights, subjectivity, gender, and age (Angelides 2004). Thus, in dealing with sexual abuse of street children, unpacking the term 'sexual abuse' and exploring the existing assumptions and context is crucial.

On the other hand, street children face the danger of sexual abuse while living on the street. Compared to other children, street children are more exposed to various forms sexual abuses, including rape and gang rape (Yntiso et al. 2009:56). Sexual abuse is one of the problems experienced by street children throughout Sub-Saharan African countries (Pandey et al. 2013). However, due to the culture of silence, it is a difficult and sensitive issue to address (Ungar et al. 2007).

Likewise, because of their living conditions; street children in Addis Ababa are susceptible to sexual abuse (Mekonnen et al. 2014; UNICEF 2009; Habtamu and Adamu 2013). Reportedly, rape is among the main forms of sexual abuse that street children in Addis Ababa experience (Habtamu and Adamu 2013). Boy street children are victims of sexual abuse they endure painful emotional, physical and psychological consequences. For instance, in the year 2004 out of the total reported sexual abuses of street children, 47 of which were cases of sexual abuse of boys, which accounted for 22% of the total sexual abuse of street children in Addis Ababa (Tadele 2009:1). Female street children in Addis Ababa encountered rape, group rape, sexual harassment and unwanted pregnancies (Save the Children 2010:11). Sexual abuse creates an overwhelming impact on victim children's growth, development and mental well-being. However, in many Sub-Cities of Addis Ababa sexual abuse remain under-reported and ignored (USAID 2011; Save the Children 2006).

On the other hand, a number of reports indicated that the intervention by the government and various organizations is not well planned, coordinated and sustainable (USAID 2011; UNICEF: 2007). Ethiopian ratified various human rights instruments which are relevant for the protection of street children from

sexual abuse. There is, however, a huge gap in the intervention and enforcement of the existing human rights instruments (Lives and Ashenafi 2011; Ababa 2012). Such an inadequate intervention coupled with existing problems on the street, many street children exposed to sexual abuse. Studies disclosed that there is no rights-based intervention to sexual abuse of street children in Addis Ababa (Nieuwenhuys 2001; UNICEF; 2007; USAID 2011). A rights-based approach to sexual abuse entails protection of street children from sexual abuse. It also recognizes street children's survival, well-being and development. Empowering the street children is also a guiding principle of a rights-based approach to sexual abuse. There is therefore need to explore street children's experiences of sexual abuse from a rights-based approach perspective so as to scrutinize how a rights-based approach could play an important role in addressing the fundamental challenges encountered by street children in Kirkos.

1.3. Research Objectives and Questions

Child rights are fundamental entitlements related to the wellbeing and dignity of children. Rights can be considered as claims that have been "legitimized by social structure and norms" (Mukherjee 2005:6). On the other hand, claims are linked with the enforcement of rights. One of the main emphases of a rights-based approach is that it focuses on empowering the right holders to claim their rights (*ibid*). It also focuses on the marginalized group to demand services actively. Street children are one of the most disadvantaged groups of the society and a rights-based approach perceived them as a right holder. This study seeks to critically examine; street children's experiences of sexual abuse from a rights-based approach perspective. It also scrutinizes how a rights-based approach could play an important role in addressing the sexual abuse of street children, in Kirkos-Sub City. Hence, the main research questions that guide this paper are: What are the experiences of sexual abuse of street children in Kirkos sub-city? And could introducing a rights-based approach to their situation make a positive contribution to their situation? The sub-research questions are:

- What experiences of sexual abuse do street children in Kirkos have?
- What would a child rights-based approach to sexual abuse of street children entail?
- What responses have occurred to the prevalence of sexual abuse of street children in Kirkos?
- How does gender play a role in relation to the street children's experiences, risk factors and potential interventions?

1.4. Significance of the Paper

Street children face double problems. Firstly, they spend most of their time on the street without family protection, opportunity for school and nutrition. Secondly, they are prone to becoming victims of various types of sexual abuse. Victims of sexual abuse are often exposed to physical, psycho-social problems and have wide opportunities to face life-endangering risks like HIV/AIDS (CYAO & FSCE-Ethiopia 1996:15). Thus, the issue of sexual abuse of street

children requires special attention. The paper will generate a base for formulating a rights-based approach for all stakeholders working with street children.

Little attention has been given to sexual abuse of street children. Focusing on sexual abuse seeks to widen understanding and give better information about the highly challenging problem. The research might serve to encourage other potential researchers to conduct additional research in this area. Thus, the goal of this paper is to critically examine the street children's experiences of sexual abuse, from a rights-based perspective. It also explores how a rights-based approach could help to address sexual abuse of street children in Kirkos.

1.5. Description of the Study Area

Addis Ababa is the capital city of Ethiopia found in the central part of Oromia Regional State. According to the Central Statistics Agency of Ethiopia (CSA) (2007:36), the total population of Addis Ababa was 2.7 million in the year 2007. Due to urbanization, the population of Addis Ababa is on the rise and it is expected to reach 12 million by 2024 (CSA 2007:35). Many people find themselves living in extreme poverty and unable to support their children.

According to UNICEF (2010:4), 50 % of the total population of Ethiopia is under the age of 18 years and the number of orphans in Ethiopia is 5,459,139. The capital city constitutes 30% of Ethiopia's urban population (CSA 2007:37). Addis Ababa is one of the cities in the world with a high number of street children.¹ Moreover, comparing the city with other African cities, as well as, Ethiopian cities, Addis Ababa represents a high risk area for child abuse (UNICEF 2010). According to the Addis Ababa Bureau of Social and Civil Affairs (2007:22), in 2007 a high concentration of street children was found in Kirkos sub-city. The sub-city is one of the oldest of Addis Ababa, occupied by poor households and daily laborers and is also known for a slum proliferation (*ibid*).

1.6. Organization of the Paper

This study is divided into five chapters. Chapter one provides general background, such as statement of the problem, objectives and research questions. Chapter two describes the discourse of sexual abuse, principles of rights-based approach and national human rights framework. Chapter three describes methodology that helps to guide the study. The next chapter is the main theme of the study that presents and discusses findings of data/information gathered and examined from a rights-based approach perspective and the discourse of sexual abuse. Chapter five wraps up the study by way of providing concluding remarks.

¹ For instance, in 2000 the UNICEF reported there to be 150,000 street children in Ethiopia 66.7% of them lives in Addis Ababa (UNICEF 2000:2)

Chapter Two

Theoretical Framework

2.1. The Discourse on Sexual Abuse of Children

The definition of sexual abuse is controversial and scholars define the term differently. For example, for Carl (1993:23) sexual abuse is “the exploitation of a child under eighteen by an adult or older child for the purpose of the perpetrator’s sexual gratification”. For Tomison (1995:33), sexual abuse is “any act which exposes a child or involves a child in sexual processes beyond his or her understanding or contrary to accepted community standards”. The World Health Organization (WHO) definition of sexual abuse is:

The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws of the state [Emphasis added] (WHO 1999:75).

The above three definitions of sexual abuse indicated that although the term is widely used there is no universally accepted definition. There is disagreement on whether standards of risk or harm should be employed as a frame of reference for defining sexual abuse of children (Burton et al 1992:44). Some definitions of sexual abuse include “age” as the basic criteria to define sexual abuse (Carl 1993). For some, the age difference between victims and abusers should be used as a criterion to define sexual abuse (Finkelhor 1994; Wyatt and Peters 1986).

As argued by Burton et al. (1992:238), because of their lack of knowledge and powerlessness children’s consent is debatable. The dominant narration considers the nature of the abuse, whether it is exploitative or not (Burton et al. 1992). Other scholars argued that such criteria (exploitative or not) can lead to another controversial issue, i.e. whether sexual abuse of children includes non-contact abuses or not? Bolen (2001:45) suggested that a broad definition of sexual abuse should include victims of non-contact sexual abuse, and that too restrictive definition overlooks too many cases of sexual abuses.

The dominant narration on child sexual abuse excludes child-child abuse. Others exclude the consensual sexual activities between children and consider these as a normal part of sexual activities. The dominant narrative in relation to the perpetrators labels males as perpetrators and females as victims of sexual abuse (Gavin 2005). As argued by Gavin (2005), child sexual abusers are further constructed as members of ‘out-groups’. The implications of criteria such as the age of the perpetrator, the type of the abuse, the means used to abuse, type of victims and perpetrators do have an effect on the overall assessment, reporting, intervention, and/or supporting of victims. Therefore, unpacking the term and examining all cases of sexual abuse, regardless of the type of abuse, the age of the perpetrators, and the gravity of the abuse, is relevant.

In relation to the causes and risk factors for sexual abuse of children, different scholars argue differently. For Smith and Richter (2004), poverty is

the main cause of sexual abuse against children. Some scholars argued that there is a link between poverty and child abuse, because the lack of substitute care and supervision contributes to sexual abuse of children (Drake and Pandey 1996; Smith and Richter 2004).

On the other hand, some feminist scholars attempted to explain factors of child sexual abuse by highlighting the unequal gender-based power relations within patriarchal society. Townsend and Dawes (2004) argued that sexual abuse occurs both in normal and dysfunctional families. One of the central arguments in relation to children is how children are socialized into a set of unequal gender and power relations that serves to perpetuate patriarchal ideology (Wyatt and Peters 1986; Townsend and Dawes 2004). Crenshaw (1991:1245) also argued that for exploring multiple marginalization, “explaining how power attaches to particular categories” is one important aspect of a broader understanding of issues of vulnerability.

Furthermore, examining the issue of sexual abuse cannot be detached from the issue of subjectivity, age and gender (Angelides 2004; Taefi 2009). It is important to analyze different contexts and how they operate within the experience of children who are situated at the juncture of multiple marginalization (Taefi 2009; Finkelhor 2010). It is also imperative to examine the broader street children’s experience of sexual abuse because multiple marginalization such as being ‘street children’ and victim of ‘sexual abuse’ do not operate in isolation, but interact to produce a compound effect.

Moreover, according to Farrow et al. (1992), the problem of street children cannot be separated from a human rights issue with roots in poverty and victimization. Some street children are victimized within their family and then exploited on the street. In dealing with sexual abuse of street children, considering all the above discourses is important because examining the issue only from a rights-based approach is not enough to make them visible and to explain the various dimensions of sexual abuse. Practically, a report by Save the Children (2007:1) showed the link between understanding the gender aspect of sexual abuse and a rights-based approach to sexual abuse: “gender specific vulnerabilities or obstacles to achieving the rights for girls and boys must also be recognized”. Hence, in examining the issue of sexual abuse, understanding and recognizing the gender aspect of it is one part of a rights-based approach. This helps to critically examine how sexual abuse appears in the context of Kirkos Sub City.

2.2. A Rights-Based Approach to Sexual Abuse of Children

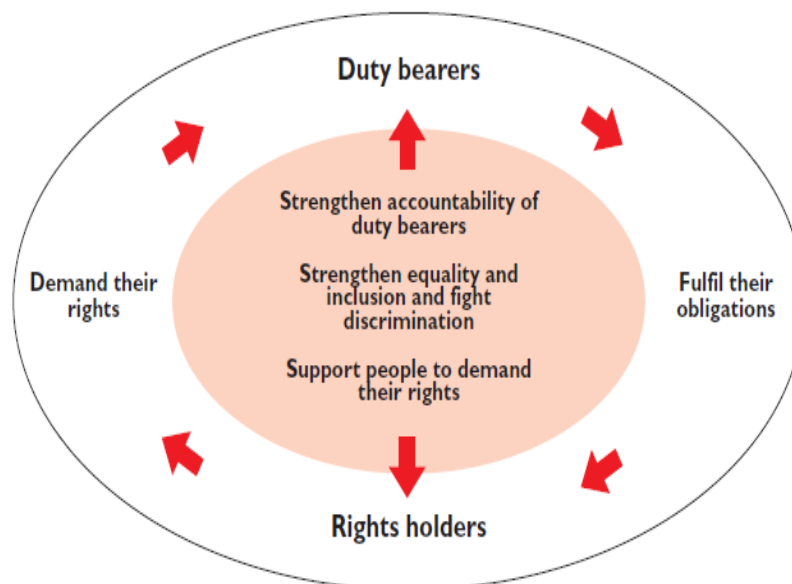
Internationally, there is an increasing emphasis on a rights-based approach to the realization of children’s rights issues (Craissati et al 2007:9; Gready and Ensor 2005). Many international and regional human rights instruments, including the Convention on the Rights of the Child, as will be further detailed below, refer to sexual abuse as a breach of several children’s rights. A rights-based approach serves as a conceptual framework for the realization of child rights which is based on human rights standards (Gready and Ensor 2005; Lundy and McEvoy 2012). As noted by Ndiaye (cited in Mavundla 2009), protection of children from sexual abuse cannot be separated from an overall rights-based approach.

As it has been noted, in Ethiopia street children are at greater risk of human rights violations. A rights-based approach focuses on the enforcement of the rights of the underprivileged and marginalized populations' part of the society (Panter-Brick 2002; Percy-Smith 2009). It has also the potential to increase impacts on the marginalized group by addressing the underlying causes of the violations (Save the Children 2005). Different principles inform a rights-based-approach (RBA), which are closely linked to human rights standards and will be critically examined below.

2.2.1. RBA Principle 1: Accountability and Rule of Law

Accountability and the respect of the rule of law is one of the central elements of a rights-based approach to sexual abuse. As noted by Craissati (2007:11), this principle focuses on realizing a right process, by clarifying who is the 'right holder' and the 'duty bearer'. It strengthens the rights holder to claim her/his right and on increasing the level of accountability of the duty bearer (Mukherjee 2005). States as duty bearer have two types of obligations. The positive duty includes a duty to protect, promote and fulfill the rights of the child. There are negative obligations as well, i.e. to abstain from rights violations (Craissati et al. 2007).

Figure 1 : The main principles of RBA



Source: Theis 2004:4

In relation to sexual abuse of street children, the above illustration indicate how the rights-holders (street children) and corresponding duty-bearers can work for the protection of children from sexual abuse. When the street children's rights are violated, the duty bearers are accountable. Considering this principle, one can then ask questions such as: what are the specific child rights granted in relation to protection from sexual abuse? What are the precise obligations of the duty bearers in this realm?

The most pertinent international human rights instrument that declared sexual abuse and exploitation as a human rights violation is the CRC. The

Ethiopian government ratified the CRC in 1991.² As critically examined by Arts (2010), the CRC includes different rights ranging from the right to be free from sexual abuse to economic opportunity. According to the CRC, the Ethiopian government is primarily responsible for protecting, providing and fulfilling all human rights given to all children. In relation to protecting street children from sexual abuse, article 19 of the CRC states that “state parties shall take appropriate legislative, administrative, social and educational” measures to protect the child from sexual abuse. Sexual abuse is distinctively treated in Article 34 of the CRC. This Article requires states parties to protect the child from all forms of sexual abuse and exploitation. In relation to sex work of street children, article 34 of the CRC protects them from exploitative use for prostitution or other unlawful sexual practices. In requiring support for street children who are victims of sexual abuse, article 39 puts a clear responsibility on the government.

At the regional level, the African Charter on the Rights and Welfare of the Child (ACRWC) obliges state parties to protect children from all forms of sexual abuse.³ This instrument regionalizes significant principles and rights stated in the CRC. As comprehensively examined by Arts (1993), many of the ACRWC provisions strengthen the universal standard as laid down in the CRC and other international human rights instruments.⁴ The ACRWC provides for the protection from sexual abuse of street children. Its article 27, adopts the definition given under CRC article 34. In its article 16, the ACRWC clarified the obligations of State parties to take appropriate measures and to protect the child from sexual abuse. The sale, trafficking and abduction of children “for any purpose or in any form, by any person, including parents or legal guardians of the child” is also covered by ACRWC article 20 in a manner generally similar to article 1 of the optional protocol to the CRC.

In a nutshell, based on the above and other⁵ legal instruments, the principles of accountability and rule of law entail that the government of Ethiopia is required to take all appropriate measures to prevent the sexual abuse of street children. The measure can be social, legislative or administrative. After the occurrence of sexual abuse, the government has the responsibility to provide support for victims.

2.2.2. RBA Principle 2: Participation

Children’s views are most often overlooked by the government or the community (Mukherjee 2005; Lansdown 2010). This is common, especially when the views are from the poor and marginalized children (Christensen 2008). This principle represents a highly significant recognition of the need to give street children a greater say in their own lives (Panter-Brick 2002;

² According to article 9 of the 1995 Ethiopia constitution the CRC is part and parcel of the national law of the country. The Cassation Bench of the Federal Supreme Court passed a milestone decision by invoking article 3 of the CRC.

³ The government of Ethiopia has ratified the ACRWC in 2002 through proclamation No. 2 283/2002.

⁴ In case of contradiction between the CRC and the ACRWC, the former prevails (Arts 1993:154).

⁵ See, article 24 (1) of the ICCPR and article 10 (3) of ICESCR, both instruments have been ratified by Ethiopia.

Christensen 2008). Street children have their own perspective concerning the issue of sexual abuse (Mukherjee 2005).

The perspectives of the street children on sexual abuse, living conditions or social protection have meaningful implications for the realization of their rights. The right to participation is an internationally and regionally recognized human rights.⁶ Street children have the right to participate in the decision-making in the family, the community and at national as well as international level. In response to sexual abuse of street children, a meaningful participatory approach will help to focus on the long and intermediate responses rather than only immediate responses.

When the street children empowered to demand their rights, it can improve their coping mechanisms preventing sexual abuse. Through participation street children will be effective in challenging the sources of their sexual abuses and devising their own way for transformation (Griesel et al. 2002). This principle is critical, especially in cultures that consider children as objects, to enable to participate in shared concerns with adults (*ibid*). In dealing with street children the discourse that branded them as weak and hopeless has to be changed in favor of considering street children's own voice as citizens and their capabilities as agent of change (Panter-Brick 2002).

In a rights-based approach to sexual abuse, street children are considered as having separate needs. They need to have a voice on matters that affect their life. As examined by Griesel et al. (2002), the CRC conceives of the right of children to participate in two senses: the possibility of children to engage with the social and physical world around them and their opportunities to have a voice in the formal decision making process. Therefore, acknowledging the problem street children and asking them what they think themselves, and about sexual abuse, is an important aspect of this principle.

2.2.3. RBA Principle 3: Best Interests of the Child

The "best interest of the child" is fundamentally developed to place a limit to the authority of adults and/or guardians over children (Schoenholtz 2011). The principle is based upon the recognition that decisions on behalf of a child can only be made on conditions of a child's lack of experience and judgment (*ibid*). Street children face different challenges on the street. At the same time they have their own knowledge and skill in dealing with the challenge. The CRC specified that children should be with their parents or family, unless it is in their best interest not to.

It is clear that some street children are totally out of their family. Different factors may be presented for joining street life. A study conducted by West (2003) indicated that many street children prefer their independent lives on the street than living at home. Some street children may want to stay on the street because of the 'freedom' they assume (Conticini and Hulme 2007; West 2003). Street children may feel forced to be on the street. Other children may choose not to move to home because of family poverty and absence of food in the home (West 2003). A study conducted in Bangladesh disclosed that street children were victims of violence in their household during the year before

⁶ See for example article 18-21 and 27 of the UDHR; 18-21 and 22 of the ICCPR; 15 of the ICESCR and articles 9, 11, 13 of ACHPR; 7-9 of the ACRWC.

they moved to the street (Conticini and Hulme 2007:222). A rights-based approach entails dealing with these complications, and takes into account “best interest of the child”.

In relation to the intervention, the inclusion of the best interests of the child in a rights-based approach serves as a reference point for any assessment of action, specifically, in determining solutions for street children whose lives weigh in the balance of meaningful governmental action (Lansdown 2005; Seitles 1997). A good example here is that, in order to protect street children from sexual abuse, there will be an immediate removal from the street, although this might not always be in “the best interest of the child”. Therefore, this principle of a rights-based approach cannot be made without careful analysis of the street children’s involvement in all aspects (i.e. the enforcement of the principle of participation). It also aims at introducing a clear obligation of protective care when working with the street children.

In any intervention concerning children, legal instruments including the CRC and the ACRWC, the FDRE Constitution and the Revised Family Code of Ethiopia, stipulate the best interests of the child as the prevailing principle.⁷ However, none of these instruments provide a clear definition of what “the best interest of the child” constitutes. This is due to the concern that best interests may vary from child to child as well as among parents and professional (Pecora et al 2012). These instruments stress that every action to be taken concerning the child in either of the alternative care options must consider the best interests of the child as a guiding principle.⁸ The emphasis on *a primary consideration* of the best interest of the child in this regard is with a view to safeguard care and protection necessary for the wellbeing of the child through considering the rights and duties of parents, legal guardians or other individuals.⁹ On the other hand, unless the street children receive the proper care and assistance they are entitled to, they are the most vulnerable to violations of their human rights including sexual abuse.

2.2.4. RBA Principle 4: Non-Discrimination

One of the central principles of a rights-based approach is non-discrimination. It rejects any kind of discrimination of a child based on his/her parental or legal guardians or status. According to this principle, street children have the right to be treated as all other children in the country. This principle focuses on the most disadvantaged groups who suffer rights violations. Identifying those who are in greatest need of support and suggests what kind of actions or policies are required (Besson 2005). A rights-based approach protects street children against discrimination on the bases of their family status or homelessness. This principle of rights-based approach integrated in all human rights instruments. The UN Committee on Economic, Social and Cultural Rights has emphasized that, contrary to international law:

⁷ See, article 3 of the CRC, article 4 of ACRWC, article 36 of the FDRE Constitution and article 194 (2), 266(2), 312 (2) of the Revised Family Code Proclamation No.213/2000.

⁸ Article 3 (1) of the CRC provides that in every action affecting children undertaken by social welfare institutions, administrative authorities or courts of law the best interest of the child shall be a primary consideration.

⁹ See article 3 (1) of the CRC.

[a] Person's social and economic situation when living in poverty or being homeless may result in pervasive discrimination, stigmatization and negative stereotyping.¹⁰

In relation to sexual abuse of street children, this principle entails the formulation of policies, actions or laws that will reach out to those children who are excluded from the mainstream. As per this principle, all children are equal human beings and hence, street children are entitled to the right to be protected from sexual abuse without any kind of discrimination (Kayess et al 2008). Article 2 of the CRC includes a non-discrimination clause. Article 2 stipulates that State parties should protect and ensure the rights of the child stated in the Convention. Article 2 (2) of the CRC puts the responsibility of the state parties to take all appropriate measures to ensure that the child is protected from any kind of discrimination. As per the article, such measures should be implemented irrespective of the child's or his or her parent's status. Hence, states are obliged to provide equal rights and opportunities to all children including street children.

Article 19 of the CRC grants the child the right to be protected from abuse and neglect, without discrimination. Article 19 obliges the State to provide full protection for children against all forms of violence. It implies that street children have the right to be protected from all forms of abuses. In general, from a rights-based approach perspective, it can be inferred that the Ethiopian government is primarily responsible for the realizing of street children's rights without any kind of discrimination.

2.2.5. RBA Principle 5: Survival and Development

Rights-based approaches aim at adopting positive measures to ensure that policies incorporate and reach all children (Guy 2003). Taking into account the multiple problems that street children encounter, the government should ensure that street children who live and work on the street are able to the maximum extent possible, to survive and develop (West 2003). As noted by Stichick and Bruderlein (2001:2), a rights-based approach provides a vital point for considering the core threat to survival and development. The principle of survival and development is threatened when street children encounter sexual abuse. Sexual abuse has a profound impact on the survival and development of children. According to CRC articles 6 and 7, the rights to survival and development include psychosocial, emotional, cognitive and cultural aspects.

They also entail that street children must live in the appropriate caring, protective and free environment so as to realize their potential (Save the Children 2005). Creating such kind of environment is primarily the obligation of the duty bearers. It also focuses on the consideration of accessibility so as to realize the right to basic services and equity of opportunity for all children to achieve their rights (Guy 2003). This principle is not only about the right to be protected from sexual abuse, but also about the right to a good quality of life, which affords children the opportunity to develop their abilities. This principle incorporates all other rights-based approach principles that were discussed earlier. Hence, it serves as an umbrella for all the rights of children. The UN Committee on the Right of the Child has suggested that States can implement

¹⁰ See the General Comments of CESCR 2009 No. 20.

this principle in a holistic manner by realizing other rights, including the right to adequate nutrition, health and education.¹¹

2.3. National Human Rights and Policy Framework

There are different national policies and plans of action that touch upon the issue of sexual abuse of children. Nevertheless, there is no clear, comprehensive policy which deals with sexual abuse of children in Ethiopia. 1995 FDRE Constitution recognizes the vulnerable position of children and clearly insists on the full protection of their rights. Chapter three of the FDRE Constitution is exclusively reserved to fundamental human rights and freedoms, and addresses the rights of children in Article 36. Article 36 of the FDRE Constitution recognizes many child rights including the right to life, to know, and be cared for, by his or her parents or legal guardians, and not to be subject to exploitative labor practices. Article 36 (2) of the FDRE Constitution affirms that a superlative consideration shall be given to the principle of the best interests of the child in all matters concerning children.

The Constitution also provides that the fundamental human rights and freedoms granted by the Constitution need to be interpreted in line with the international human rights instruments ratified by Ethiopia.¹² The Ethiopian government has made an immense effort to harmonize the domestic laws with the relevant international human rights instruments, and to domesticate them. Manifestly, the 1995 FDRE Constitution has incorporated provisions from the most relevant international instruments; including the Universal Declaration of Human rights (UDHR) and the CRC. Hence, most of the rights incorporated in the CRC are recognized in the Constitution.

Besides, a significant number of main legislations have been revised in a way that makes them consistent with the relevant international child rights instruments. The Revised Family Code (2000), the Criminal Code (2005), and the Labor Code (2003) can be good examples. In relation to the 2005 Criminal Code of Ethiopia, the government of Ethiopia improved the previous Penal Code (1957). Concerning the issue of sexual abuse, some changes have been made. The improvements can be summarized into three parts. Firstly, it increased the punishment of rape and sexual outrage on children, including life imprisonment in aggravated cases. Secondly, the Criminal Code increased the punishment for abduction for the purpose of prostitution, and aggravation of the offense of enslavement where the victim is a child. Thirdly, it provides more protection to child victims of sexual abuse between the age of 15/below-18 including the removal of the defense of subsequent marriage in case of rape and sexual outrage on the child girl. These changes could be considered as an opportunity to prosecute the perpetrators.

Moreover, article 626/1 of the Criminal Code (2005) defines sexual outrage on minors as “performing sexual intercourse with a child of the opposite sex or causing a child of the opposite sex to perform sexual intercourse”. The 2005 Criminal Code includes all incidents of sexual intercourse with a child that does not fall under the provision dealing with the rape of a girl child between the age of thirteen and eighteen. Sexual outrage

¹¹ See the General Comment No. 5 (2003) of The Committee on the Rights of the Child.

¹² See article 9 of the FDRE Constitution.

differs from rape on a child between the age of thirteen and eighteen because of two reasons. Firstly, rape presupposes the absence of consent of the victims. As a result, sexual outrage includes all incidents of sexual intercourse with a child except rape on a girl between the ages of thirteen and eighteen. Secondly, unlike rape, which is applicable to girl children, sexual outrage applies to all children. Sexual intercourse with a boy is addressed under the provision on sexual outrage. Such exclusion remarks on ‘rapes against boys’ have a negative implication in the protection of child from sexual abuse (child rights), reporting, assessment and intervention.

According to article 626 (1) of the 2005 Criminal Code, the punishment for acts of sexual outrage on minors, depends on the gravity of the effect on the victim and, the relationship between the offender and the victims. In relation to the second base for the punishment, sexual outrage on a child between the ages of thirteen and eighteen years entails a punishment of “...rigorous imprisonment from three years to fifteen years...” while a punishment of “...rigorous imprisonment from five to twenty five years...” is provided where the victim is under thirteen years. With regard to the first one, in case of “... grave bodily or mental injury to or death of the victim...” article 626 (3) of the Criminal Code imposes a penalty of “... rigorous imprisonment for life”. On the other hand, article 661 (1) of the Criminal Code stipulated that a child who consented to the act of sexual outrage will not be punished for the application of “measures for his proper upbringing and protection...”

In a nutshell, the 2005 Ethiopian Criminal Code plays a fundamental role by criminalizing sexual abuse in terms of deterring potential perpetrators and punishing offenders. Nevertheless, it needs to be supported by other concurrently applicable specialized legislations. More importantly, these procedures and structures could well become less legalistic, more flexible, and more child-friendly than the structures and procedures for the enforcement of the 2005 Criminal Code.

Chapter Three

Research Methodology

In order to address the research questions, qualitative and quantitative methods of data collection were employed. Primary data was collected from male and female street children. FGDs were also employed. Secondary data was collected from bodies such as the health center, the police office, the court, and NGOs. Key informant interviews were conducted with the counselor and psychologist working with the street children.

3.1. Research Strategies

Qualitative methods are imperative in obtaining an in-depth understanding of a topic in a particular context (Robert 2011). As noted by Mason (2005:1), via qualitative research methodology “it is possible to explore a wide array of dimensions of the social world and the weave of everyday life as well as experience”. Hence, it can help participants to explain their experiences in their own terms. One of the elements of a rights-based approach to sexual abuse is that it entails getting first-hand testimonies of the victims (Slote et al 2005:1376). Mudaly and Goddard (2009:264) also pointed out the relevance of incorporating the victim’s voice in academic research. These stories are usually ignored by concerned bodies or by the community. In this research the experiences of street children collected through qualitative in-depth interviews were paramount to the findings of the paper.

Moreover, the United Nations Convention on the Rights of the Child has important clauses on the children’s rights to participation/to be heard. Its Article 12 emphasizes the need for implementation of the right to express their voice by themselves. It also stated that the views of the child should be given “due weight” in accordance with their age and maturity. Hence, this research provides a platform for the children to be heard. Above all, talking about children without putting them at the center of the discussion is less sound.

To sum up, qualitative research methodology generates in-depth descriptions of participants’ experiences, in their own words, that provide otherwise unobtainable information about the issues under study (Slote et al 2005:1376). Hence, data were collected primarily via qualitative methodology. In addition, quantitative methodology was employed in the form of data collected from different organizations. The researcher collected data from various organizations, including the court, the health center, the police, Forum on Street Children, and UNICEF. Data obtained from these organizations helped the researcher to strength the primary data. In addition, academic literature, proclamations, conventions and grey materials were reviewed.

3.2. Methods of Data Collection

3.2.1. In-depth Interviews

In-depth interviews are useful for exploring experiences and perspectives of individual (Mack 2005). In-depth interviews were employed as a main data gathering instrument. Whereas other methods were used as a method to enrich the data acquired through the in-depth interviews and, where possible, triangulate the results. During the interview with street children firstly the

researcher explained the purpose of the research. Arrangement of time and place as well as promising the secrecy of the findings was conducted before the in-depth interview.

3.2.2. Focus Group Discussions

The second method employed by the researcher was the FGD. The study employed the FGD for examining and exploring the group norms as well as differences among street children. As noted by Mack (2005:51), FGD is especially “effective for capturing information about social norms and the variety of views”. As additional method, FGD helps the researcher to authenticate data that were collected via an in-depth interview. The FGD was conducted with four different groups of male and female street children. Taking into account the sensitive nature of the issue, the FGDs were conducted separately i.e. females and males apart.

3.2.3. Key Informant Interviews

The third method employed by the researcher was key informant interviews. According to Flick et al. (2000:10), gaining adequate qualitative data requires that research participants pre-selected, based on their level of knowledge and experience. The key informant interviews were employed to gather data from those who have knowledge and hence, counselor and psychologists who are working with children for a long period of time were interviewed.

3.3. Sampling Procedures

In qualitative research the number of research participants can be small. In determining the number of children to be interviewed, the author considered Dawson’s (2007:34) argument “for many qualitative researchers, however, the ability to generalize their work to the whole research population is not the goal. Instead, they seek to describe or explain what is happening within a smaller group of people” Hence, the goal is not to generalize findings, but rather, to provide an in-depth view on the topic. Using purposive sampling technique¹³ research participants from various categories were selected. 16 street children were selected from four groups: female children ‘of’ street, male children ‘of’ street, female children ‘on’ street and male children ‘on’ the street.

3.4. Conducting In-depth Interviews and FGDs?

Before the actual interview, the researcher visited the city administration, Child Abuse and Neglect Unit at Kirkos Sub City, Gandhi Memorial Hospital, Forum on Street Children-Ethiopia, UNICEF-Ethiopia, Prosecutors Office in the Federal High Court (Kirkos Sub-City), Goal Ethiopia and Save the Children. The objective of the visit was to identify potential places where street children are relatively concentrated. Four places were identified. The visit also helped the researcher to contact with two counsellors and a psychologist who are working with street children. One of the important other steps taken by the researcher was identifying the ‘leader’ of the street children in each of the four locations. With the help of the two psychologists and the street children’s ‘leaders’, the researcher was able to meet street children.

¹³ According to Kothari (2004:59) “in this type of sampling, items for the sample are selected deliberately by the researcher; his choice concerning the items remains supreme”.

During the initial meeting counseling about sexual abuse was provided by the experts. After the training, the researcher had to spend much time to establish good rapport with the street children, for example by organizing them into four groups and playing some funny games. Afterwards, the researcher selected calm places for in-depth interviews. Flexible in-depth interviews and FGD guidelines were prepared for exploring the experiences of the street children.

Most importantly, the interview guide/questions started with general questions rather than directly asking about sexual abuse. For instance, some of the questions were framed in terms of a 'problem' or the 'life' story of the street children. Warm-up questions and informal discussions with street children at the beginning of the in-depth interviews and FGDs played an important role in the process of winning confidence and creating rapport. When trust and a smooth relationship was established, questions related to sexual abuse could be raised. The interviews lasted between 50 and 90 minutes. Most of the interviews were taped and in some cases, especially with male street children, field notes were taken because they refused to be taped.

In some situation when the street children felt distress, the researcher tried to change the topic. During an in-depth interview with some female street children, they explained primarily two forms of sex abuse: rape and group rape. For them, other forms of sexual abuse are normal or even tolerable. On the whole, the children were able to discuss their experiences openly. Nevertheless, due to the discrimination against victims of sexual abuse, one male research participant was not able to talk about his experiences. As per his request, he was given the chance to withdraw from the research process. Taking into account the sensitivity of the issue, the FGD questions were framed rather generally with only an indirect relation to sexual abuse. Among the tools employed during the FGDs case presentations was applied; female and male street children presented the life stories and experiences of their friends. To minimize re-victimization counseling and guidance were provided by professional before and after the interviews.

3.5. Ethical Considerations

Considering the sensitive nature of the issue, it is not easy to obtain accurate data without getting the confidence and trust of street children. In research on sensitive topics such as sexual abuse of children negotiating relationships with informants through different ways prior to the interviews is important (Richter et al. 2004; Mason 2005). Before making any attempt to collect the required information, mainly via interviews, the purpose and outcome of the study were clearly introduced so as to secure the consent of informants. With the support of the psychologist and the sub-city administration, in some cases (interviews with 'on' the street children) the consent of the parents was also secured. Ethical principles of confidentiality and respect are especially relevant due to the sensitive nature of issues (Mary 2005). Realizing the voluntary consent of human subjects is absolutely essential. Ensuring the willingness of all research participants was given priority in the process of data collection.

An attempt has been made to protect the research participants from any negative impacts which may result from the interview, such as re-traumatizing

and re-victimization. Recognizing the relative risk and benefits for the children is important. According to Spriggs (2010:14), “the risk must be acceptably low, or non-existent” so as to prevent additional re-victimization. In this research, professional counseling and guidance was provided by professional psychologist. Many research projects with children also reveal that when the researcher faced ethical dilemmas it was the children who developed the solution and hence, being attentive and listening to their voice and interest is a crucial part of the research (Young and Barrett 2001:133). Finally, during the investigation the following three steps employed by Mudaly and Goddard (2009: 265-269) were considered. Firstly, providing access to counseling and guidance for street children was assured. Secondly, prior consents from street children, parents or concerned bodies were assured. Thirdly, balancing street children’s vulnerability (re-victimization) and addressing research questions.

Chapter Four

Relating Rights-Based Approach to Context and Practice: Exploring Street Children's Experiences

4.1. The General Background of the Research Participants

All the street children who participated in this research ceased their education and hence, all of them are out of school. The highest educational level among the research participants is 8th grade, and all of them stayed on the street for two years or more. The research participants originate from four regions of Ethiopia: Tigray, Amhara, Oromia and the Southern Nation and Nationalities. They were asked to identify factors which contribute to turning to a street life. The resulting data reveals that the economic status of the family plays an important role in this part. All research participants are from poor families. They noted that the main reason why they are on the street is to support their family economically. The other reason identified by children the street children is the absence of basic parental care. They noted that the divorce or family breakdown because of disagreements between their parents is forcing street children to leave their family and home. Some of the research participants mentioned that the hostile environment within the family forced them to leave the house and join street life. In general, the FGDs and the in-depth interviews disclosed that poverty, educational failure, death or illness of parents, peer pressure, seeking freedom, and disagreements within the family are identified as contributory factors to the process of becoming street children.

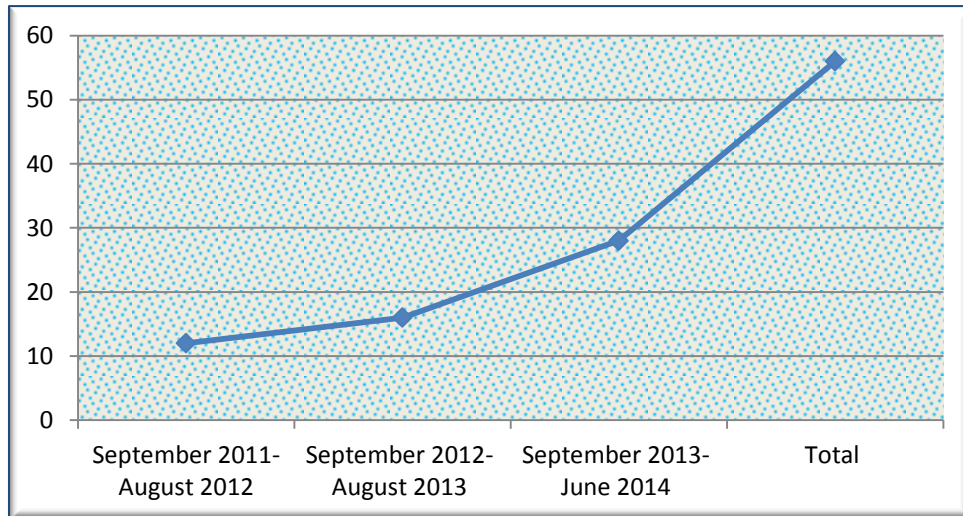
4.2. No Safe Place: Exploring the Experiences of Sexual Abuse of Female Street Children

No safe place for me! (female street children)

A baseline survey conducted by UNICEF., Addis Ababa Bureau of Social and Civil Affairs (BoSCA) and Addis Ababa Bureau of Finance and Economic Development (BoFED) (2009:102) indicated that sexual abuse of street children is rampant in Addis Ababa; street children whose ages are between 13-15 years (50%) are the most vulnerable group to sexual abuse. Another research identified that “32.2% of street children knew a child who had been harassed, 52.2% knew a child who had been raped” while “33.5% knew a child who had experienced unwanted sexual activities” (Sticks 2009:5). The two studies and other similar reports from the government and NGO confirmed that sexual abuse of street children in Addis Ababa remains largely a street children phenomenon.

Apart from the above studies, as part of the fieldwork, the researcher gathered statistical data kept by different organizations. In order to examine the nature and prevalence of sexual abuse of street children in Kirkos, quantitative data was collected from the hospital in the Sub-City. Data collected from the Gandhi Memorial Hospital (September 2011-June 2014) shows that sexual abuse of female street children is increasing:

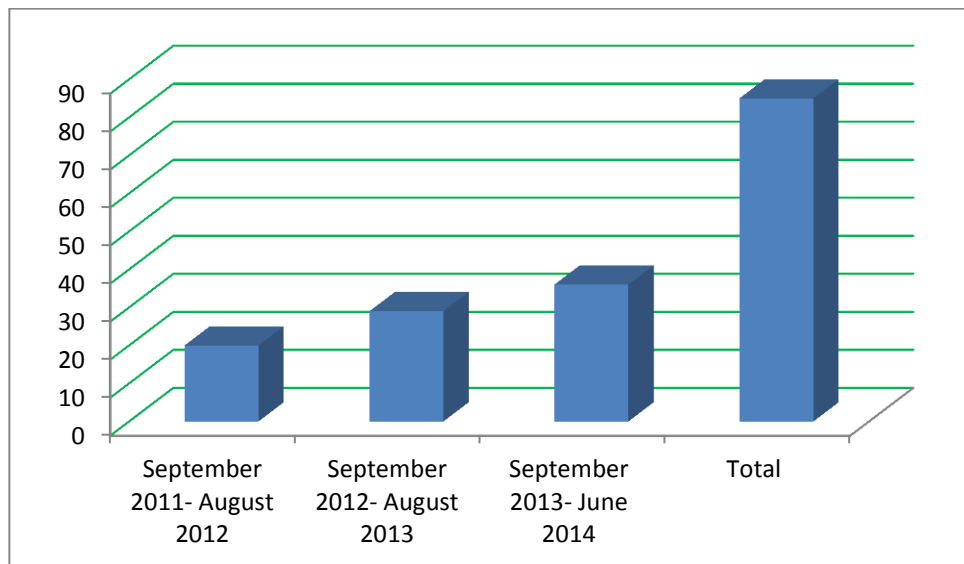
Figure 2 : Trend in sexual abuse: number of sexually abused female street children who received medical and psychological treatment (September 2011-June 2014).



Source: own computation, data from Gandhi Memorial Hospital

The above chart disclosed that the sexual abuse of female street children in Kirkos increases every year and that the total number of female street children victims of sexual abuse reported by Gandhi Memorial Hospital is 56. However, it is important to consider that there are also victims of sexual abuse who are on the street without getting medical and psychological treatment. Studies conducted by different organization also confirm the above finding i.e. that the sexual abuse of street children is increasing (UNICEF 2011, USAID 2011). In an attempt to examine the extent of the problem in Kirkos, the researcher examined Kirkos police data. These showed that sexual abuse of street children is more reported to the police than to the health center. There is a disparity between the numbers of victims of sexual abuse who got medical treatment (56 were reported by the hospital) and the number of cases that were reported to the police (84 cases). While the cases reported to the hospital were only rape cases, the police reports cover various types of sexual abuse, including attempted rape and sexual harassment. It is important to note the implication of the discourse of narrowly defining sexual abuse on intervention and services; the reports and the services of the hospital mainly targeted ‘penetrative’ and ‘severe’ abuse.

Figure 3 : Trend in sexual abuse: reported cases of sexual abuse of female street children in Kirkos Sub City (September 2011-June 2014)



Source: own computation, data from police office of Kirkos Sub-City

For a broader understanding and further investigation of sexual abuse cases in the Sub-City the researcher investigated cases which were brought before the court. Data collected from the Prosecutor’s Office in the Federal High Court in Kirkos indicated that from September 2011 to June 2014 only five cases were brought to the court. According to the report of the police, the rest of the cases are still under investigation. Likewise, a study conducted by Belay (2008) shows that, in Addis Ababa, while the acts of sexual abuse of female street children increased, there is little possibility of bringing the case to the court this is due to the absence of effective reporting and coordination among different organizations. In general, the above findings of the study confirm the vulnerability of street children to sexual abuse.

Apart from the above general statistical data, information collected via the in-depth interviews and the FGDs shows that female street children are victims of various types of sexual abuse. In-depth interviews conducted with female street children show, for example, that they are victims of rape:

I thought life on the street was nice. Later on (I think after three months) during the night one young man (street person) came to DC. He dragged me from the DC and raped me. Since that time I suffered a lot. Consequently, I’m afraid of men. The only solution is spending the night by walking through the street of Addis together with my friends (Informant 1: female ‘of the street child’).¹⁴

The above experience and the FGDs indicated that due to unsafe sleeping places, usually children ‘of the street are vulnerable to sexual abuse. The second categories (i.e. children ‘on’ the street) spend the night with their families. They might still be sexually abused, but during the day. The female street children involved in this study confirmed that the problem is a serious

¹⁴ For similar stories, see the appendix.

concern in their daily lives. Correspondingly, Berhan (an NGO worker and psychologist in Kirkos) stated that sexual abuse, particularly rape, is rampant among the children 'of the street:

There is sexual abuse of street children in Kirkos. Comparing with other street children, sexual abuse is rampant among children 'of the street; rape is also the most reported form of sexual abuse to concerned bodies.

FGD participants also noted that both categories of female street children are victims of sexual abuse. The foregoing data collected from different organization also substantiates this argument; particularly the problem of sexual abuse of female street children is widespread. As discussed by Reading et al. (2009), a rights-based approach is not only about the ratification of human rights instruments, but also about working with the most marginalized children. According to the CRC principle of survival and development, street children have the right to be protected from harm. It also entails the right to a good life, so that it will help them to develop their abilities and potential. Addressing sexual abuse of street children, thus cannot be exclusively examined without attention for other rights of children. In examining sexual abuse of female street children, considering gang rape is crucial due to its devastating impact. Female child interviewees noted the prevalence of group rape. All interviewed female street children acknowledged knowing some female street children who experienced group rape:

I never experienced group rape; however, I know there is a group of street boys that rapes. A friend of mine, who used to sleep in DC, was raped by four street boys. Female street children, particularly the newcomers, are at risk of group rape. Group rape might bring various diseases to the victim (Informant 6: female 'on' the street child).

The previous secondary data from the hospital, police and the court primarily focused on the prevalence of rape and group rape. Key informant interviews confirmed that usually female street children are reluctant to report cases of sexual abuse if the cases are not rape and group rape. They were asked to mention the forms of sexual abuse they experienced and witnessed and mostly mentioned only rape and group rape. One of the implications of this finding might be that the street children's understanding of sexual abuse is limited:

For me sexual abuse occurs when the female street children are raped. However, other types of sexual abuse, for instance forced kissing or inappropriately touching have no any serious consequence, that is why I wouldn't categorize them as sexual abuse (Informant 4: female 'of the street child).

Participants more broadly noted that, apart from rape and group rape, other forms of sexual abuse are 'tolerable' and 'normal' on the street. When the researcher mentioned some forms of unwanted behavior, they stated that they experienced attempted rape, sex work, inappropriate touching, forced kissing, sexual harassment, and insulting. Hence, this study reveals that female street children in Kirkos Sub City face various types of sexual abuse. It is clear that there is an absence of clear argument on the narration of the inclusion and exclusion of various forms of sexual abuse. The exclusion of some forms of

sexual abuse might reflect certain problems in intervention (Gavin 2005; Bolen 2001). Street children's testimonies indicated that what they consider 'less severe' and 'non-penetrative' abuse is not type of sexual abuse. As it has been discussed, the dominant narration focuses on the most 'severe' types of sexual abuse. One of the impacts of this narration in this context is that it affects claiming rights, i.e. street children keep silent if they considered it less severe. And it affects the report and intervention of concerned bodies since they focused on the most 'severe' one.

From a rights-based perspective, the study confirms the absence of protection, resulting in the violation of several rights, including the right to respect for human dignity and freedom from bodily harm. The principles of accountability and rule of law entail that the government has the duty to protect children from any type of sexual abuse. In relation to children 'of' the street this principle entails that parents or guardians are responsible for the care of children. Nevertheless, according to article 20 of CRC, the government of Ethiopia is also responsible for providing special assistance and protection to children permanently or temporarily deprived of their family environment. The principle of non-discrimination entails that street children deserve special consideration to address their multiple marginization.

The testimonies of female street children also indicate the prevalence of sex work as a means of income. During the FGD discussions the street children used the word 'business' for the practice of sex work. They also noted that due to the lack of other work on the street and the reduction of income gained via begging, a number of female street children are practicing what they call 'business':

Apart from begging I don't mind to go with men who ask me to sleep with them because for me and my family money is an issue of survival. I have no information about my HIV/AIDS status. I am afraid of checking that. But I don't want to deny that one of the consequences of street life is vulnerability to sexual abuse and HIV/AIDS because we are involved in the commercial sex or 'business' in order to earn our living (Informant 4: female 'of' street child).

With the exception of some, the FGDs disclosed that female children 'on' the street are less likely to engage in commercial sex because they spend the night with their family. In contrast, children 'of' the street are practicing sex work regularly. Studies also confirm that some female street children take the practice of sex work as a supplementary means of obtaining income (Scorgie et al. 2012; Lankenau et al. 2005). Research conducted in Addis Ababa has shown that some female street children resort to sex work as a supplementary means of obtaining income (UNICEF 2010:1).

The above discussions have an implication for the discourse of what sexual abuse constitutes. Exploring the victim's consent remains controversial in the narration of sexual abuse (Burton et al 1992; Finkelhor 1994; Bolen 2001). In the above cases, the street children are not involved in sex work by their choice; rather, they were forced to engage in sex work as a survival strategy. Age is another factor. For instance, the above story is the experience of children of 12. Despite the controversiality of the issue in the discourse of sexual abuse, it is clear that, by virtue of powerlessness, young age, and the

absence of alternative sources of income, the above street children had little choice at all.

In relation to identifying the perpetrators, children 'of' the street reported to be subjected to sexual abuse by various groups. The interviews and FGDs indicated that female street children have been abused by street children, young male street people, the police, and by unknown individuals. The female street children identified male street children and young adult male street people as the main abusers. The repercussion of this finding on the discourse of sexual abuse lays in the question whether to include sexual abuse between persons of the same-age. As was discussed, the dominant discourse of sexual abuse includes an age difference between the abuser and the victim. Less emphasis has been given to sexual abuse of children by other children. In contrast, the findings of this study disclosed that female street children are also sexually abused by male street children. However, go by the dominant discourse of sexual abuse, the incidences perpetrated by persons of the same age tend to be under-noticed.

Male street children were identified as perpetrators. Understanding the nature of the abusers helps to critically examine the nature of the relationship between the abuser and the victim. Male street children confirmed that female street children must have sex with other street children. During the FGDs with male street children they admitted that female street children have no choice other than accepting the decision of male street people. One can link this with some feminist argument that men are not biologically hardwired to act/ behave abusively towards women and children, but via the broadest ideological influences and socialization processes, they come to believe that they have the right to be sexually and emotionally sustained by females (Townsend and Dawes 2004:63). In areas like the street of Kirkos, which provides an unquestioned opportunity for the abusers to intimidate and control children, it is not surprising that some children are victims of sexual abuse.

In order to avoid victimization, female street children have been forced to employ preventive measures. One of these strategies is having a "*Baal*"¹⁵ so as to defend them from sexual abuse of boy street children. Here it is worth to note that "*Baal*" in the Ethiopian context is the one who is primarily responsible for everything in the household, including being the breadwinner. In the FGD with female street children, two opposite views came up in relation to this matter: First, it was argued that having a "*Baal*" is the best mechanism to be free from any kind of sexual abuse:

As I told you I'm one of the victims of rape, but now I have no worry about sexual abuse or rape. All young street people knew my husband and hence, they respect me. I feel more protected (Informant 3: female 'of' the street child).

Secondly, it was stated that the protection provided by a "*Baal*" will only last until the female street child becomes pregnant since after that the relationship will cease. However, a number of street girls in Kirkos employed this strategy. One can link this strategy to the dominance and controlling behavior of boys upon the girls as a result of masculinity which is associated with dominance, toughness or male honor. In relation to sexual abuse and the

¹⁵ Amharic word equivalent with 'husband'.

gender construction, scholars like Cambell (1992) argued that the prevalence of sexual abuse is likely to increase where cultural constructions expect men to exercise power. Thus, analyzing the vulnerability of street children to sexual abuse is closely associated with the existing societal and cultural assumptions. As argued by Struve (1990), feminists see child sexual abuse more as a societal than as a familial issue.

The role of power relations between the victims and the perpetrators cannot be underestimated. Usually the abusers use their power¹⁶ to sexually abuse female street children. The finding of this research indicated that female children are taught to be passive and submissive. The victims explain that the abusers are dominant and aggressive. Here it is clear how the masculine self-concept and gender play a role in the victimization of street children. The implications of gender and masculinity continue even after female street children have become victims of sexual abuse. One of the indicators for this is the reason noted by females for not reporting, i.e. the fear of vengeance.

From the principle of accountability and rule of law perspective, as a duty bearer the law enforcement bodies, particularly the police, are given the primary task of enforcing the law of the country, including laws that deal with the protection of children from sexual abuse. However, female street children also identified the police officers as abusers. With particular reference to children 'of' the street, they usually are abused by the police at night. More generally, data collected from FGD participants indicate that the abusers range from old to young, from rich to poor. Thus, it can be inferred that sexual abusers of female street children are from diverse groups in terms of age and economic status.

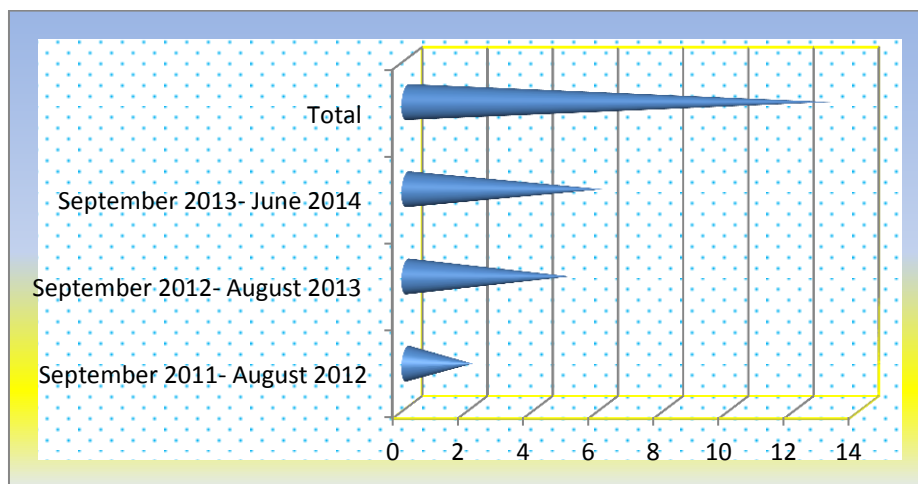
4.3. Silenced and Forgotten: Exploring the Experiences of Sexual Abuse of Female Street Children

I don't know where to go! (Male street children)

The findings of this study indicate that male street children are also victims of sexual abuse. Different studies asserted that sexual abuse of male street children is getting much worse, yet, very little is known about it. For instance, one study conducted in Addis Ababa showed that, out of the in total 221 male street children, about 28.6% of them were sexually abused (Tadele 2009:1). Due to the sensitive nature of the issue, figures about sexual abuse of male street children are limited. Apart from the mentioned figures, this study analyzed the trend of sexual abuse of male street children in Kirkos Sub-City on the basis of local police figures:

¹⁶ Power can be explained in terms of economic, physical, status, and influence dimensions.

Figure 4: The trend in sexual abuse of male street children reported to the Kirkos -Sub City Police Office (September 2011- June 2014)



Source: own computation, data from Kirkos –Sub City Police Office

The above figure shows that sexual abuse of male street children is on the increase. All (13) cases of sexual abuse of male street children are still under investigation by the police, which means that, starting from September 2011, no case was brought to court. For a number of reasons, some victims of sexual abuse might not report to the concerned bodies (which will be further explored later) and hence, the above figure might not reflect the real magnitude of the problem. It is reasonable to expect that the actual sexual abuse would be much higher than reported. Primary data also confirm that male street children in Kirkos are victims of various types of sexual abuse, specifically rape and attempted rape. During the FGD with male street children, participants also stated that sexual abuse of male street children is increasing. During in-depth interview, one male street child said the following:

We do have many problems including the absence of enough food, shelter, and clothes. Taking into account these problems the abusers promise us to find a job and to provide basic needs. For us there is no any problem rather than addressing the issue of food because it is a survival issue. If we agree to go with them, they will take us to hotel rooms and then they will inform us to enjoy in the room. Usually, they open pornography movies. Even if you understand their real motive at this point it is too late to leave the room and hence, you will be raped. These problems are common among the newcomers. I encountered the problem on my first year experience of life on the street of Kirkos (Informant 10: male ‘of’ the street child).

The above evidence reveals the prevalence of sexual abuse of male street children in Kirkos. Other evidence¹⁷ and the FGD disclosed that the nature of sexual abuse of male street children is different from that imposed on female street children. Unlike sexual abuse of female street children, the issue of

¹⁷ See further stories in the appendix.

sexual abuse of male street children is not understood as a problem as it is illicitly practiced. Contrasting the story of female street children, friends of male street children play an important role by expediting situations for the abuser. Usually, the new comers/the victims don't have information about those street people working with the perpetrators:

In relation to sexual abuse of male street children; I'm the victim of such abuse. It is complicated to explain how it happened to me. What I remember is that I spent the afternoon with my friends drinking alcohol. Later on, my friends dropped me in the place called Lancha. After three hours I found myself with a young boy in a hotel. What happened to me was extremely bad. Immediately I left the hotel and went home. It was shocking to me even to remember. Later on, I realize that some male street people are working for the abusers (Informant 14: male 'on' street child).

Because of the vulnerability of street children all female and male street children can be at risk of being sexually abused. Nonetheless, the in-depth interviews and the FGDs revealed that some groups of street children are more vulnerable to sexual abuse because of their living condition. Male and female children 'of' the street were identified as being in the category of the most vulnerable victims. The newcomers are more exposed to sexual abuse compared to those who stayed longer on the street. The latter are more assertive and knowledgeable about the risks. The study reveals that neither the government nor civil society has openly raised the issue. Little attention has been given to sexual abuse of male street children. Data found in various institutions visited by the researcher all focus on sexual abuse of female street children. One could argue that the stereotyped gender constructions created a perception that male street children are tough and hence, they can defend themselves. One of the consequences of this assumption is that, compared with female street children, male street children rarely report the case to the police office.

Besides the Criminal Code of Ethiopia, explanations for the above facts (lack of attention and under-reporting of sexual abuse of male street children) may be found in the fact that homosexual people are referred to by a derogatory name: '*Bushit?*'. This term applies not only to the abusers, but also to the victims of sexual abuse. During the FGDs and an in-depth interview, the researcher realized that people may have the perception that, once a male street child is sexually abused, he will adopt the habit of having sexual intercourse with another male. As per many of the participants, being homosexual is a sin as well as illegal and hence, to prevent becoming labeled as "*Bushit?*" they prefer not to report sexual abuse to concerned bodies and to their own friends.

Very few FGD participants showed their concern and emotion to the male victims of sexual abuse. Sexual abuse of a male is considered as a social taboo among the street children and the people. Because of this secrecy and focus of concerned bodies, male street children are not fully aware of the prevalence of male-to male sex and hence, the newcomers to street life are the prime victims of sexual abuse. Hence, it is also important to critically understand how sexuality and gender play an important role in the vulnerability

of street children. The principle of non-discrimination entails that awareness-raising and protection of children has to be implemented without ignoring certain groups of children. It can also serve as a base for all concerned bodies to focus on all aspects of sexual abuse.

The research participants stated that it is not easy to identify the socioeconomic characteristics of the perpetrators. Male street children identified strangers, foreigners, poor, and elderly men as abusers. In terms of identifying the main abusers, male street children mentioned 'rich' people as the main people who are involved in the sexual abuse of male street children. In contrast, for female street children the main abusers reportedly are male street people. One of the implications of the above findings on the discourse of sexual abuse is that they contradict the dominant narrative construction, i.e. of the female as a victim and the male as the perpetrator.

On the other hand, one of the impacts of the dominant narration is that the government, media and NGOs working with the children focus only on sexual abuse of females. Thus, the narratives of the discourse of sexual abuse still influenced the target of intervention (only female) of the mentioned actors. Yet, there is an alternative narrative that challenges the predominant discourse of the dominant narrative.

4.4. Access to Services and Institutional Response for Street Children

According to the structure of the Addis Ababa Sub City, the Kirkos Sub-City administration together with the Ministry of Labor and Social Affairs are the main responsible organs of government for giving technical assistance in different forms including protecting children from sexual abuse. Both have good working relationships with various local and international NGOs, including Goal Ethiopia, Forum on Street Children, UNICEF and Save the Children. Secondary data collected by these organizations indicated that they are machining a significant contribution to the alleviation of sexual abuse of street children. However, this study shows that the support is not enough and is not protecting street children from becoming a victim of sexual abuse. One female participant said the following:

The governmental and non-governmental organizations around this area do not understand our situation. Sometimes they registered us as street children. But, they will not come again; they simply made a promise to change our life. Sometimes they render a daily meal. As I explained earlier, we do have many problems in relation to sexual abuse, yet we didn't receive enough protection and support (Informant 8: female 'on' street child).

As noted by the above respondent, sexual abuse of street children is not getting much attention. Data collected from the health officer of Kirkos Sub City substantiated that sexual abuse is not reduced and that they are still treating victims of sexual abuse who have the courage to go to the hospital. The police have the duty to enforce the rights of children, as per international and regional human rights instruments. However, female street children identified the police officers as being among the sexual abusers.

In light of the absence of protection and support, street children tried to prevent sexual abuse by their own mechanisms. Female 'of' the street children wish to sleep in areas where they are protected from sexual abuse and feel secure. They also try to have a boyfriend from among the street people so as to protect them from sexual abuse. FGD participants also confirmed that most female children 'of' the street spend the night moving from one place to another. Apart from protecting themselves from sexual abuse they were asked to clarify the other reasons why they move from one place to another place. Different reasons were presented during the FGD by female street children: bad weather, being kicked out by strangers and young street people, as well as being forced by the police to move from their place. In contrast, female children 'on' the street, shift their jobs from one to another in order to earn income. In short, the experience of the street children reveals that their right to be protected from sexual abuse is neglected.

A rights-based approach to sexual abuse is geared to outcome and process goals which emphasize the realization of the right for all children without any discrimination (Kayess et al. 2008). It also involves street children as primarily participants in finding ways to gain access to their rights and to address the mentioned problems (Panter-Brick 2002; de Benitez 2003). The main goal of a rights-based approach to sexual abuse is then likely to be about empowerment by employing the principle of participation/participatory strategies. As an alternative option the focus of a rights-based approach is not simply to reinsert street children into mainstream society, it is to change the way concerned actors operate for street children (de Benitez 2003). A rights-based approach to sexual abuse entails action that reflects the best interests of the child, couched within a framework that entitles street children to express their opinions and participate and taken into account in policies and decisions that affect them (de Benitez 2003; West 2003).

In relation to legal support, the legal systems have an important role in addressing sexual abuse. As noted by Finkelhor (1994), taking into account the sensitive nature of the issue, enhancing the report of sexual abuse is one of the crucial steps and it requires special and manifold efforts. The study indicates that, only some sexual abuse cases of street children are being reported. Only some respondents had the courage to report to the police office.

Different reasons for this were presented by male and female research participants. Female street children remain silent from reporting because of fear of recurrence of sexual abuse and feelings of insecurity. They also noted that sometimes they heard that for unknown reasons perpetrators were released from prison and attacked street children. Therefore, fear of revenge is another factor. Female street children preferred to share their information with their friends (1 out of the 8 female street children reported to the police). Reporting sexual abuse of male street children to the police is also not common because of the fear of being labeled as a homosexual, which is related to a social taboo. Zewditu (a psychologist and counselor) confirmed the discrimination of male victims of sexual abuse by their friends and the community, and its impact on reporting to the concerned bodies. As substantiated above, the majority of sexually abused children (male and female) hardly reported their cases to the police. No case of sexual abuse of male street children was addressed in a court. During the in-depth interviews with male

street children, some of them argued that if they report their case they will be penalized because they believe that homosexuality is a crime. Article 629 of the 2005 Ethiopian Criminal Code penalizes both parties involved in homosexuality or other indecent act among the persons of the same sex. However, as per article 661, child victims of such offenses benefit from immunity.

However, both female and male street children confirmed two important common points. Firstly, they noted that police officers do not accept street children as witnesses as they are considered as liars. Because of this, usually the police releases the perpetrators immediately. Secondly, reporting cases of sexual abuse, whether to the police or to an NGO or to, Women's and Children Affairs makes no difference. The earlier data collected from the police indicated that from the year 2011 to June, 2014 only 84 cases of sexual abuse against female street children were reported, of which only 5 cases were brought before the court. Two implications can be identified: firstly, cases of sexual abuse are rarely reported to the law enforcement agencies particularly the police. Secondly, where sexual abuse of street children is reported to the police, the reports rarely lead to investigation, and as a result only a few cases were prosecuted.

As has been discussed, a rights-based approach to sexual abuse prescribes a holistic approach (Craissati et al. 2007; Mavundla 2009). This is crucial to the successful reporting and recording of cases of sexual abuse. Thus, coordination among all actors is required. Moreover, as per the non-discrimination principle, in all cases of sexual abuse, gender sensitivity is essential (Besson 2005). This entails encouraging street children, especially males, to report their cases of abuse to the police office. Above all, according to the principle of participation children should have a stable relationship with professionals based on trust and for consistent support (Griesel et al. 2002). Hence, the earlier mentioned bodies should regularly see and speak with street children and take their views.

4.5. Consequences of Sexual Abuse for Street Children

Different literature has disclosed that sexual abuse of children has profound impacts on their psychological and social well-being, as well as on the health of children (Reynolds et al 2000; Tadele 2009). This study confirms that street children endured health, psycho-social and physical problems as a consequence of sexual abuse. Both female and male street children in Kirkos are victims of rape. Various studies show that victims of rape and group rape are susceptible to STD infections, human immunodeficiency and AIDS (Guedes 2004; Reynolds 2000).

In situations where risk and vulnerability is present, it can be said that female street children are more exposed to gender-specific problems. Exceptionally, female street children are exposed to exploitation because of their engagement in commercial sex as a means of survival strategy. Unwanted pregnancy is another outcome of sexual abuse identified by female research participants. Abortion attempts sometimes result in severe medical complications. Some female street children have aborted a pregnancy by using pills which usually serve to cure Malaria. As a result, they suffered from different health problems. The prevalence of pregnancy also indicates the existence of unsafe sex, whereas reports show a high rate of HIV/AIDS in Addis Ababa (Kauffman and Bunkers 2012).

According to Berhan (interviewed psychologist and counselor), male street children who are victims of sexual abuse have many medical complications, including “bleeding in the anal area, wounding and swelling of the anus, vomiting and STD”. According to the psychologist and counselor, the problems are worse for male street children. Because of the fear of discrimination, male victims of sexual abuse often refuse to go to the health center. From September 2011 up to June 2014, no case of sexual abuse of a male street child was treated in Gandhi Memorial hospital. At the same time, 13 cases of sexual abuse of male street children were reported to the police office.

This study also established that the victims of sexual abuse involved suffered from psycho-social consequences. In-depth interviews indicated that hopelessness, insecurity, fear, self-blame, and shame are among the psycho-social results of sexual abuse:

After I became victim of rape, I feel pain. No one is protecting us from rape and group rape. We live in a situation of insecurity and fear. After the incident, I didn't move alone at night. I blamed myself for what happened to me (Informant 4: female 'of' street child).

In addition to the victimization, FGD participants stated that the community has a bad perception of street children. When interviewed, Zewditu stated that the psycho-social effect of sexual abuse cannot be undermined. According to the psychologist, the psycho-social harm is serious when male street children are raped and abstain from sharing this with concerned bodies, friends and families. FGD participants also noted that when male street children become victims of sexual abuse usually they change their sleeping/working place, and hence, they suffer from isolation. During the in-depth interviews, male street children stated that feelings of shame, low self-esteem and lack of confidence are some of the major psycho-social variances that male street children face after sexual abuse:

The incident of rape is still a shocking and painful memory for me. I never thought that I would be a victim of sexual abuse. It is more painful when my fellow friends discriminate me and label me as “*Bushiti*”. I felt anxious and confused; I did not know where to go (Informant 11: male 'of' street child).

Likewise, Jonas et al (2011) stated that the psychological effects of sexual abuse include a lower level of self-esteem, anxiety, substance abuse disorder, a higher rate of depression and post-traumatic stress disorder. In general, the consequences are severe due to the fact that these children have less/no family guidance, and they are traumatized and harassed by various groups. Hence, they are subjected to multiple marginalization.

The principle of survival and development entails sustaining access to basic health services for all victims of sexual abuse. From the duty bearer angle, the government of Ethiopia is responsible for the provision of appropriate support services to child victims and ensures that child victims have access to seeking compensation for damages. The principle of accountability and rule of law entails the government's obligation to provide assistance for the social integration of child victims. In addition to the role of

the government in supporting the victims, the involvement of all relevant stakeholders (including NGO) is also essential.

4.6. Contributing/Risk Factors for Sexual Abuse

Identifying contributing factors for sexual abuse is an important aspect of examining the situation of street children. The in-depth interviews conducted with female and male street children disclosed that there are various such factors:

I was born in Temben. My mother died when I was young. I have two brothers in Temben. My father is single who lives with his two children in Temben. He is a daily laborer who barely supported his two children. I started begging to support my family in Temben, but my father told me to stop because of fear of shame and discrimination. Because of his decision, I prefer to leave the city and went to the capital city in which no one knows me. Currently, I don't have any contact with my family. I start working on the street (as a daily laborer) for a living. I earn 8-10 Birr per day. This income is not enough for basic needs like for food and paying sleeping place. The number of street children are increasing this is the reason for the reduction of our income. Some of my friends who are working 'business' are able to fulfill their basic needs. They also watch videos. I have no interest to work 'business' but for the sake of survival I have to do that work, I don't have an option (Informant 7: female 'of' the street child).

The above story by a female street child and FGDs with female and male street children indicated that street children are not economically self-reliant. One of the reasons for joining street life is in order to earn a living on their own. The reality in Kirkos is different; they could not find enough work and income. This forced female street children to engage in dangerous survival strategies. Female FGD participants also confirmed that the demands of street children are not luxuries, they are about basic needs (food, sleeping place, clothes etc.) which do not entail the abuser to spend much. During the FGD with female street children, one research participant stated the following:

When the rich men come with their beautiful car and ask for sexual intercourse, it is the female street child herself that accepts and go with them. Most of the time female street children accept the request because of the money provided by the rich men. It would have been possible to say "no" however, they may not have enough money even for a dinner (Informant 6: female 'on' street child).

Thus, it is possible to infer that economic reasons are one of the contributory factors to sexual abuse of female street children in Kirkos. In the case of sexual abuse of male street children, almost all participants confirmed that the main perpetrators are 'rich' who use street people as mediators and abuse them in hotels. On the other hand, one of the reasons for joining street life is also economic problems within the family and hence, economic reasons play a part for both female and male research participants. The engagement of female street children in sex work and the sexual abuse of male street children confirm that abusers are taking advantage of the poor economic status of the children to make unreasonable demands for sex. Other researchers also indicated that economic dependency forces vulnerable groups to search

dangerous survival strategies (Fleishman 2003:14). As argued by Fleishman (2003), in such circumstances, people with a better economic status make unreasonable demands. The principle of survival and development focuses on the fundamental needs of street children and emphasises the need to strengthen the delivery of basic social services which are crucial for child survival and development. The principle also entails the realization of the right to work under limited condition and to choose whether to return home or take another alternative option (de Benitez 2003).

Apart from the economic conditions, for better understanding of the demands of street children they were asked to list the habits they have. Of the 16 research participants, 14 confirmed that they do have habits of smoking, alcohol and chewing *Khat*¹⁸. Because of this, perpetrators get an opportunity to easily deceive street children of Kirkos. Female FGD participants stated that usually female street children engage in sexual relationships after the consumption of *Khat* and alcohol. This is because they believe that *Khat* and alcohol make female street children active to do commercial sex with men. Although using hashish is a crime under Ethiopian law, the FGD participants noted that street children usually consume hashish. The addiction to alcohol and drugs, coupled with the economic conditions of street children, are all contributing factors to the prevalence of sexual abuse of street children in Kirkos.

In understanding the contributing factors to sexual abuse of children, the factors cannot be dismantled because they are mutually reinforcing each other (Grillo 1995; Angelides 2004; Taefi 2009). Data collected via in-depth interviews shows that one of the risk factors for sexual abuse is the absence of shelter and security. Observations during the fieldwork disclosed that street children live on the street without support and attention. In case they got to a sleep place, they sleep with unknown adult street children. One male FGD participant stated that:

Female children 'of the street are exposed to sexual abuse at night. As they sleep in unsafe areas any passerby and gangster rapes them. Because of this rape is rampant among female street children.

¹⁸ Consumption induces mild euphoria and excitement, similar to that conferred by strong coffee.



Field observation (Kirkos Sub City, Addis Ababa, June, 2014)

The above photo shows a most unsafe place for street children, in which some of them spend the night with anyone else. An interview with female street children also revealed that in some situations, rape and group rape occurs at night and hence, victims of sexual abuse may not know who abuse them. It is clear that because of their age and maturity, children need psycho-social support from family, adults, government and NGOs, etc. The most clarifying explanation was the case of female and male children 'of' the street. They are said to be the most vulnerable group for sexual abuse because of the absence of attention, care and support.¹⁹ Street children are not considered as a right-holder trying to cope with the mentioned economic problem and lack of family guidance.

In line with the principle of the best interests of the child, protection is one of the main interventions needed in the lives of street children in Kirkos. It includes protection of street children from sexual abuse; improving the children's environment, making them safer and less vulnerable (West 2003; Lansdown 2005). Protecting street children is not only about physical protection but also addressing why street children are at risk. Most street children have less/no guidance and protection from their family. They need physical and legal protection from all concerned bodies, as well as from the community. As discussed in the previous chapter, the discussions with street children showed their dissatisfaction with the absence of protection. During an interview, psychologist and counselor Zewditu said the following:

Although there are favorable legal frameworks put in place, the enforcement process is not promising. The absence of effective law enforcement is manifested even in cases where sexual abuse is reported to the police, which rarely investigated by the

¹⁹ In line with the principle of survival and development, sub art 19 (2) of the CRC stated that the government should take action for the enforcement of social programs so as to deliver the necessary support for the child. In contrast to a rights-based approach, female street children are dependent on their friends for emotional and material assistance. Male street children keep silent due to fear of discrimination.

prosecutor. The problem is even worse in case the police officers do not trust what the street children say.

Similarly, during the FGD with female street children, they noted that even when the case was brought to the police, the police officers rejected their cases, because they believe that the street children are liars who report for the purpose of receiving financial benefits from the perpetrators. In general, it can be argued that the absence of effective protection and legal enforcement creates room for the potential offenders to sexually abuse street children. Therefore, the absence of protection is another contributory/risk factor for sexual abuse of street children.

Moreover, the absence of awareness among male street children; about the prevalence of sexual abuse and the criminalization of the perpetrators contributes to the prevalence of sexual abuse. It also prevents street children from taking necessary precautions when they start their life on the street. Street children become victims of sexual abuse at an early stage of street life. During the FGD with male street children, participants noted that many male street children don't have information about male to male sex. One of the indicators of this argument is that abusers employed deceptive techniques.²⁰ Some of them do not have information about who will be punished if they report. The media and NGOs predominantly target female street children. Abuse of male street children is isolated from the public discourse. Street children are not well informed about their rights. Because of the lack of information abusers can take advantage and deliberately abuse them sexually. A rights-based approach entails that, to be realized, rights need to be known. In general, the vulnerability of street children is not a result of a single factor rather; multiple factors contribute to the problem of sexual abuse of street children.

²⁰ See stories in the appendix.

Chapter Five

Concluding Remarks

This paper has explored the sexual abuse experiences of street children in Kirkos. These experiences were examined in light of elements of a rights-based approach such as: accountability and rule of law, participation, non-discrimination, best interests of the child as well as survival and development. This research has demonstrated that a rights-based approach to sexual abuse entails addressing the fundamental challenges encountered by the street children and by efforts to protect street children from sexual abuse.

The study has displayed that street children are forced to be on the street because of different reasons. Poverty is one of the main contributory factors. Educational failure, the death or illness of parents, peer pressure, seeking freedom and disagreement within the family were identified as contributory factors to the process of leaving home for street life. As street children have different backgrounds and conditions that lead them to the street, there is no uniform intervention for each of the cases. In light of the best interests of the child, a rights-based approach entails taking into account these different context of street children. Once children start life on the street, they encounter challenges including sexual abuse.

The study examined secondary data that were collected from the year 2011 until June 2014. In this period, 84 cases of sexual abuse of female street children and 13 cases of sexual abuse of male street children were reported to the police. Only five of these cases were brought to court. Data collected from the health center, the court and the police in Kirkos ascertained that sexual abuse of male and female street children in Kirkos-Sub City tends to increase.

The experiences of female street children also confirmed the prevalence of sexual abuse. They were exposed to various types of sexual abuse, including group rape, attempt to rape, sex work, inappropriate touching, forced kissing, sexual harassment and insulting. The study revealed the impact of the dominant discourse of defining sexual abuses which excludes the non-touch abuse. The narration contradicts with street children's assumptions of 'sexual abuse' and it affects the recording of sexual abuse as well as intervention by concerned bodies. Thus, the study unpacks some controversies in defining sexual abuse of children. On the other hand, street children, young male street people, strangers, the police, and unknown individuals were identified as sexual abusers of female street children. By identifying some street children as perpetrators the study also challenges the dominant narrative of sexual abuse which includes the age and power difference between the abuser and the victims. In line with the principle of participation, the study explored the main coping mechanism employed by street children. To avoid the risk of sexual abuse, street children sleep during the day and walk at night. In examining the gender aspect of the experience, men's dominance and power over women is also manifested in the relationship between female and male street children. One of the manifestations of this dominance is that some female street children tried to prevent sexual abuse by having a "*Baal*" partner. The implications of gender and masculinity continue after victimization, since due to a fear of vengeance female street children don't want to report incidents of

sexual abuse. From the other dimension, the principle of survival and development entails that female street children have the right to be protected from sexual abuse. From the point of view of the principle of accountability and responsibility, the State fails to enforce the international human rights instruments which apply to street children. The experience of female street children confirms that a rights-based approach is still far from being realized in the case of Kirkos.

Male street children are also victims of sexual abuse. Strangers, foreigners, and poor elderly men were identified as perpetrators. This paper also challenges the dominant discourse of considering females as victims, and males as an abuser. Neither the government nor civil society have openly raised the issue of sexual abuse of male street children and hence, the dominant discourse is still shaping the public perception towards male victims of sexual abuse. Male street children's knowledge of sexual abuse is compounded by secrecy. The implication is that the stereotyped gender construction created a perception that male street children are tough and defend themselves. Thus, it is important to note how gender and masculinity play an important role in the vulnerability of street children. On the other hand, in every aspect of efforts related to sexual abuse of street children, the principle of non-discrimination entails gender-sensitive intervention. In line with the principle of non-discrimination, the silence and secrecy about sexual abuse of male street children need to be broken via awareness raising and involving all groups of children in the discussion. The prevalence of sexual abuse of male street children also exposed the absence of the realization of accountability and the rule of law.

The principle of survival and development entails sustaining access to services for all children. The study examined accesses to services and institutional responses. Street children do not have information about the services. In contrast to the central point of a rights-based approach (i.e. empowering street children), there is no service which addresses the fundamental problems of street children. The occasional services focused only on immediate problems, including providing meals and giving training (for female street children). Street children, thus are neglected. A rights-based approach entails the enforcement of all elements in a holistic manner. Secondary data displayed lack of coordination between the legal and medical institutions to provide effective legal and medical support for street children.

In relation to institutional responses, one of the central issues in a rights-based approach is the level of protection and support to child victims to effectively report their victimization to the police. Reports of sexual abuse are rare among street children. Female street children presented feeling of insecurity and recurrences, as well as absence of trust in the police as the main reasons for less reporting. From the male street children's side, fear of discrimination by the community and lack of information about the punishment for homosexuality were identified as reasons for not reporting. By enforcing the principle of participation, a rights-based approach entails recognizing and removing these barriers that limit the chance for child victims of sexual abuse to report. In follow-up of such reports, the cases should then be properly pursued, in court or otherwise.

Sexual abuse affects street children in various ways. Vulnerability to STD, including HIV/AIDS, unwanted pregnancy (for females), bleeding in the anal area, and vomiting were identified as consequences of the sexual abuse of street children. Because of the fear of discrimination, male street children are usually reluctant to go to the hospital. Hopelessness, insecurity, fear, self-blame, feeling shame and lack of confidence were identified as psycho-social effects of the sexual abuse. In contrast to the principle of survival and development, the impacts of sexual abuse are severe because street children have less/no family guidance and they are abused by various groups. They are subjected to multiple marginalizations. From the accountability angle, the government is responsible for the provision of appropriate support to child victims and ensures that they have access to seeking compensation for damage. Hence, centers where female and male street children get access to medical services and counseling need to be established. The medical care unit and legal bodies should work in a coordinated manner.

Different contributing factors for sexual abuse of street children were identified. Economic reasons are identified as one of the risk factors in intensifying sexual abuse of street children. The absence of income on the street forced female street children to engage in sex work. Perpetrators are using the poor economic status of street children to abuse them. Street children in Kirkos live without support from all concerned bodies. In line with the principle of the best interests of the child, alternative means of income need to be sought for female street children who are exposed to sex work. On the other hand, one of the main reasons for joining street life is an economic problem within the family. Economic reasons are intrinsically connected to the family. Thus, one way of addressing the issue of sexual abuse would be to tackle the problems in the context of street children's families.

The absence of protection is one of the contributory factors to the prevalence of sexual abuse of street children. Children 'of' the street were often victims of sexual abuse at night. In addition, there is no effective physical and legal protection for the street children. However, a rights-based approach to sexual abuse requires providing protective support for both female and male street children. Street children are victims of sexual abuse usually at an early stage of street life. Female and male street children, who are newcomers to the street, don't have information about the prevalence of sexual abuse and the mechanisms employed by the perpetrators. The concerned bodies predominantly target sexual abuse of female street children. Lack of awareness contributes to the prevalence of sexual abuse and prevents street children from taking necessary precautions when they start their life on the street.

In a nutshell, the study explores street children's experiences of sexual abuse and made it clear that problems related to sexual abuse and factors are numerous and complex. Addressing the problem requires looking after the problem of female and male street children from all these different perspectives. In spite of the fact that national, regional, and international human rights are in place, they are not enforced in a way to protect street children from sexual abuse. As it has been argued throughout the study, the problem of sexual abuse of street children can best be addressed through a rights-based intervention. It is, therefore, worthwhile to enforce the principles of rights-based approach at city and sub-city level.

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Appendix 1: Background of Research Participants

Table 1.2. Background of the Respondent (Female children ‘of’ the Street Research Participants)

No	Name of Informants	Age	Place of Origin	Educational level	How long Stayed on the street	Religion
1	Informant 1	13	Addis.A	6 th Grade	2 years	Orthodox
2	Informant 2	15	Amhara	4 th Grade	4 years	Orthodox
3	Informant 3	14	Addis Ababa	3 rd Grade	3 years	Muslim
4	Informant 4	16	Tigray	6 th Grade	2 years	Orthodox

Table 1.3. Background of the Respondent (Female children ‘on’ Street Research Participants)

No	Name of the informant	Age	Place of Origin	Educational Level	How long stayed on the street	Religion
5	Informant 5	12	Addis Ababa	4 th Grade	3 years	Protestant
6	Informant 6	15	Oromia	5 th Grade	3 years	Orthodox
7	Informant 7	15	Addis Ababa	6 th Grade	2 years	Orthodox
8	Informant 8	12	South	Not started	3 years	Protestant

Table 1.4. Background of Respondent (Male Children ‘of’ the Street Research Participants)

No	Name of Informants	Age	Place of Origin	Educational level	How long Stayed on the Street	Religion
1	Informant 9	15	Oromia	4 th grade	4 years	Orthodox
2	Informant 10	15	Amhara	2 nd Grade	3 years	Orthodox
3	Informant 11	11	Tigray	Not started	2 years	Muslim
4	Informant 12	13	Addis Ababa	4 th Grade	4 years	Orthodox

Table 1.4. Background of Respondent (Male children ‘On’ the Street Research Participants)

No	Name of Informants	Age	Place of Origin	Educational Level	How long Stayed on the Street	Religion
5	Informant 13	10	South	Not Started	3 years	Protestant
6	Informant 14	14	Addis Ababa	8 th Grade	2 years	Orthodox
7	Informant 15	12	Amahara	5 th Grade	2 years	Orthodox
8	Informant 16	13	Addis Ababa	6 th Grade	4 years	Protestant

Appendix 2 : Interview Guideline

I: Interview Guideline for Street Children in Kirkos Sub City

Research Site

Site name_____

Place_____

Date_____

Interview Guideline

1. What are your favorite ways to spend time?
2. How old are you? Tell me about your birthplace? How about your religion? Have you ever attended school? Probe, what is the highest grade level you completed?
3. Tell me about your family background? Probe, for the situation of parents before the child left home/place of origin, whether still have contact with her/his family or not?
4. When and how you start living on the street? Probe, what was the initial feeling towards life on the street compared to the present?
5. What are the main factors that forced you to live on the street?
6. What do you think about life on the street?
7. What are the main challenges that you encounter on the street?
8. Have you ever encountered any kind of violence?
9. Do you think that sexual abuse of street children is widespread in Kirkos Sub-City?
10. Do know street children who are sexually abused? What do you think about the factors that contributed to sexual abuse? Who are the abusers?
11. Have you ever encountered any kind of sexual abuse?
12. If yes, what are these sexual abuses? Where and when did these incidents happen to you?

13. What do you think are the conditions that contribute to force to be victims of sexual abuse?
14. Who are the abusers? What happens to the perpetrators?
15. Did you report it? If yes, to whom? If not, why?
16. Have you had any health, social, physical and psycho-social problems as result of the sexual abuse/other problems? What other consequences happened to you because of the nature of street life?
17. What is the impact of sexual abuse on you in terms of health, physical, psycho-social problem?
18. What are your specific strategies to avoid sexual abuse? Who are the people that will rescue you?
19. Have you ever accessed services including; rescue, recovery or integration? Probe, what are the services provided for victims of sexual abuse by different organizations or government bodies?
20. What do you think should be done in Kirkos-Sub City to reduce/avoid sexual abuse of street children?

II: Focus Group Discussion Guideline

1. Discuss the current conditions of street children in Kirkos.
2. Discuss the main challenges encountered by street children in Kirkos.
3. Discuss the violence encountered by the street children in Kirkos.
4. What do you think about the prevalence of sexual abuse of street children in Kirkos?
5. Discuss the factors that contribute to sexual abuse of street children in Kirkos.
6. Discuss the consequences of sexual abuse of street children in Kirkos.
7. Discuss the services provided for street children and victims of sexual abuse.
8. What mechanism do street children use to protect themselves from sexual abuse?
9. What should be done to prevent the problem of sexual abuse of street children in Kirkos?

Appendix 3: The Story of Female Street Children:

Informant 1: Female 'of' the street child.

Background

I was born in Asko Addis Ababa. I have no idea about my parents, as I have never seen them at all. I was living with my stepmother. However, I'm the eldest child in our family and I have two brothers. My stepmother used to live near Asko but now they moved to Enkual Fabrika. I began school, which was far from my home. I attended for 5 years and completed grade 6. After the death of my stepmother, I stopped going to school because it was my stepmother who guide and support me. After the death of my stepmother no one was with me and I was forced to start life on the street.

Life on street

After 6 months of street life in Asko, I have changed my place from Asko to Kirkos in which no one knows about my life. I met some street children who were asking if I needed a place to pass the night. I had no choice, I accepted the offer and started living in a place called DC (Kirkos). Initially, I was very happy because I was able to get money. I

started to smoke cigarettes and chew *kebat*, like my friends in Kirkos. Life on the street is full of challenges.

Challenges

During these years I encountered various problems. I used to sleep on the road side of the St. Cherkos church in the Kirkos with my friends. Nevertheless, our sleeping place is not a safe area. In order to solve such problems we usually move from place to place. As I told you in the initial days I thought life on the street was nice. Later on (I think after three months) during night one young man (street person) came to DC at night he dragged me from the DC and raped me. Since the time I suffered a lot. Consequently, I'm afraid of men, the only solution is spending the night by walking through the street of Addis together with my friends. When all young street people went to work (in the day) then we will sleep on the street through this we prevent the sexual abuse from happening. Usually male street people are the main sexual abuser of female street children, sometimes strangers and policemen also sexually abuses female street children.

Informant 4: Female 'of' street child.

Background

I was born in Addis; both my parents are living in Addis. I have one sister and one brother who live with my parents. I don't have information about my father's occupation because of his long illness he spends the whole day at home. My mother sells some fruits, but the money is not enough for all of us. Due to the financial problems I left school at the beginning of the 4th grade and joined street life.

Life on Street

I'm not lucky to be on the street. At the beginning I earned a lot of money because there were not many street children. Currently, as you can see the number of street children has increased. This affects my income. This is actually one of the reasons for searching alternative mechanisms for earning money. One of the good things in street life is we share what we get with others, even if we are not close friends.

Challenges

During the first year, I was engaged in begging. After coming to Kirkos (around the church), I started to work as car washer and get some enough money to buy cigarettes and chat. I also support my family. Some of my friends are happy with the life we had. But, I have never been happy with my current life on the street. In short, it is full of misery. Because of the economic problem that I have I often engaged in begging. Apart from begging I don't mind to go with men who asked me to sleep because for me and my family money is the issue of survival. I have no information about my status about HIV/AIDS I'm afraid of checking that. But I don't want to deny that one of the consequences of street life is vulnerable to sexual abuse and HIV/AIDS because we are involved in the commercial sex 'business' in order to earn our living. I usually back home at night, however, those children who sleep on the street can easily expose to group rape. I have heard about gang rape, but I have not experienced such practices myself. Although we encountered so many problems the non-governmental organizations and the government have not made any significant efforts to support street children so far. Even worst, the policemen do not have a positive

perception towards us. I believe that families have a responsibility to guide children and prevent us from being street children.

Appendix 4: The Story of Male Street Children

Informant 10: Male street Child 'of' street.

Background

I was born in Bahir Dar around Abay Mado. I'm the 5th one for my family. My father was a guard of government office before his death. He died 6 years ago. After the death of my father, my mother was supporting me, with inadequate income she used to get by selling some vegetables. Nevertheless, she became sick and began to spend most of her time in bed. My brother told me that her illness is serious. She is still in bed because we don't have enough money for medication. The only way I thought I could help her was to find any kind of work. Finally, I have decided to leave home and join street life.

Life on the Street

Many of my friends talks about the freedom that we have on the street. For me, being street children is the worst choice I made after the death of my father. You will worry every day about food, the weather and young street boys. We sleep in sacks so as to safeguard ourselves from the cold. Nothing is worse than being street children. Usually, when the police come at night they will force us to leave our sleeping place in the middle of the night.

Challenges

Sexual abuse is one of the main problems we encountered on the street. Usually if a man wants to have sex with male street children, he knows what to do. They employ different mechanisms, including giving money and gifts. We do have many problems including the absence of enough food, shelter, and clothes. Taking into account these problems they promise us to find a job and to provide basic needs. For us there is no any problem rather than addressing the issue of food because it is a survival issue. If we agree to go with them, they will take us to hotel rooms and then they will inform us to enjoy in the room. Usually, they open pornography movies. Even if you understand their real motive at this point it is too late to leave the room and hence, you will be raped. These problems are common among the newcomers. I encountered the problem on my first year experience of life on the street of Kirkos. You are the only one to share my story. Many of my friends faces these kinds of problems, however, due to fear of shame and stigma they keep silent. If I told them they will labeled me as 'Bushiti'. But, we all know the existence of the problem. The prevalence of harassment and beating by the police is another challenge which makes our life complicated.

Informant 14: Male 'on' street child.

Background

I was born around Asko. My mother lives with four brothers and two sisters in Addis Ababa the place called Asko. I contact my family every night (sometimes I spend the night with my friends on the street of Kirkos). At the age of seven, I was registered in school, however, I didn't have enough time to read because I had a lot of work at home after the school. I completed grade eight, however, I was not able to pass the national examination.

Life on the Street

For many of us life on the street has no positive side. Especially for the new comers life is too complicated. Even though I sleep in my home with my brother when I spend the day on the street I encountered different problems. We are always exposed to scorching sun during the day. I usually spend the day at Cherkos Church; I sat there in the early morning and some people who came to the church give me money. I may get Birr 15.00-20.00²¹ per day, of which I gave the money to my mother 10.00 Birr.

Challenges

We have so many problems; sometimes the policemen beat us to leave our working place. You don't have an option you have to move to another place in which you are newcomer and thus, you will encounter another challenge there. In relation to sexual abuse of male street children; I'm the victim of the abuse. It is complicated to explain how it happened to me. What I remember is I spent the afternoon with my friends drinking alcohol. Later on, my friends dropped me in the place called Lancha. After three hours I found myself with a young boy in a hotel. What happened to me was extremely bad. Immediately I left the hotel and went home. It was shocking to me even to remember. Later on, I realize that some male street people are working for the abusers. I'm afraid of telling the truth to my family and police officers. This occurs to the street children every day. However, no one discusses or talks about the issue. Some NGOs and the governmental representative gave us training about sexual abuse, but no one speaks about sexual abuse of boys as if there is no such problem.

²¹ This amount money is not enough for a single dinner.

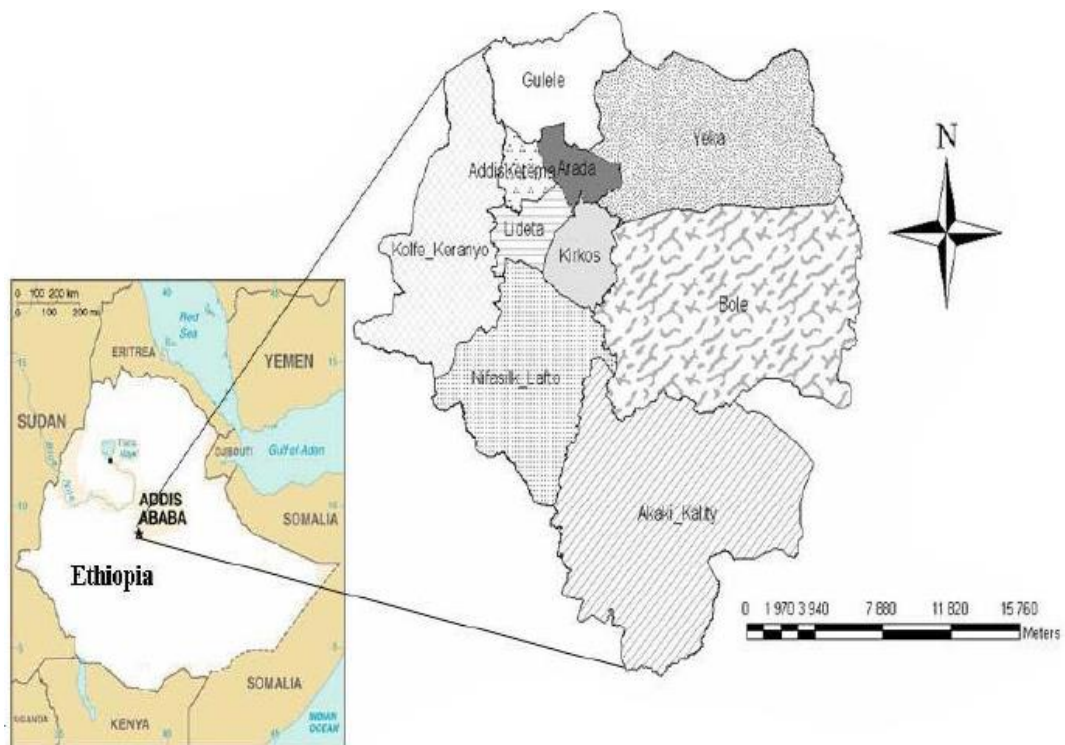
Map 1: Map of Addis Ababa: The Capital City of Ethiopia:

Most populated: Kirkos Sub-City: Population: 335,330

Area: 14.72 sq.km

Least Populated : Akaki Kaliti Sub City: Population: 194,002

Area: 124.75 sq.km



Source: Addis Ababa City Administration (2012)



**Kirko; Sub City Administration Women's, Children & Youth Affairs
Office
Children Right and welfare Protection, Care & Support Core Process**

No K/S/A/W/C/Y/A/ 3358 /SC-02/07

date 15/09/2014

To whom it may concern

As Mr Yonas Gebreyosus asks recognition letter from our organization we render him this recognition letter.

Mr. Yonas Gebreyosus was come to Ethiopia to study on sexual abuse of street children: in case of Addis Ababa. In Addis Ababa city Administration Kirkos sub city Women Childern and Youth Affair office like to give recognition that Mr.Yonas has been collecting data in the sub-city different area.For the sack of his fulfilment of masters' degree for international institute of social studies.

Best regards,



E-mail: kirwomen@ethionet.et

☎ 011-53-64-57 /09-58-07-53-28

መለስ ዜናዎ ለሕዝብ የተፈጠረ፣ ለሕዝብ የኖረ፣ ለሕዝብ የተሰዋ ታላቅ መሪ፣
ሌጋሊዊ ይቀጥላል ራዕይህም በትውልዶች ቅብብሎሽ ይላካል!!!
ለሕግናት ምቹ ሕይወት በጋራ እንሥራ!!!