

VI. Factors Pushing Children into the Streets

An ever increasing number of children live and work in the streets of the DRC. Although exact numbers are unknown, child protection activists estimate that the number of street children in Kinshasa and other urban areas has doubled in the last ten years. They have identified multiple and sometimes inter-related causes to explain the increase. The two successive civil wars, one that began in 1996, the other in 1998, left more than 3.5 million Congolese civilians dead and has devastated the country. Some children living on the streets lost parents in the war—either directly in the conflict or due to hunger or disease—or were separated from them while fleeing violence, particularly in the war-ravaged east of the country. Entrenched poverty made worse due to the fighting has taken an equally heavy toll on Congolese families. Unable to feed their children, much less pay for their education, some parents send their children out into the streets to beg or look for work, or parents abandon their children when, faced with unemployment, they leave their homes in search of work in other regions or countries. Men and women who become single parents due to divorce, separation, or the death of a spouse often increase the vulnerability of their children to violence and abandonment when they re-marry. In many cases, a recently wedded second wife or husband does not want to care for children from a previous marriage, and the children are neglected or sent away. In the past, children not cared for by their parents would be taken in by extended family members. But some families, already struggling to care for their own children, are unwilling or unable to take on the additional burden of more children.

Violence in the Home

Street children we interviewed gave graphic descriptions of physical abuse at home, in some cases so severe that they had left because of it. Stepmothers or stepfathers were often the perpetrators of the abuse, giving differing treatment (including harsh punishment) to children from former marriages as compared to their own biological children. In interviews in Lubumbashi and Mbuji-Mayi, judges told us that physical abuse of children in the home is common in many Congolese families, but cases of child abuse and neglect rarely enter the court system. They reported that under Congolese law, a parent can be charged and judged responsible if a child is severely beaten but neither parents nor children generally report the abuse to the police. Rather, neighbors or extended family members will try to intervene to settle family disturbances. Emphasis in

most family disputes is placed on reconciliation not retribution, in part because the state has no facilities to take children who are abused or abandoned into care.¹¹¹

Jacques was eight years old when his parents divorced. He lived with his father in Lubumbashi after his mother left for Kinshasa. Soon after the divorce, his father remarried a woman who had several children from a previous marriage. He told us that not long after moving in with the family, his stepmother began giving him more and more work to do around the home. He was responsible for washing all the clothes and fetching water, while her own children were exempt from domestic chores. He said that she would often hit him and in some cases whipped him when his father was not around, telling him he was not wanted in their home. Although he complained to his father, the situation did not improve. Jacques left home because of the abuse when he was ten years old.¹¹²

Fifteen-year-old Aaron was born and grew up in Limete commune in Kinshasa. His mother died of complications from AIDS in 1999, and soon after her death his father remarried. He told us that his stepmother mistreated him from the very beginning, favoring her own children from her first marriage. She gave him less food than her own children, and when they watched television he was made to leave the room. She beat him for the smallest infraction, sometimes with her hands, sometimes with the handle of a broom, and one time, she slammed his hands in a door. Aaron complained to his father, but he was often not at home. His father eventually became sick, was hospitalized, and later died, presumably also from AIDS. During the time of his father's illness, his stepmother blamed Aaron for the sickness and made him sleep outside the house. After his funeral, she chased him from their home.¹¹³

¹¹¹ Human Rights Watch interviews with the president of the Tribunal of Peace, Lubumbashi, September 19, 2005, and with the president of the Tribunal of Peace, Mbuji-Mayi, September 26, 2005.

¹¹² Human Rights Watch interview with Jacques, twelve, Lubumbashi, September 18, 2005.

¹¹³ Human Rights Watch interview with Aaron, Kinshasa, October 1, 2005.



Street boys playing at a center for children in Kinshasa. © 2005 Marcus Bleasdale

Isaac lost his father during the war and his mother remarried after moving the family to Goma in the late 1990s. Using the term “uncle” to refer to his stepfather, he said:

My uncle never accepted me in their home. He would pick on me in front of the other children and say terrible things about my father. He refused to pay my school fees and instead would lock me in the house during the day when the other kids were at school. He would buy clothes and shoes for the other children, but never for me. When the abuse became too much, I finally decided to leave.¹¹⁴

Children Accused of Sorcery

Related to the increase in the number of children on the streets are accusations that children, through sorcery, are responsible for the various economic and social problems that plague families. Accused children throughout the DRC, but particularly in Kinshasa and Mbuji-Mayi, can be physically and verbally abused, neglected, and sometimes abandoned by their families. Individuals who work with children in Kinshasa estimate that as many as 70 percent of street children had been accused of sorcery in their homes before coming to live on the streets. One activist who advocates for assistance and

¹¹⁴ Human Rights Watch interview with Isaac, fourteen, Goma, September 13, 2005.

protection of street children told us that there is no bigger factor in pushing children on to the streets today than accusations of sorcery.¹¹⁵

It is rare that children who live with both biological parents are accused of sorcery. In interviews we conducted with accused children, every one of them had lost one or both parents and had been living with extended family members who were facing extremely difficult economic problems. A Roman Catholic priest who shelters street children in Kinshasa conducted a survey of 630 children accused of sorcery in 2004. Of that number, only seventeen had both parents living.¹¹⁶ Children in the DRC who have lost one or both parents are traditionally taken into the care of stepmothers or stepfathers, grandparents, uncles and aunts, or older siblings. But numerous organizations that work with children told us that this tradition was being undermined as a growing number of families were being expected to care for their relatives' children while at the same time facing increasing economic difficulties themselves. They told us that some families were simply unable to cope with the care of their relatives' children, but stressed that sending children to the streets would be culturally unacceptable.

Accusations of sorcery, particularly by a religious leader, however, provided an excuse for guardians to chase children from their homes. The same Roman Catholic priest who conducted the survey of accused child sorcerers in Kinshasa told us, "I believe that for the most part, parents or guardians do not necessarily believe it is sorcery. They are just looking for a reason to get rid of the kids, the extra mouths they can't feed. The children are the victims of larger social problems and the breakdown of the family."¹¹⁷

Accusations of witchcraft and belief in the ability to cause harm to others through sorcery have existed in the DRC since before colonial rule, according to numerous Congolese we interviewed who are familiar with child sorcery cases. They reported that the major difference today is the age of the accused, and the number and location of the accusations. In the past, it was usually a widow or a woman who had remained single, not children, who were accused of sorcery. Accusations were usually made against rural women, who were made to live in relative isolation often at the edge of a village for fear that they would harm others. In the last fifteen years, however, children living in urban areas have become the primary targets of witchcraft allegations. Each week in the DRC, hundreds of children are accused of sorcery and endure abuse at the hands of their

¹¹⁵ Human Rights Watch interview with Remy Mafu Sasa, Kinshasa, September 28, 2005.

¹¹⁶ Human Rights Watch interview with Pere Zibi, ORPER center, Kinshasa, September 29, 2005.

¹¹⁷ Ibid.

accusers—normally extended family members but, increasingly, self-proclaimed prophets or pastors as well.

In tandem with the increasing number of children accused of sorcery has been the creation of churches that specialize in the exorcism of evil spirits from the “possessed.” These *églises de réveil* or churches of revival combine prayers, fasting and abuse in “deliverance” ceremonies to rid children of “possession.” Approximately 2,000 churches perform “deliverance” ceremonies in Mbuji-Mayi and an even larger number operate in Kinshasa.¹¹⁸ Some of these churches and their leaders have attracted large followings and have become lucrative businesses. Although the deliverance ceremonies are reportedly performed for free, in reality, parents or guardians are strongly “encouraged” to make a financial donation or give a gift to the church in exchange for deliverance of a child. In addition, deliverance ceremonies are a way to attract new church members who may become regular contributors at Sunday services.¹¹⁹



Thousands of children in the DRC undergo “deliverance ceremonies” to rid them of “possession.”
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¹¹⁸ Human Rights Watch interview with Jean Valea, Save the Children-UK, Mbuji-Mayi, September 22, 2005.

¹¹⁹ For more information on street children and accusations of child sorcery, see: Javier Aguilar Molina, *The Invention of Child Witches in the Democratic Republic of Congo Social Cleansing, Religious Commerce and the Difficulties of Being a Parent in an Urban Culture*, Summary of the research and experiences of Save the Children’s 2003-2005 programme funded by USAID, 2006; and Filip de Boeck, “On Being Shege in Kinshasa: Children, the Occult, and the Street,” in Theodore Trefon ed. *Reinventing Order in the Congo. How People Respond to State Failure in Kinshasa* (London and New York: Zed Books, 2004), pp. 155-173.

Abuses in the home related to sorcery accusations

Children can be accused of sorcery for any number of reasons. The loss of a job, an illness or death in the family, or marital difficulties can lead parents or guardians to look to their children as the cause. Perceived “unusual” behavior in children, such as bed wetting, aggressive behavior, sleep walking, nightmares, or simply sharing food with neighboring children, can trigger sorcery accusations. Children who suffer from epilepsy, chronic illness, or mental illness can also be fingered. Once a child has been identified as a sorcerer, then he or she receives different treatment from other children in the family. They are sometimes made to eat their meals alone or sleep separately from the rest of the family. They can have food withheld or be given the least and last. They may be pulled out of school, made to do disproportionate amounts of domestic work, or be forced to work on the streets to earn their keep. Children accused of sorcery report particularly brutal behavior at the hands of their parents or guardians. They are beaten, whipped, or slapped in an attempt to rid them of the “possession” or to coerce them to confess to being a sorcerer. They are insulted, called derogatory names and made to feel less than human. Street children we interviewed about sorcery accusations expressed confusion and frustration about the accusations and the abusive treatment they received. Many expressed great sadness about the abuse by family members, and fear to return to their homes should reunification be possible.

Eleven-year-old Michael began living on the streets three years ago after he was forced from his home by his stepmother. Soon after he began living with his stepmother, she accused him of sorcery. He was forced to eat separately from the other children in the family and given smaller portions of food. He was not allowed to sit near his half-siblings and slept in a corner of the kitchen by himself. Michael told us that his stepmother insisted that this was necessary so he wouldn’t transmit the sorcery to his brothers and sisters. On several occasions he was beaten at night by his stepmother with the handle of a shovel on his hands and back so that he would confess to being “possessed.” He was told to leave home unless he turned over the physical items he used in conducting sorcery. Not knowing what to do, and of course not having such items, he left home when he was eight years old.¹²⁰

Aubrey was twelve years old when he fled his home to escape abuse. After his parents died, he went to live with his older brother, his brother’s wife, and their children. He told us that his sister-in-law accused him of being responsible for the death of their youngest son, who died soon after his birth. She began treating Aubrey badly, not giving him the same amount of food as her own children. If he complained, she would slap

¹²⁰ Human Rights Watch interview with Michael, Mbuji-Mayi, September 23, 2005.

him or beat him with the handle of a broom. She insulted him, calling him a sorcerer and a murderer. After she had convinced his brother that Aubrey was responsible for the death of their baby boy, Aubrey fled the house and began his life on the streets.¹²¹

We interviewed ten-year-old Albert at a center for vulnerable children supported by the Catholic Church. His mother died of tuberculosis and after her funeral he went to live with his father and his father's second wife and children. According to Albert:

After my father left home on business, this is when the problem started. My half-brother, who lived with us, accused me of stealing food and practicing sorcery. We never had enough to eat, sometimes we ate only once a day and I was given less than the others. This is because my half-brother was the only one making money. He made sure that the others got food and clothes and I did not. He said I was a sorcerer and should leave. He would beat me with a large spoon that the mother would use to make fufu (cassava meal) to get me to leave.... I began spending more and more time away from the house at the compound of a church nearby. My brother found me there one day and beat me severely with his fists, telling me to leave the neighborhood. The pastor there told my brother to stop the beating, but seemed to believe him that I was a sorcerer and made me leave the church. I had no choice but to go to the streets.¹²²

Abuses in churches

Parents or guardians who accuse children of witchcraft may send the child to a church for deliverance ceremonies organized by pastors or prophets. In the last fifteen years, self-proclaimed pastors and prophets have established numerous "churches of revival"¹²³ that specialize in the deliverance of children from alleged possession. Many of these churches combine traditional Congolese beliefs and rituals with elements of Christianity. The ceremonies that pastors perform range from simple prayers and singing to holding the children for several days at the churches, denying them food and water, and whipping or beating confessions out of them. Save the Children/UK has been active in attempting to change the behavior of the worst of these pastors. According to a Save the

¹²¹ Human Rights Watch interview with Aubrey, fourteen, Kinshasa, September 30, 2005.

¹²² Human Rights Watch interview with Albert, Mbuji-Mayi, September 23, 2005.

¹²³ According to a group of pastors we interviewed, the majority of deliverance ceremonies take place in churches of revival (*églises de réveil*); other exorcism ceremonies are conducted in churches of black magic (*églises de noir*), churches of healing (*églises de guerir*), or Christian churches.

Children/UK project manager in Mbuji-Mayi, the most abusive pastors withhold food and water from children, whip or burn them to coerce their confessions, or pour salt water in their anuses or down their throats to purge the “evil” from their bodies.¹²⁴ An organized group of pastors in Kinshasa which, through peer outreach, tries to change the behavior of abusive pastors confirmed these accusations. They additionally reported that sometimes children are tied up during their confinement at the churches and that in a few cases boys and girls have been sexually assaulted by members affiliated with the churches while in confinement.¹²⁵

We interviewed several children who had undergone particularly brutal deliverance ceremonies. Twelve-year-old Brian never knew his real father but was accused by his stepfather of sorcery soon after his mother remarried. He told us that the accusations began the night after he wet his bed. In the following days his stepfather beat him, called him names, and later took him to a church for deliverance. Brian was not kept at the church at night, but had to come each day during a four-day period. He told us, “We were not allowed to eat or drink for three days [either at church or at home]. On the fourth day, the prophet held our hands over a candle, to get us to confess.” When it was Brian’s turn, he was told that he would be whipped if he didn’t confess. Weak from thirst and hunger, he admitted that he was a sorcerer so that he could leave the church.¹²⁶

Malachi was only nine when he and his brother were brought by his stepfather to a deliverance ceremony. He told us that his stepfather brutally beat him and his brother in front of the pastor at the church. The pastor then agreed that Malachi and his brother were “possessed” and needed deliverance. Malachi told us only that his brother went through the painful ceremony, but refused to describe to us what had happened.¹²⁷

Many of the children we talked with were unable to identify which church or pastor had performed the deliverance ceremony. One boy in Mbuji-Mayi, however, told us that his stepmother had brought him and his little brother to Prophet Kabuni Wa Lesa at the Charismatic Evangelical Center. The two boys were held for three days at the church and given no food or water, but were not otherwise physically abused. On the third day they were given some murky water, at which point his little brother began vomiting. His little brother’s expulsion of the water reportedly led the prophet to identify him as the source of sorcery in the family.¹²⁸

¹²⁴ Human Rights Watch interview with Jean Valea, Save the Children/UK, Mbuji-Mayi, September 22, 2005.

¹²⁵ Human Rights Watch interview with Reverend Gode and other pastors, Kinshasa, October 3, 2005.

¹²⁶ Human Rights Watch interview with Brian, Kinshasa, September 30, 2005.

¹²⁷ Human Rights Watch interview with Malachi, eleven, Kinshasa, October 1, 2005.

¹²⁸ Human Rights Watch interview with Francis, nine, Mbuji-Mayi, September 25, 2005.



Pastors or prophets who perform deliverance ceremonies blend elements of Christianity with Congolese traditions and rituals. © 2005 Marcus Bleasdale

In an interview with Human Rights Watch, Prophet Kabuni told us that the vast majority of his clients at the deliverance ceremonies were children. He said that he was well known in the community as a successful diviner of sorcery, and that because of his reputation he had scores of children brought to him each week. He told us that it was necessary to withhold food and water from everyone undergoing deliverance ceremonies to decrease the evil power that held those who were possessed. When questioned about the practice and the harm this could cause a child, he replied that there had never been a death at his church and that they do not withhold food and water from young children—defined by him as less than four years old.¹²⁹

After the accusations

Some children who undergo these ceremonies are reunified with their family members who believe that the spirits have been exorcised. Some families, though, appear unconvinced that the ceremony was successful. They may accept the child initially and wait to see whether another perceived evil occurs and if so, throw the child out. In other

¹²⁹ Human Rights Watch interview with Kabuni Wa Lesa, Charismatic Evangelical Center, Mbuji-Mayi, September 27, 2005.

cases, children returning from the churches are immediately made to leave the home, whether or not the ceremony was deemed successful by the pastors.

According to a Roman Catholic priest working with street children in Kinshasa, many pastors who perform these ceremonies are most concerned with the wishes of the adults who bring the child in for deliverance. If they appear not to want the child to return, then the pastor may advise the parent or guardian not to take the child back, or may suggest the boy or girl may need to return to the church for further consultations.¹³⁰ A prophet who “delivers” children in Kinshasa, confirmed that one challenge was reunifying children with their families after performing a ceremony. He told us, “Our biggest problem is that children come here, we do the service, but then the parents do not want the children back. This is especially true in cases where the child has ‘eaten’¹³¹ someone in the family. We try to convince the parents where we can.”¹³²

Twelve-year-old Brian, who was abused during a deliverance ceremony, told us:

After I confessed to being a sorcerer, I didn’t have to go back to the church. But things at home got worse. My stepfather never believed that the prophet was successful. He would beat me when he saw me. Even my mother began to believe I was a sorcerer. One time when I was sleeping, she poured petrol into my ears.¹³³ Another time, she brought me to a section of town I didn’t know and abandoned me there. I eventually found my way home but was not welcomed into the house. I decided at that point it was better to live on the streets.¹³⁴

Activists who try to reunify street children with their families identified cases of children accused of sorcery as being the most difficult and least likely to succeed. Guardians or family members often refuse to listen to social workers or accept a child back once he or she has left the home. For these activists, the general failure to reunify children accused of sorcery makes successful prevention all the more important, but they told us that

¹³⁰ Human Rights Watch interview with a priest, Kinshasa, September 29, 2005.

¹³¹ Children or adults who are blamed for the death of another person were often described as having “eaten” them, apparently referring to their soul.

¹³² Human Rights Watch interview with Prophet Bisombolo, Eglise Viaka, Kinshasa, October 3, 2005.

¹³³ Children who have undergone “deliverance” ceremonies, pastors who perform them, and child welfare activists, all told us that blocking or covering the eyes and ears of a child is an integral part of deliverance ceremonies. It reportedly interrupts visual or audio communication from “evil spirits” and helps the message from the deliverer to be received.

¹³⁴ Human Rights Watch interview with Brian, Kinshasa, September 30, 2005.

despite the efforts of some nongovernmental organizations, the government was doing very little to deter the abuse.



Small children at a deliverance ceremony. During the ceremony, children's eyes and ears are blocked to disrupt the transmission of "sorcery." © 2005 Marcus Bleasdale

The police, judicial investigators and government officials rarely intervene in cases of child sorcery accusations and physical abuse in homes or in churches. Police personnel we interviewed claimed that cases of physical abuse were not generally brought to their attention since it was children who would have to make the accusations.¹³⁵ Judges in the Courts of Peace in Mbuji-Mayi and Lubumbashi were aware of only a few cases of parents or guardians charged with physical abuse, and none related to accusations of sorcery.¹³⁶ For abusive pastors and prophets, little has been done to curb their practices. In Mbuji-Mayi, Congolese human rights organizations, judicial personnel, and the police themselves knew of no case where a pastor or church had been investigated for abusing children. In Kinshasa in 2004, the then Minister of Social Affairs, at the insistence of children's rights groups, reportedly led an investigation into a case where church leaders were abusing children. The pastor was arrested and the church temporarily closed, but

¹³⁵ Human Rights Watch interviews with police, Goma, September 14, 2005, and Mbuji-Mayi, September 27, 2005.

¹³⁶ Human Rights Watch interviews, Lubumbashi, September 19, 2005, and Mbuji-Mayi, September 26, 2005.

the pastor was never brought to justice.¹³⁷ Officials in both the Ministries of Justice and Social Affairs agreed that more needed to be done to curb abusive practices by both parents and pastors, particularly because such abuse is expressly prohibited and punishable by law under the new constitution.¹³⁸

HIV/AIDS

The ongoing HIV/AIDS epidemic is increasing both the number of children who are orphaned, and the accusations of child sorcery. The estimated national HIV/AIDS prevalence rate is 4.2 percent in the DRC, lower than many countries in eastern and southern Africa, yet some one million Congolese children have been orphaned by the epidemic.¹³⁹ Orphaned children are often taken in by extended family members who may not be able to properly care for them. These children are less likely to go to school, more likely to be working in the streets to support their families, and face other considerable disadvantages in comparison with other children.¹⁴⁰ Additionally, stigma, discrimination against people living with or affected by AIDS, and misinformation about the disease are widespread in the DRC.

Many Congolese appear to believe that HIV/AIDS can be spread through sorcery. In the worst instances we documented, family members blamed surviving children for causing the death of their parents from AIDS through sorcery. For example, fifteen-year-old Timothy, whose parents both died of complications related to AIDS in 1995, has been living in an orphanage for almost ten years. Following his parent's deaths, he briefly lived with his older brothers and sisters, but they accused him of sorcery, transmitting the virus to his parents, and "eating" them. He was shunned by his siblings, made to stay outside of their home, and not given proper care. A neighbor who noticed his wretched state eventually intervened and placed him in an orphanage.¹⁴¹

Many pastors and prophets who specialize in child "deliverance" reinforce the message that children can transmit the virus to family members through sorcery. They may explain to parents or guardians that a child is responsible for spreading the disease to a

¹³⁷ Human Rights Watch interview with officials in the Ministry of Justice, Kinshasa, September 30, 2005.

¹³⁸ Article 41 of the Constitution of the Democratic Republic of Congo, 2005. Article 41 states that, "the abandonment and mistreatment of children especially pedophilia, sexual abuse as well as accusations of sorcery are prohibited and punishable by law."

¹³⁹ Joint United Nations Programme on HIV/AIDS (UNAIDS) and World Health Organization (WHO), *Epidemiological Fact Sheets on HIV/AIDS and Sexually Transmitted Infections: Democratic Republic of Congo (2004 Update)*, p. 2.

¹⁴⁰ Human Rights Watch, "Letting Them Fail: Government Neglect and the Right to Education for Children Affected by AIDS," *A Human Rights Watch Report*, vol. 17, no. 13(A), October 2005, [online], www.hrw.org.

¹⁴¹ Human Rights Watch interview with Timothy, Kinshasa, October 1, 2005.

family member through witchcraft in an effort to convince them to allow the child to undergo deliverance at the church. When questioned about HIV/AIDS, a prophet in Mbuji-Mayi told us, “Child sorcerers have the power to transmit any disease, including AIDS, to their family members. AIDS is a mysterious disease that is used as a weapon by those who practice witchcraft.”¹⁴² HIV/AIDS awareness and prevention campaigns stressing ABC (Abstinence, Be faithful, and use Condoms) have to date failed to refute the idea that HIV can be transmitted through sorcery, and have done nothing to address the abuses experienced by children or to reduce their vulnerability.¹⁴³

The director of the Youth Movement for Excellence, a Kinshasa-based organization that cares for street children and widows, told us that nearly half of the children they care for are affected by HIV/AIDS. Many of those children have been accused of sorcery and held responsible for the deaths of their parents or siblings due to complications from HIV/AIDS. Accused children can be physically and emotionally abused by their caregivers and are either forced from their homes or leave the house on their own because of the abuse.¹⁴⁴

Worse off still are children who are themselves HIV positive and are made to believe they are responsible for their illness and for the deaths of family members. We interviewed one boy and one girl, both infected with HIV, who, in place of care and treatment, were physically abused by their family members, accused of being sorcerers, and thrown out of their homes. One twelve-year-old boy who has been living with HIV for over a year said that because he was often sick, his paternal uncle accused him of being a sorcerer and held him responsible for the death of his parents who had died of AIDS. His food and care were withheld and he was forced from his home. A social worker familiar with the case told us that in discussions with family members, the paternal uncle told him that he had refused to accept that his nephew was HIV positive, and instead insisted that he was possessed, which for him explained the boy’s illness. The uncle told the social worker that the boy had put a spell on the parents which caused their sickness and eventual death, and that he believed that if he agreed to take the boy back, a similar fate awaited other family members.¹⁴⁵

¹⁴² Human Rights Watch interview with Pastor Kabuni Wa Lesa, Mbuji-Mayi, September 27, 2005.

¹⁴³ Human Rights Watch interview, Kinshasa, September 29-30, 2005.

¹⁴⁴ Human Rights Watch interview with John Lisumba, Kinshasa, September 29, 2005.

¹⁴⁵ Human Rights Watch interview with a social worker, Mbuji-Mayi, September 23, 2005.



A street boy sleeping in a shelter in Kinshasa. © 2005 Marcus Bleasdale

Some children orphaned by AIDS and later accused by family members of sorcery are also victims of disinheritance and property grabbing by their relatives. Several children orphaned by AIDS and later accused of sorcery by their aunts or uncles told us that soon after the property of their deceased parents had been divided or sold, they were accused of sorcery and abused. Paul, an orphan living on the streets of Kinshasa, said that when his parent's died from complications due to AIDS, his paternal uncle sold his parents' house and refused to care for him and his siblings. His uncle accused them of sorcery, refused to properly feed and clothe them or pay for their schooling, and kept the money from the sale of the property as well as other valuables that belonged to their parents.¹⁴⁶ Twelve-year-old Simon told us that his father had several parcels of land that he rented out for use by other farmers. When his father died from AIDS, his uncles divided up the land and sold it. Like Paul, Simon was accused of sorcery and thrown out of an uncle's house where he had been living after the death of his parents.¹⁴⁷ An official in the Division of Social Affairs in Kinshasa has observed a link between cases of children orphaned by AIDS, accusations of sorcery by relatives, and property grabbing of these children's parents' valuables. She told us that even though children under

¹⁴⁶ Human Rights Watch interview with Paul, twelve, Kinshasa, September 30, 2005.

¹⁴⁷ Human Rights Watch interview with Simon, Mbuji-Mayi, September 23, 2005.

Congolese law are able to inherit their parents' property, very few children know this right or are able to effectively challenge family members in court.¹⁴⁸

Education

Numerous officials and children we interviewed for this report stressed that the inability of parents or guardians to pay school fees and other related costs of primary education was one reason that children began spending time in the streets. The Minister of Social Affairs, M. Laurent Otete Omanga, told us that, "Many parents can not pay for their children's education. These children stay at home with nothing to do and soon go out on the streets looking for work or amusement. They can easily be exploited by adults who pay them very little, often for very hard work. Or, they begin to associate with children who have lived on the streets for some time. They may begin drinking alcohol, using drugs and committing crimes. Once they are used to life on the streets, they leave home and join criminal street gangs."¹⁴⁹

Like many of the street children we interviewed, Peter, in Lubumbashi, told us that once he dropped out of school, he began exploring life on the streets. "I had to leave school after I finished the third grade. My parents could no longer afford the fees, so I started coming to the streets to look for something to do. Life here on the streets is hard, there is never enough to eat and I am hungry. I would like to return to school and continue my studies."¹⁵⁰ Similarly another street boy, Benjamin, in Kinshasa, told us that after his mother died, his father stopped paying for his schooling. He only finished his fourth year of primary school. With nothing else to do, he began working on the streets, selling matches and water.¹⁵¹

A children's rights activist in Mbuji-Mayi who has done research on abusive forms of child labor around mining activities believes that lack of schooling for many Congolese children is what drives them into child labor and eventually onto the streets. He told us that many parents and guardians in the country are unable to afford the prohibitively high cost of schooling. In the DRC, a parent or guardian must pay several dollars a month to send a child to primary school and also supply a uniform and school materials—costs beyond the means of many families who survive on one meal a day. For this activist, the inability of adults to pay for school leads their children to begin working at young ages in activities around the mines. He explained that as some children

¹⁴⁸ Human Rights Watch interview with official in the Division of Social Affairs, Kinshasa, September 29, 2005.

¹⁴⁹ Human Rights Watch interview with the Minister of Social Affairs, Kinshasa, September 29, 2005.

¹⁵⁰ Human Rights Watch interview with Peter, fifteen, Lubumbashi, September 16, 2005.

¹⁵¹ Human Rights Watch interview with Benjamin, seventeen, Kinshasa, October 1, 2005.

begin to receive small amounts of money for their labor, they may not want to share it with their family members. As they begin spending more and more time away from home, they become habituated to the street and can become full-time street children.¹⁵²

Albert is an orphan living on the streets of Mbuji-Mayi. He told us that upon the death of his parents he moved in with his older sister and her husband. He said that his brother-in-law was abusive, would beat him, and refused to pay for his schooling. He decided to seek work in the mines to bring in income for the family. During several months of working and sharing his meager salary with his family the abuse by his brother-in-law continued. He finally decided that he would manage on his own and began living on the streets outside of town.¹⁵³

After years of warfare, economic decline, and limited to nonexistent state services, providing education for Congolese children, much less free primary education, remains a serious challenge for the government. Nevertheless, it must be recognized that the lack of educational opportunities for children in the DRC drives thousands of children into child labor each year, including hazardous and illegal child labor, and for some children, into the streets. The new constitution, adopted by the National Assembly in 2005 and overwhelmingly approved by voters in 2006, makes clear in article 42 that primary education must be obligatory and free in public schools.¹⁵⁴ The government, therefore, should make every effort to provide education to the maximum number of children possible and create a national strategy to progressively reduce and eliminate school fees and related costs of education that prevent poor children from going to school.

¹⁵² Human Rights Watch interview with M. Chimanga, Mbuji-Mayi, September 22, 2005.

¹⁵³ Human Rights Watch interview with Albert, twelve, Chimuna village, September 24, 2005.

¹⁵⁴ Article 42 of the Constitution of the Democratic Republic of Congo, 2005.