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Mexican Legislators Propose Controversial Plan To Deal With Street Children

by LADB Staff

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Two Mexican legislators have proposed a controversial plan to take children off the streets and require that they be placed in an environment where they can receive an education and participate in organized activities. The plan met immediate opposition from organizations advocating for children's rights in Mexico. While the initiative targets urban street children, concern is also growing in Mexico about the number of rural youngsters who are forced to work in the fields instead of going to school.

Plan would put children in care of social-service agencies

Sens. Mario Lopez Valdez and Adolfo Toledo Infanzon, both of the Partido Revolucionario Institucional (PRI), have proposed changes to the federal child-protection law (Ley para la Proteccion de los Derechos de Ninas, Ninos y Adolescentes) that would require municipal and state authorities to round up minors living or working on the streets and place them in the care of social-service providers. The legislation would set up federal fines for local or state governments that failed to comply.

The appropriate Senate committees must first consider the legislation, which is likely to undergo several modifications. The proposal is similar to a plan introduced by ex-President Vicente Fox in 2001, called *De la Calle a la Vida* (From the Street to Life), which suggested six actions and 25 strategies to help children on the street. That plan was never implemented or funded. The two senators said their legislation would provide alternatives for tens of thousands of children who make a living on city streets throughout Mexico by selling gum, pens, and food, or by washing car windows.

The initiative would cover homeless children as well as those who work to help support their families. "In both rural and urban areas, child exploitation has become the norm. Thousands of children have been obligated to abandon school to work," said the proposal. A joint study by the Sistema Nacional para el Desarrollo Integral de la Familia (SNDIF) and the UN Children's Fund (UNICEF) estimated that almost 109,000 children live or work on the streets of Mexico. But this is only a part of the picture. The government statistics agency (Instituto Nacional de Estadisticas, Geografia e Informatica, INEGI) estimates that about 3.6 million children in Mexico work, and 40% of the total do not attend school.

Under a 1992 Mexican law, children are required to attend school through ninth grade, but many often drop out before they reach the age of 15. "Unfortunately, the exploitation of children has become a norm. Thousands of children have been forced to abandon school to work and are forced to become involved in forms of indentured servitude or slavery," said the text of the legislation

introduced by Valdez and Toledo. The senators said the situation is prevalent in cities throughout Mexico. "They live exposed to violence, abandonment, disease," said the text. "And today, more than ever, they are at risk of accidents, drug addiction, and abuse from adults, without intervention or assistance from the authorities." By some estimates, almost half the children who live on the street can be found in the 14 largest metropolitan areas in Mexico.

In addition to the Mexican capital, there are a large number of street children in cities like Guadalajara, Tuxtla Gutierrez, Veracruz, Villahermosa, Leon, Aguascalientes, Culiacan, Leon, and Cuernavaca, said several nongovernmental organizations (NGOs). As part of the effort, the two senators have proposed creating a database for children, youth, and adults who have disappeared. "Children and youth who live on the street are vulnerable to kidnappings," said Infanzon. Critics urge broader anti-poverty measures. The senators' plan to deal with street children and youth has encountered plenty of critics, who say the proposal would have little impact because there are no parallel actions to address the root cause of the problem, which is poverty. "It's another attempt to lock children up and clean the city of a social problem, as has been tried here and in the rest of Latin America over the decades," Dolores Munozcano Skidmore, a sociologist at the Universidad Nacional Autonoma de Mexico (UNAM) who specializes in problems related to street children, told The Christian Science Monitor.

A group of 60 NGOs, led by El Caracol and the Red por los Derechos de la Infancia, also came out against the proposal, calling it "social cleansing" and "criminalizing poverty." The NGOs wrote a letter to the PRI delegation in the Senate inviting legislators to instead address structural problems that affect children. They pointed out that the proposal creates a framework to legalize abuses and arbitrary practices against street children, including deprivation of liberty, use of excessive force, disappearance, and torture. "The initiatives that are presented, far from addressing this problem in the depth required, open the door for the victims to face discrimination," said the letter.

The NGOs said they do not oppose creating programs to incorporate street children into schools and other institutions, but the process should be gradual and respectful of the rights of children and youths. "It is not that we want to see children working as a way of life," said David Espinosa, an education psychologist at the Centro Interdisciplinario para el Desarrollo Social (CIDES), which provides schooling opportunities for at-risk children who are unable to go to class because of their jobs. "They have an economic necessity to help their families." Other congressional leaders are also committed to addressing the problem of street children. "Each child has a right to live in a family, a right to health, a right to education," said Sen. Guillermo Tamborel Suarez, chair of the committee that deals with vulnerable groups (Comision de Atencion a Grupos Vulnerables) in the upper house. But Tamborel suggested the plan proposed by his fellow senators should not be the first option. "Assistance centers should be the last resort," said the senator, a member of the governing Partido Accion Nacional (PAN).

Concern also raised about rural working children

Urban street children are just one part of the equation. A survey released in 2004 showed that as many as 8% of working young people in Mexico between the ages of 12 and 17 were maids or other types of domestic servants. "Many of them are indigenous girls who came from the poorest regions

of the country," columnist Jose Woldenberg wrote in the Mexico City daily newspaper Reforma. Even though a large number of young people have migrated from rural areas into the city in search of work, many others remain in their communities to become part of the labor force of agricultural workers.

A recent INEGI study indicated that as many as 30% of laborers in agriculture-related activities in Mexico are minors. This translates to more than 1.5 million children and teenagers. UNICEF and the International Labor Organization (ILO) have attempted to bring attention to the problem, not just in Mexico but also at the global level. A recent ILO report indicated that 132 million agricultural workers worldwide are between the ages of 5 and 14. "Their work involves the harvest of cocoa, coffee, fruits, sugar, palm oil, rice, tobacco, and vegetables," said the ILO.

In Mexico and many other countries, rural schools are underfunded and sometimes substandard. Even in rural areas with good schools, many children are not able to take advantage of them because they are put to work at an early age. Children who work long hours are not likely to have the energy or inclination to go to school even if this option is offered. "The long work days cause physical and mental fatigue," said the ILO. UNICEF is also launching a campaign to bring attention to the plight of rural working children through film and other media.

The UN agency collaborated with Mexican filmmaker Eugenio Polgovsky to produce a documentary about children and teenagers who work as agricultural laborers in Mexico. The film, entitled *Los Herederos*, shows the daily plight of children who work in the fields in Mexico. "[This movie] simply shows the setbacks in the lives of children and how they struggle daily to survive through their work herding livestock, making bricks, or working in the fields," said Polgovsky. Just as it did with the issue of street children, the Mexican Congress is looking at ways to address the problem. Sen. Tamborel said his committee will be looking closely at the situation, with an eye on supporting initiatives to allow more children in rural areas to go to school rather than work.

Additionally, two members of the Partido Verde Ecologista Mexicano (PVEM) who ran unsuccessfully for the Chamber of Deputies in Michoacan state during the recent July 5 election raised the issue of children working in agriculture during the campaign. "We need legislation in Mexico to prevent the exploitation of children in Mexico," said PVEM candidates Saul Soliz and Juan Polvos Mancilla. For many children and youth in rural areas, another option in recent years has been to try to sneak into the US to find work or reunite with relatives. In many cases, the young people cross on their own (SourceMex, March 03, 2004).

Frequently, the children are caught and sent back to Mexico. A recent PRI migration committee report showed that US authorities deported almost 100,000 children to Mexico in 2008. The report, released in mid-July, noted that the children were sent back without legal or physical protection.

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