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Impact of Drug Addiction on Street Children: Protection under International and National laws

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ABSTRACT

Street children are children of our country and citizens of our country. Drug addiction among children has turned into a grave social and public health problem in Bangladesh. In fact, it is a critical issue in front of the entire society. A whole lot of street children of Dhaka city have fallen victims to drug addiction. Various social factors contribute to drug abuse among street children. Drug addicts directly affect the social and physical behavioral problems of children and affect economically, and this is a societal as well as a national social aspect. The rising problem of consuming drug and addiction among street children in Bangladesh, reflecting difficulties in other developing countries, is a significant issue. Notwithstanding the substantial population of drug-addicted street children in Dhaka, practical solutions to tackle this issue are markedly deficient. However, this paper aims to protect street children from drug addiction and understand the root causes propelling street children toward drug addiction and the socioeconomic factors contributing to their vulnerability.

KEYWORDS

*Street Children, Drug Addiction, Vulnerability,
Protection Laws, Socioeconomic Factors*

INTRODUCTION

Street children are the most neglected symbol of illiteracy in Bangladesh. Due to a lack of family, social, and state support, street children are becoming helpless and addicted to drugs. The increase in drug addiction poses a significant threat to their

mental and physical ailments as well as their future development and social progress of the nation. Street children are among the most vulnerable and marginalized groups in society¹, as they encounter a variety of obstacles that impede their psychological, emotional, and physical health. Drug addiction is a particularly formidable hazard and perpetuates a cycle of despair, poverty, and vulnerability among these challenges.² Street children are primarily excluded from mainstream interventions and policies despite global efforts to address addiction to drugs and its associated consequences.³

In any case, the street children in Bangladesh have suffered in pain and uncertainty. It is estimated that nearly half of the world's juvenile population lives in the Asia-Pacific, and includes a considerable population of street children.⁴ A total number of 42 million people in Bangladesh belong to the age group of 5-17 years, sharing 32.2% of the total population. This underscores the prevalence of a significant child demographic. This demographic is expanding rapidly in Dhaka city, with estimates indicating approximately two million street children. This is consistent with the criteria established by the 1989 International Convention on the Rights of the Child, which defines individuals under 18 as minors.⁵ Hypothetically, street children are human and possess all the rights granted to them by several types of national and international legislation. However, the actual situation in Bangladesh is shocking. They have been deprived of all their rights; no one can ensure their right to see them. Their rights have been limited to paper and pen. The research is mainly based on the review of supporting information, including books, articles, national and international reports or documents, and so on. The study has also analyzed various international

¹ Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

² United Nations Office on Drugs and Crime (UNODC) (2018) World Drug Report 2018.

https://www.unodc.org/wdr2018/prelaunch/WDR18_Booklet_1_EXSUM.pdf

³ Ministry of Social Welfare, Government of the People's Republic of Bangladesh (2021) National Plan of Action for Street Children 2021-2025. https://dife.portal.gov.bd/sites/default/files/files/dife.portal.gov.bd/publications/89b99da2_9025_4cdf_9b66_3116bde508fe/2023-02-14-06-08-c0442a5d5c1243326e924babf26c6686.pdf

⁴ Sultana, Mst Tahmina, Shohal Hossain, Rehena Parvin, Md Touhidul Islam, and Samme Akter Mithy. "Impact of Drug Addiction on Street Children: Perspective Dhaka City." *Open Access Library Journal* 11, no. 1 (2024): 1-19.

⁵ Ibid

⁶ Uddin, Md.J., Sarma, H., Wahed, T., Ali, Md.W., Koehlmoos, T.P., Nahar, Q. and Azim, T. (2014) Vulnerability of Bangladeshi Street-Children to HIV/AIDS: A Qualitative Study. *BMC Public Health*, 14, Article No. 1151. <https://doi.org/10.1186/1471-2458-14-1151>

instruments and national legislation about drug addiction among street children in Bangladesh.

BACKGROUND

Drug addiction has been large-scale in nature in its impacts on street children. It physically degrades their health into malnutrition, respiratory diseases, and severe psychological conditions. Mentally, constant exposure to drugs erodes their capability for healthy cognition, impairs judgment, and one often finds severe developmental delays. These children become increasingly marginalized, stigmatized, and excluded from mainstream society,

Although Bangladesh is a signatory to different international conventions advocating for the protection of the rights of children, the country's domestic laws and policies often fail to extend adequate protection, rehabilitation of Cannabis, heroin, stimulant or sleeping pills, glue, and gasoline sniffing are popular among such children in Bangladesh, and the BSAF added street children who are addicted to drugs. The criminal justice system tends to emphasize more on punitive measures instead of preventive and rehabilitative approaches; hence, these children are bereft of their needed support in overcoming their addiction and integrating back into society.

In the fragmented efforts of the government, NGOs, and civil society, consistency has not been sought in addressing drug addiction among street children. Some interventions have been helpful, but no comprehensive or coordinated effort has been made toward getting at the roots of addiction, effective rehabilitation, and the reintegration of these children into the societal fold.

DEFINITION AND TYPES OF STREET CHILDREN

Children who don't have a home, usually sleeping outside in a city.⁷ Street children are poor or homeless children who live on the streets of a city, town, or village.⁸ Homeless youth are sometimes generally called street kids or urchins.⁹ The definition of street children is debated; however, numerous practitioners and policymakers adopt UNICEF's definition, which describes boys and girls under 18 years of age for whom "the street" (including abandoned buildings and wasteland) has become their residence and source of income, and who lack sufficient

⁷ https://wikimili.com/en/Street_children

⁸ Ibid

⁹ https://en.wikipedia.org/wiki/Street_children

protection or supervision.¹⁰

Diverse scholars have provided varying definitions. Consequently, this term can be articulated in the observation of street children in Bangladesh, as articulated by Patricia Ray: Children living on the street are individuals who are publicly residing without family support.¹¹ (b) Children who work on the street return to their families daily¹²; (C) Children from street families who reside on the street with their families.¹³ Experts have indicated that street children are those under 18 who allocate a portion of their money to street activities daily or solely during the day.¹⁴

- **The World Health Organization (WHO)** definition from 1994 categorizes street children as follows:
- **Tokai:** This Bengali term refers to children who are rag-pickers. They scavenge through the town for various used items, including shoes, clothes, bottles, and papers.¹⁵
- **Cooli (Kooli):** These individuals support themselves by transporting the luggage of others at transportation centers, including railway stations, ferry terminals, and bus terminals. They are typically registered with the appropriate authorities.¹⁶
- **Brokers:** By serving as agents or intermediaries, brokers lure children to urban centers, engage them in hazardous activities, and promise them favorable employment opportunities. These intermediaries frequently claim a substantial portion of the children's profits.¹⁷
- **Minti:** Minties are engaged in analogous labor to coolies, but they are not officially registered. They are employed in various locations, including markets, shops, railway

¹⁰ Sarah Thomas de Benitez (23 February 2009). "State of the World's Street Children: Violence Report". SlideShare. SlideShare Inc. Archived from the original on 25 December 2018. Retrieved 30 November 2012.

¹¹ Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

¹² Ibid

¹³ Ibid

¹⁴ Ibid

¹⁵ <https://www.who.int/publications/i/item/working-with-street-children-monitoring-and-evaluation-of-a-street-children-project>

¹⁶ Shama, N. and Joshi, S. (2013) Street Children in Kathmandu Valley: Situations, Misconceptions, and Interventions. *Journal of Social Development in Africa*, 28, 145-163.

¹⁷ Ibid

terminals, ferry docks, and bus stations. The latter group typically obtains a lower wage rate in places where both coolies and minis are active.¹⁸

Shama and Suresh Joshi emphasize that the challenges encountered by street children are particularly severe in developing countries. They estimate that over 100 million children reside and work on the streets in these countries. The factors that contribute to the emergence of street children are multifaceted and include poverty, overpopulation, and illiteracy.

WHAT IS DRUG ADDICTION?

Addiction means inability to refrain from the use or consumption of something, especially one that is considered injurious.¹⁹ Drug addiction, also called substance use disorder, is a disease that affects a person's brain and behavior and results in an inability to control the use of a legal or illegal drug or medication.²⁰ Alcohol, marijuana, and nicotine also come within the ambit of narcotics. A person addicted to any particular substance might continue with it notwithstanding the harmful effects of the substance.²¹ This is summarized by the definition according to the WHO - "A drug is a chemical compound which, when administered to a living organisms, by any route, produces an alteration in a physiological function, or affects the state of health and results in diagnostic, therapeutic, palliative or prophylactic benefits in humans or animals, whether synthetic, semi-synthetic or natural."²²

CAUSES OF DRUG ADDICTION OF STREET CHILDREN

Several reasons push these street children toward drug addiction. A combination of social, environmental, psychological, and economic factors influences drug addiction among street children. To survive on the street with numerous problematic factors, street children get addicted to drugs.²³ The following are some of the

¹⁸ Ibid

¹⁹ <https://dictionary.cambridge.org/dictionary/english/addiction>

²⁰ Abuse, Substance, Mental Health Services Administration US, and Office of the Surgeon General (US). "The neurobiology of substance use, misuse, and addiction." In *Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs, and Health [Internet]*. US Department of Health and Human Services, 2016.

²¹ <https://www.mayoclinic.org/diseases-conditions/drug-addiction/symptoms-causes/syc-20365112>

²² World Health Organization (WHO) (1994) *Lexicon Alcohol and Drugs Terms*. WHO, Geneva.

²³ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities Vol 9* (2020): 1.

primary factors of drug addiction in this demographic:

Table 1: Causes of Drug Addiction of Street Children²⁴

Reasons	Respondents	Percentage
Lack of basic needs	9	18
Social isolation and depression	5	10
Easy accessibility and affordability	8	16
Peers and other adults influence	7	14
No parental care and abuse, step parental abuse	6	12
Distress in the home environment	5	10
Releasing grief, stress, hunger and working for long hours	10	20
	50	100%

Source: Fieldwork, 2019 ²⁵

This table indicates that the majority of the street children identified in the study (approximately 18%) reported that their substance addiction was a result of a lack of fundamental necessities, including education, healthcare, affection, adequate food, and other socio-economic requirements. Additionally, approximately 20% of the street children reported working for extended periods, experiencing hunger and stress, as well as experiencing inner anguish and grief.²⁶ Consequently, they used a variety of drugs to alleviate their hunger and anxieties. Additionally, 16% of respondents stated that they could afford the materials that were addictive at a low cost. Almost 14% of street children reported that they became accustomed to substance use as a result of the influence and support of their peers and other adults. Approximately 10% of street children reported experiencing drug addiction as a result of social isolation and melancholy, while another 10% described their home-related distress.²⁷

In addition, 12% of the respondents developed drug addiction as a result of the lack of parental care they received, as they were

²⁴ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities Vol 9* (2020): 1.

²⁵ Developed by the author based on UNICEF. (2017). *Is every child counted? Status of Data for Children in the SDGs.*

²⁶ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities Vol 9* (2020): 1.

²⁷Ibid

orphans. Additionally, their stepmother and stepfather were torturing some of them. Additionally, we can recall the field story of Ismail, a 14-year-old street child who was not born into a street life. Ismail was forced to abandon his home as a result of his stepmother's abuse of him. He resided with his parents in a village in the Rangpur district of Bangladesh. When he departed his home, he was a ninth-grade student, and his family's economic situation was satisfactory.²⁸

Nevertheless, he was compelled to leave his home due to the absence of parental care and the torment inflicted by his stepmother. He resides on the streets of Dhaka city with a group of other street children. He frequently requests "glue," "sleeping pills," and "cigarette" drugs to forget his former life, sorrow, and grief. During his interview, we showed him consuming drugs such as Glue. Ismail was questioned about why he was on the street and why he was taking drugs like Glue.

Ismail replied, "*I take glue for nothing; what will I say? I have no pain or affection for anything. I have left my home because my parents and stepmother used to torture me, and my original mother left me and married another male person, so what will I say? I take Glue, Poli, and sleeping pills to forget my pain, my past life, so what is to do with my life now.*"²⁹

COMMON DRUGS USED BY STREET CHILDREN IN BANGLADESH

Street children take different types of drugs based on their habits. They get addicted to drugs with the group most of the time or sometimes take them alone.³⁰ It is noticeable that street children consume several types of drugs. Several agencies and organizations have conducted surveys on this topic. I have highlighted a few of them. This study found different types of drugs that street children use regularly, as follows:

It was intriguing to discover that the types of substance abuse among various age groups are somewhat correlated with their daily income and expenditures through data analysis of the respondents. The data obtained from this study revealed that the earnings of street children between the ages of 12 and 15 are typically less than 200 BDT per day (approximately 2.6 USD). These earnings are usually allocated to purchasing food (1-2

²⁸ Ibid.

²⁹ Ibid.

³⁰ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities* Vol 9 (2020): 1.

meals daily) and inhalants such as gum or dandy (32.5 percent, n=26).³¹ In the survey, these children disclosed that they typically allocated their meager earnings to the purchase of drugs, as they perceived it as a temporary respite from the harsh realities of street life, even if it was insufficient to purchase sustenance.³² A slightly different scenario was observed for older adolescents (16-18 years). Their daily income ranges from 200 to 500 BDT (approximately 2.6 to 6.5 USD). The analyzed data indicated that these children made a concerted effort to save money. They utilize it to purchase food (1-2 meals per day) and undoubtedly spend more on addictions such as smoking, Phenedyl, Pethidine, and Ganja (43.8%, n=35) for a measure of delight and escapism.³³

Another survey study about the rate of common drugs used by street children: The research indicates that 32% of the 50 street youth surveyed used inhalants, including glue, dendrite gum, paint thinners, and other substances, due to their ease of access. Biri, a type of local cigarette, was smoked by approximately 22% of adolescents. A significant number of street children (approximately 18%) described chewing tobacco as another commonly used narcotic substance, known locally as "Gul." Approximately 16% of them consumed ganja or cannabis as a drug, which they obtained from their peers or other individuals.³⁴ Additionally, they frequently purchase from illegal local markets. A small number of children (approximately 12%) disclosed that they use shakti (a slumber drug), polyethylene, and injections, among other medications, due to their unavailability and high prices in comparison to different medicines.³⁵ The research reveals that the sources of funding for the expenses of those drug substances include begging, working, collecting and selling waste products, and engaging in other unlawful activities.³⁶

SOURCE OF MONEY FOR PURCHASING DRUGS

1. Scrap-picking/ Tokaigiri (The primary activity is the collection of a variety of plastic, wooden, metallic, and glass waste from the street, canal, garbage box, and station, and

³¹ Masud, Jakir Hossain Bhuiyan, and Md Moniruzzaman Khan. "Pattern of drug abuse among street children of dhaka: Inhalants are the most popular drug." *Delta Medical College Journal* 6, no. 1 (2018): 29-34.

³² Ibid

³³ Ibid.

³⁴ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities* Vol 9 (2020): 1.

³⁵ Ibid

³⁶ Ibid

- the subsequent sale of this waste to a vanguard store (a location where scrap materials are purchased and sold).³⁷
2. Begging (Requesting food or money from pedestrians, vehicles, and others)
 3. Coolie labor
 4. Engaging in a variety of political programs, meetings, and slogans
 5. Snatching and pilferage (mild-level theft)

A study indicates that the majority of street children primarily acquire money through scrap picking and begging to finance their drug addiction.³⁸ Typically, they consumed drugs in a group of four or five individuals. ³⁹Occasionally, they serve as porters at various bus and train stations to finance their drug activities. They occasionally engage in various political demonstrations, vociferously chanting party slogans, from which they receive tips that are subsequently expended on drug consumption. Moreover, they sometimes engage in theft and snatching acts

PROBLEM FACED BY STREET CHILDREN CAUSES TO DRUG-ADDICTED

These children have to bear several challenges in life that hamper not only their physical, emotional, and mental development but also their integration into society. The majority of the problems they experience emanate from the dangerous realities of street life violence, lack of shelter, poor health, and social exclusion. Hunger is such a big challenge to street kids that it has many effects on the lives of these kids. It is why street children get involved in criminal activities such as robbery and violence, and we can also say that it is the only factor. It also makes their bodies so weak that they become susceptible to diseases. Children in Bangladesh are considered one of the most disadvantaged groups due to the prevailing socio-economic condition and lack of adequate legal protection and access to basic services.

1. *Inadequate Shelter and Basic Amenities*: The most major problem facing street children is the lack of proper shelter.. Without a decent sleeping place, they are prone to face everything in the weather, from heavy monsoon rains to cold winters and summers with scorching temperatures. Thus, such street kids become more vulnerable to various health hazards. Homeless and staying at public places like parks, railway stations, footpaths, and sidewalks, it is a life

³⁷ Ibid

³⁸ Ibid

³⁹ Ibid

bereft of the most basic private and secure living conditions.⁴⁰

2. *Violence and Abuse*: Street children are most liable to fall victim to may take many forms, including physical and sexual abuse and psychological abuse. They also tend to become easy victims of various street gangs, traffickers, and other criminals who kidnap them to sell them into lowly forms of labor, prostitution, and drug trafficking. Similarly, they are victims of violence from law enforcement agencies, other street children, and the general public, who see them as a nuisance.
3. *Limited or No Access to Education*: Most street children lack formal education. They cannot go to school because they need to work for survival or because of their transient way of life. Even when education opportunities do arise, street children frequently suffer stigma and discrimination from teachers and other students, making staying in school insurmountable.
4. *Social Stigma and Marginalization*: Society perceives them as delinquents, criminals, or a burden. Many of them are thus stigmatized socially, with wide marginalization and exclusion in seeking help or accessing any public services like healthcare, education, or social protection programs.⁴¹
5. *Psychological Trauma*: These children face psychological trauma from experiences of abuse, violence, and neglect. They live each passing day in fear and insecurity, which leads the path to anxiety disorders, depression, and mental health disorders. Further, the loss of family and community support results in emotional instability, complicating their ability to trust others or form meaningful relationships.
6. *Involvement in Crime and Exploitation*: Many of these street children, because of their high level of vulnerability, fall into petty crimes or criminal network exploitation. For example, they could be engaged in stealing, drug trafficking, and prostitution as a means of survival. In other cases, street children are recruited into organized gangs that take advantage of their desperation for food and money. Most street children in Bangladesh do not have birth certificates or any legal identity, which makes them unable to access any government services like education, healthcare, or

⁴⁰ IvyPanda Team, "The Major Challenges Faced by Street Children" Nov 23rd, 2023, ivypanda.

⁴¹ Ibid.

social protection programs. Without any legal identity, they are often denied all social systems and, thereby, the fundamental rights of citizenship.

7. *Displacement and Migration:* In Bangladesh, many street children come from families that have been displaced due to natural disasters, rural poverty, or family breakdown. Such displacement leads to forced migration into urban centers, where these children land on the streets. The trauma of displacement, coupled with adjustment difficulties in new environments, exacerbates their sense of instability and insecurity. The internally displaced street child or those migrating families have extra difficulties adapting to city life, which is highly competitive, with minimal sets for support.

EFFECTS OF DRUG ADDICTION ON STREET CHILDREN

Drug addiction Among street kids has devastating, all-pervasive effects that influence every aspect of their lives. In Bangladesh, drug addiction worsens an already horrible situation brought on by poverty, lack of shelter, and other abuses most street children of the country suffer from. The use of substances might result in street children being caught in a vicious circle because such habits marginalize these children even more and make life in the streets even more difficult to escape from.

1. **Deterioration of Physical Health** Drug addiction to substances such as glue, yaba, heroin, cannabis, and cheap pharmaceutical drugs is one of the most immediate and visible effects of drug addiction on street children. These substances have pretty harmful effects on the body, especially when taken in unhygienic conditions with no medical supervision.
2. **Mental and Psychological Impact** Drug addiction is very influential on their mental health. Trauma coupled with neglect and substance abuse eventually leads to severe psychological problems, which are not treated, as their access to mental health care is limited.
3. They become prone to exploitation and all other forms of abuse because of drug addiction. Most of them subsequently engage in high-risk or self-destructive behavior in order to maintain the addiction, hence requiring urgent attention.

Sexual Exploitation: The majority of the street children, with females being more frequent, engage in prostitution or transactional sex to supply needs for drugs or money to buy drugs and are also at risk for sexually transmitted

infections and further exploitation by traffickers.

Labor exploitation: The need for comprehensive rehabilitation is underscored by the fact that drug addiction makes street children vulnerable to labor exploitation. Their desperation for money to satisfy their addiction often leads to exploitation by employers or gangs into dangerous or illegal work with little or no pay.

Such street children are predisposed to gradually engage in serious criminal activities for addictive reasons, including theft, drug trafficking, or even gang activities, just to feed their addictive behavior. The longer they are in these circles, it is much harder for them to get out and leads to their lives being further marginalized.

4. *Social Isolation and Stigma:* Social isolation and stigma are other effects that addicted street children are likely to face from their peers and societies. Their being addicted to drugs has carried a stigma such that it is challenging to seek help or receive support from institutions or individuals.

Social exclusion is another factor: drug-addicted children are excluded by other street children. They may always be hostile to the public, police, and service providers, who often see them as problem cases rather than victims in need of care and assistance.

5. *Educational and Developmental Delays* Drug addiction denies street children educational opportunities and normal development that, again, perpetuates poverty and life on the street. Missed opportunities regarding education: Most of the street children who become drug-dependent end up dropping out of school or failing to attend classes. In this regard, the inability to concentrate, coupled with the need to prioritize drug use, prevents them from acquiring the needed skills to break free from street life.

Loss of Future Opportunities: Long-term drug addiction has highly devastating effects on the future of street children. Addiction and all its aftermath act as a barrier to personal growth, employment, and social integration.

6. *The physical consequences of substance addiction of Street Children:* Weakening of the immune system against some sickness and infections. Heart conditions include arrhythmias, heart attacks, and blood vessel infections that can make any vein collapse due to intravenous use of drugs—loss of appetite and weight because of nausea and

stomach ache.⁴²

Liver: Excess of a drug may lead to severe damage to liver tissue or liver failure. Brain damage, disorientation, seizures, stroke, respiratory disorders, partial or complete loss of memory, inability to concentrate, and disabilities regarding problem-solving, which could restrict daily life. Different drugs have different effects on the body, such as men developing breasts and fevers spiking, further causing health complications.

RIGHTS STREET CHILDREN UNDER INTERNATIONAL LAW

Bangladesh has signed several international conventions on drug control and protection of children. These international conventions guide national policies and legal frameworks related to drug addiction and the protection of this vulnerable population, street children. Addressing drug addiction among street children would align with such global goals.⁴³ The United Nations ensures the rights of children within its framework. The Convention on the Rights of the Child, adopted by the United Nations General Assembly, legally unifies global efforts to safeguard children's rights.⁴⁴ The Convention on the Rights of the Child is the primary legal instrument for strengthening the global community and guaranteeing that children can access the standard, social, economic, and public rights of everyday freedom.⁴⁵ The Convention on the Rights of the Child intends to ensure that all children are guaranteed a complete range of fundamental freedoms by implementing customary laws. The Convention on the Rights of the Child's standards mandates that no young person should be separated regarding the right to life, endurance, and progress and that all children should consider their views of children. The Convention on the Rights of the Child contains 54 articles, two of which are discretionary conventions that delineate the fundamental freedoms to which every Child is entitled.⁴⁶ The country is motivated by a sense of honor to ensure the human rights of all in its ward, and it is wholly evolved, free from insecurity, abuse, and exploitation. It is committed to caring

⁴² <https://www.gatewayfoundation.org/about-gateway-foundation/faqs/effects-of-drug-abuse>.

⁴³ Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

⁴⁴ Ibid

⁴⁵ Mia, M.T. and Islam, M. 2021. LEGAL PROTECTION OF STREET CHILDREN IN BANGLADESH: WITH REFERENCES TO INTERNATIONAL AND NATIONAL LAWS. *Journal of Asian and African Social Science and Humanities*. 7, 2 (Jul. 2021), 34-49.

⁴⁶ Ibid.

about family, society, and social life.

UNICEF has granted countless rights to all children, but the rights of street children have been routinely and gravely disregarded, including several rights of endurance and protection.⁴⁷ The Universal Declaration of Human Rights (UDHR) reiterates in Article 25 that everyone is entitled to a lifestyle, sufficient well-being, and prosperity, encompassing food, clothing, housing, clinical considerations, and essential social management.⁴⁸ Consequently, regulations are implemented worldwide to address the issue of street children.

However, street children have no specific consideration in public or global instruments except a few sophisticated legal instruments. In any event, they are still considered children and are entitled to various privileges under various public and global regulations. However, the minimum age is 15, as stipulated in the International Labor Organization (ILO) Convention No.138 (1973).⁴⁹ Article 1 (1999) of the International Labour Organisation's Worst Forms of Child Labour Convention imposes an obligation on each ratifying state to take immediate and effective measures to eliminate and address the worst forms of child labour in its most visible forms.⁵⁰

Convention on the Rights of the Child, CRC: Bangladesh is a signatory to the CRC, which binds the state for protection of children from injurious substances and provides all possible rehabilitation and reintegration for child victims of abuse, including drug addiction. The convention calls for not criminalizing but rehabilitating and reintegrating children who are victims of drug addiction into society.

LEGAL FRAMEWORK FOR ADDRESSING DRUG ADDICTION ON STREET CHILDREN

A number of laws, regulations, and regulatory frameworks have been designed in Bangladesh, which are oriented towards setting the rehabilitation of drug users in relation to the fight against

⁴⁷ Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

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https://www.nlm.nih.gov/exhibition/againsttheodds/pdfs/guide/human_rights_statements.pdf

⁴⁹ <https://www.ilo.org/international-programme-elimination-child-labour-ipecc/what-child-labour/ilo-conventions-child-labour>

⁵⁰ Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

drug trafficking and addiction. However, instead of adopting a rehabilitative attitude, the legal approach to dealing with drug users often becomes punitive, focusing more on enforcement and criminalization rather than on treatment and social reintegration. Following is a brief of how drug addiction has been perceived within the legal framework of Bangladesh:

1. NATIONAL LAWS

The Narcotics Control Act of 2018

For instance, the 'Street to School' program in Dhaka rehabilitated several drug-addicted street children through education, vocational training, and psychological support. Narcotic Control Act 2018 is the prime legislation in Bangladesh dealing with the regulation and control of narcotic drugs and substances. It inculcates elements of rehabilitation and therapy in the greater context of effort at dealing with drug use and trafficking. Though the law provides priority to more serious sentences in drug trafficking cases, it does consider that rehabilitation among users is a must.⁵¹

According to the Narcotics Control Act, drug-related offenses, such as manufacture, possession, sale, purchase, transit, and usage, are criminalized. Fines to life imprisonment can be granted, based on the amount of narcotics, offense committed.

- *Narcotics trafficking and use:* The death penalty/life imprisonment for leading traffickers. Law allows the use of imprisonment against drug users in addition to providing provisions for therapy and rehabilitation, especially for first-time offenders or those that would show the willingness to accept treatment.
- *Rehabilitation provisions:* The Act authorizes the establishment of treatment-cum-rehabilitation centers for substance addicts and the voluntary admission of individuals in need of treatment. In practice, the facilities are restricted, and infrastructure is scarce.

2. The Children Act 2013

The "Children Act 2013" was enacted to guarantee the safety and rights of children in general.⁵² Specific measures have been implemented to ensure this statutory law is consistently updated

⁵¹ <http://bdlaws.minlaw.gov.bd/act-1276.html>

⁵² Mia, Md Tuhin, and Monirul Islam. "Legal Protection of Street children in Bangladesh: with References to International and National Laws." *Journal of Asian and African Social Science and Humanities* 7, no. 2 (2021): 34-49.

in response to multidimensional events.⁵³ The Children's Act 2013 is a significant law that assigns responsibility for the safety, care, and treatment of all children to individuals and establishes the original core value of empowering children.⁵⁴ Its primary objective is to guarantee the safety and well-being of minors. It also imposes a variety of obligations and commitments on the state.⁵⁵

3. The Penal Code of 1860

The Penal Code criminalizes specific behaviors associated with substance abuse despite not being mainly designed to address drug addiction. This law may apply to cases involving drug-addicted children. Nevertheless, the situation for street children may be exacerbated by criminalization in the absence of rehabilitation efforts.

2. GOVERNMENT INITIATIVES AND POLICIES

National Child Policy 2011: This policy outlines the principles that need to be followed for the protection of child rights and welfare in Bangladesh. It advocates for strategies that prevent child labor, trafficking, and exploitation, inclusive of provisions related to street children. However, substance addiction is not mentioned directly.⁵⁶

National Plan of Action for Children (2005–2010): While it is already an expired plan, it laid a framework for the betterment of the lives of children in Bangladesh. It includes health care and rehabilitation facilities which could give benefits to the street children who are victims of substance addiction. An updated plan is still required.⁵⁷

Rehabilitation Facilities and Services: The Bangladesh government operates several rehabilitation facilities for drug users in cooperation with NGOs. The services are not widely accessible to street children due to various logistical problems, lack of awareness, and stigma. Street children frequently remain outside the formal health and rehabilitation services systems.

3. ROLE OF NGOs

NGOs also play a very important role in the prevention of drug

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ <https://www.blast.org.bd/content/publications/The-Children-Act%202013.pdf>

⁵⁶ <https://ecd-bangladesh.net/resource/ecd-document-details/1>

⁵⁷ Ministry of Women and Children Affairs, Government of the People's Republic of Bangladesh, 2006 - Bangladesh - 152 pages

addiction among street youths of Bangladesh. Some organizations like Aparajeyo Bangladesh, Save the Children, and Dhaka Ahsania Mission provide the suffering street children with rehabilitation and reintegration support services for various aspects of addiction.⁵⁸ These NGOs frequently collaborate with the government to address the gaps created by the constraints of national laws and policies.⁵⁹

NGOs currently assist only 12% of street children.⁶⁰ The government's policies and services do not meet street children's needs. The government's initiatives regarding street children are limited, short-term, and concentrated on specific requirements rather than addressing the issues comprehensively.

A holistic program approach is necessary to effect meaningful and long-lasting changes in the lives of street children. Plan Bangladesh's objective is to enhance the quality of life of these impoverished children using interventions that prioritize education. Ultimately, a model for serving this vulnerable population was introduced in Bangladesh in 1999 through the Appropriate Resources for Improving Street Children's Environment (ARISE) initiative, a tripartite initiative of the Ministry of Social Welfare, Department of Social Services, NGO, and the United Nations Development Program (UNDP). On September 30, the Ministry of Social Welfare, the United Nations Development Program (UNDP), and ERD executed a deed of agreement for the BGD/97/028 project. The initiative commenced in 1998 in response to the recommendations of UNDP-sponsored meetings and workshops of NGOs, GOB donors, and Apex bodies. The objective was to address the critical needs and issues of street children in Bangladesh, thereby facilitating their integration into the broader society. The project activities are being executed by seasoned NGOs through subcontracting with the financial support of the UNDP, as stipulated in the TAPP and project document. The ARISE initiative comprises nine (NGOs) dedicated to enhancing environment for street children.⁶¹

Aparajeyo-Bangladesh (AB) is a national organization that works to protect and save guard rights which is ensured for street children. The organization has been engaged in the care of

⁵⁸ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities* Vol 9 (2020): 1.

⁵⁹ Chowdhury, "Improving Street Children's Environment: A Focus on NGO Intervention in Bangladesh".

⁶⁰Chowdhury 'The paradox of the Most Vulnerable Children's Environment in Bangladesh: Government' -NGO Collaboration.

⁶¹ Ibid.

children residing in and around the neighborhoods of Dhaka City, Bangladesh, since 1976. Its objective was to mitigate the poverty, distress, and vulnerability precipitated by the severe conditions of slum life. In 1989, an additional initiative was implemented to offer services to children who reside on the streets or in public structures within the city. Aparajeyo has broadened its assistance to safeguard and advance the rights of other children who are socially excluded over the years.⁶²

LEGAL FRAMEWORK: GAPS AND CHALLENGE

Over criminalization of drug users: The Narcotics Control Act is notable for the harshness of the punishment, and imprisonment for drug users, even minors, is quite common. Criminalization does little to help solve addictive behavior and provides little long-term rehabilitation.

- *Ignoring the due care towards street children:* Though street children are a vulnerable group, yet their needs are not accommodated into the legal system. In fact, street children are not ready to accept the rehabilitation programs meant for adults.
- *Stigma and discrimination:* At present, one of the greatest barriers to treatment is social stigma associated with drug addiction. More often than not, an addicted person is viewed as a criminal rather than as someone who requires medical and psychological intervention.
- *Lax Enforcement:* While there is a legal framework, non-enforcement on account of limited resources, corruption, and lack of adequate awareness on the part of the police forces themselves is common.
- *Lack of Rehabilitation Services:* Although the Narcotics Control Act makes mention of rehabilitation, there is indeed a lack of services that target street children specifically.
- *Stigma and Marginalization:* Many times, street children are stigmatized and perceived as criminals, not as victims of substance abuse, which creates barriers to care and safety.
- *Lack of Coordination:* In many cases, the lack of harmonization and cooperation among the government, law enforcement sectors and agencies, along with civil society

⁶² <https://www.aparajeyo.org/>

organizations can be an impediment to the success of rehabilitation programs.

WHAT TO DO?

Rehabilitation of street children from drug addiction should be directed both at the root and symptomatic levels of the problem. The time has come to devise comprehensive, multifaceted solutions through legal reform, social services, community involvement, and international cooperation that will bring about real change. To improve society and protect street children from the devastating effects of drug addiction,⁶³ the following steps can be followed:

*"Strengthening Legal Protections for Street Children can play a leading role. To address their needs and provide them with rehabilitation, health, education, and safe shelter, governments have to strengthen national child protection legislation. Addiction to drugs should be treated as a health issue. All national legislation should be harmonized with that of international standards with regard to protecting the rights of street children. All ministries responsible for law enforcement should train their personnel to deal sensitively with cases involving street children and not arrest children due to the use of drugs but take rehabilitative action."*⁶⁴

This is essential in ensuring street children access the best education. Education forms the basis of breaking the addiction and poverty cycle. To achieve this, it is essential to collaborate with educational institutions, NGOs, and government bodies to create initiatives that provide educational opportunities and address barriers to enrollment, such as lack of documentation or flexible scheduling.⁶⁵

Developing comprehensive Rehabilitation Programs includes establishing specialized drug rehabilitation centers for street children, providing detoxification, psychological counseling, skill development, and education for reintegration, and implementing harm reduction strategies such as providing clean needles, health check-ups, and safe spaces for drug users to minimize adverse

⁶³ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities* Vol 9 (2020): 1.

⁶⁴ Sultana, Mst Tahmina, Shohal Hossain, Rehena Parvin, Md Touhidul Islam, and Samme Akter Mithy. "Impact of Drug Addiction on Street Children: Perspective Dhaka City." *Open Access Library Journal* 11, no. 1 (2024): 1-19.

⁶⁵ Ibid

effects and encourage gradual rehabilitation.⁶⁶

Some Preventive Measures can be introduced and implemented, such as promoting awareness and Education Programs. Societal awareness campaigns, primarily targeted at high-risk areas where street children are prevalent, can prevent drug abuse. Schools, local communities, and youth programs should make the dangers of using drugs and its long-term effects very emphatically known.⁶⁷

Reunification of children with their families, when possible, reduces the number of children in the streets and helps avoid falling into addiction cycles. Social services should offer family counseling and financial support as needed.⁶⁸

To the understanding of analysis, Poverty is a significant factor leading to street children turning to drug addiction. Governments, NGOs and private sectors should create job opportunities, vocational training, and education programs to provide viable alternatives for at-risk youth.

CONCLUSIONS

The street children are a marginalized group in society, as they are unable to satisfy their most basic needs.⁶⁹ Their pursuit of affection and enhanced opportunities for themselves and their families is frequently fraught with obstacles, although occasionally, opportunities present themselves. For a variety of factors, these young people are compelled to abandon their homes. Nevertheless, the challenges of being on the streets are numerous. The research emphasizes the vulnerability of street children, regardless of whether they are with their families or on their own, and it also emphasizes potential dangers to public safety. The prevalence of destitution, in addition to deeply rooted social and economic issues, is the primary factor that drives them to the streets. These children are subjected to daily challenges and adversities in urban settings. In order to confront these obstacles and protect the nation's future, entities such as the Bangladeshi government and other relevant organizations must work together. The loss of the potential of children due to circumstances such as substance addiction presents a significant obstacle to sustainable development, as children are the foundation of a nation.

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ Ibid

⁶⁹ Praveen, Devarsetty, Pallab K. Maulik, Bellara Raghavendra, Maseer Khan, Rama K. Guggilla, and Prakash Bhatia. "Determinants of inhalant (whitener) use among street children in a South Indian city." *Substance use & misuse* 47, no. 10 (2012): 1143-1150.

Regrettably, many of these children fall prey to destructive substance habits, thereby forfeiting a bright future. It is imperative that we, as accountable members of society, do not disregard these distressing occurrences that are occurring in our vicinity. At present, there is a concerning increase in the prevalence of substance addiction among street children who are at risk. This trend has resulted in severe, long-lasting health issues, mental distress, and the disruption of interpersonal relationships. Furthermore, there is a heightened probability of illicit activity and social exclusion.

The society will have to pay a higher price if it fails to act on time in such dangerous a situation regarding substance addiction. The threat can only be eliminated if government and non-government organizations collaborate in this regard. It is imperative to execute comprehensive rehabilitation and support initiatives promptly. Unimpeded by hesitation, the state must act decisively and urgently. It is anticipated that this investigation will partially alleviate the substance addiction crisis. Effective strategies are recommended to free street children from the shackles of drug addiction and direct them toward a more optimistic, sunnier future.⁷⁰

⁷⁰ Tonmoy, Md Shahriar Bulbul, Mohammad Sohaib, Kazi Rabiul Islam, and Kazi Manna Yeasmin. "Drug addiction among street children and its impacts on sustainable development." *Asian Journal of Social Sciences & Humanities* Vol 9 (2020) 1.