

Children, Human Rights and the Police

by Therese Blanchet

TWO months ago, following the rape and murder of Yasmin, the Dinajpur police has been exposed at its worst. And as if to remind the public that rape in the hands of the police are regular occurrences, another case is reported from Chuadanga on the 12 October. Protests from the public, and from women's groups in particular, have been numerous. It is encouraging to see that the Sommilito Nari Samaj as well as other human rights activists have held public marches, ensuring that the crimes are not forgotten. It is important that justice be done and, most importantly, that they in which the police carries out its mandate be fundamentally questioned and changed.

How old were Yasmin and Marzina? Were they 13, or 14? Who knows. There is no official age record in this country and it is difficult to prove anything. But they were young and the police officers they met did not extend any kind of protection to them because of their young age. Quite the opposite, they hastened to end their innocence by raping them and turning them into 'prostitutes'. Is this the price that girls have to pay for daring to travel alone by train or by bus? What parody of justice is this? Such adolescent girls are covered by the UN Convention on the Rights of the Child which extends to the age of 18. How far the police is from upholding the spirit of this treatise which their government has officially endorsed.

Despite their young age, Yasmin and Marzina are described as women. This is because women tend to be defined by their bodies and their bodies were seen as mature. This may also be because these girls are poor and their right to be protected has ended so early. Protest against abuse and exploitation of women is very much on the political agenda of the country, as Hameeda Hossain rightly points out (The Daily Star 19-10-95). Women themselves are protesting much louder than before. I personally support their protest. However, if we consider human rights abuse committed by the police, it will be important to include other categories of disempowered people as well, and among them children, male and female.

The problem with children accused of crime or victims of crime is that, having lost their innocence they are too often assimilated with adults in spite of their young age. This applies to adolescent girls who are raped. Having been defiled, they are perceived as 'fallen women'. Children and adolescents are known to be more deeply scarred and maimed by the violence and abuse done to them because of their psychological immaturity. But very few people seem to appreciate that the young age of a victim does matter. Unfortunately, the importance of the age factor is blotted out when 13 and 14 year olds are classified as 'women'.

The press statement issued by Radda Barnen on the 2nd of October indicated that the police was the most important institution coming in contact with children. This is so indeed, but only in the context of juvenile justice which was not mentioned in the reports given by most newspapers. The two lawyers on our research team were not allowed to meet children (here defined as up to 16-year-old) locked up in police stations, nor children in prisons. They were able to attend trials of children, interview criminal boys at the Tongui Rehabilitation Centre as well as girls at the Kashimpur vagrant's home. The Radda Barnen Child Study is a multi-pronged one which involved a multi-disciplinary team. The anthropologists studied a rural brothel where 40 per cent of the prostitutes are estimated to be under 18. They studied bustee children and street children. These provided other important information on how the police carries out its mandate with these particular child populations. The focus of the Radda Barnen study was on children between 8 and 16 years old, not on the police. However, the latter were found to play such an important role for certain categories of children, that they could hardly be avoided. After all the police is a state agency, and indeed a key one for the enforcement of human rights.

Who is responsible for the way the police carries out its

mandate? Hameeda Hussain states that the keepers of the law assume they are above

middle class professional man married to a college lecturer, apparently, was able to

buy the right not to be accused and not to jeopardize his respectable reputation.

in spite of the numerous signs which did not support his version of the events. Buy-

Children and adolescents are known to be more deeply scarred and maimed by the violence and abuse done to them because of their psychological immaturity. But very few people seem to appreciate that the young age of a victim does matter.



Sammilito Nari Samaj Netrakona rally protesting rape and murder of Yasmin

the law and this attitude is allowed to prevail because "we meet lawlessness with silence". This may well be so. But why should there be silence? It's quite clear that the present system does not serve all citizens so badly. At least, this was the conclusion reached following an interesting case documented while working in Khilgaon bustee in November 1993. A 10-year old maid servant died in the home of her middle class employer. The victim's mother and her bustee neighbours all believed that the girl had been murdered, but the employer claimed that she had hung herself although there was no such signs on the body. There were clear marks of blows which we saw ourselves. The employer, a relatively wealthy

Scientists opposed to nuclear arms are sceptical that the signing of a test ban treaty next year will bring nuclear weapons testing anywhere near an end.

Secret tests, they believe, are likely to continue long after the signing and handshakes have taken place in Geneva, as new weapons are made and more states start developing their own weapons.

"A signature is still only that — a signature", Dani Kay of Scientists for Global Responsibility (SGR), an anti-nuclear group, told Gemini News Service.

"It will not do away with the need to verify and monitor conditions because of the ever-present risk that a currently non-nuclear state will start or continue to develop a nuclear capacity."

Scepticism over the proposed Comprehensive Test Ban Treaty also stems from what the scientists claim is a history of deception in the development of nuclear weapons.

"The history of nuclear weapons has been one of secrecy, deception and lawlessness. Today we are never sure exactly how much weaponry there is in a specific nuclear weapons state or of the level of development and testing," claims the group.

Of China, whose nuclear tests have heightened regional tension, Kay says: "Just what's happening in China, we don't know."

Beijing maintains its tests have not violated any treaties

Battle Against the bomb

Secrecy and Deception will Test the Test Treaty

Shepherd Mutamba writes from London

France has promised to switch from real explosions to computer-simulated testing of its nuclear arsenal, and attempts are underway to negotiate an international test ban treaty. But secrecy and deception make monitoring difficult.

and that it has carried out far fewer tests than other nuclear powers: about 40 compared with 1,000 by the US.

Beijing dismisses as hypocritical Tokyo's decision to stop grant aid as a protest against China's tests, pointing out that Japan shelters under the US nuclear umbrella while China has to look after itself.

Scientists for Global Responsibility maintain that secrecy is far from over, which gives point to the work of the independent London-based

Verification Technology Information Centre (VERTIC), set up to scrutinise the nuclear weapons scenario, including technology and export controls. It specialises in the use of remote sensing by satellite to detect which country is doing what and where and to ensure all parties conform to treaties.

Scientists concerned with secrecy, however, praise some countries for starting to open up. They say the United States is now the most open nuclear weapons state in the

world, which is why evidence emerged of the way Americans were deceived into acting as guinea-pigs in radiation experiments as part of investigations into the effects of nuclear weapons.

Key says the secrecy surrounding the development of nuclear arms arises because states do not want to maintain a balance of power with others but want to be superior.

The United States and France, for example, have said they will insist on a

exposing and denouncing the police. This denunciation, based on particularly well documented cases, is important and necessary. However, when responsibility for a crime and its cover up involve professionals in respectable positions (who could be a relative or a colleague), a police officer and a doctor, all collaborating in an unholy alliance, there seems to be less interest in lifting the conspiracy of silence. After all, the devil could be found in one's own home.

One last point. It is totally unacceptable that the police and the media should disclose the identity of a minor girl who has been gang raped. This has been done again with Marzina whose name, family situation, and village have been widely publicized.

Do journalists know what such exposure does to a girl's reputation and future life prospect? Do they know that she could be forced to enter the brothel, as happened in some cases we documented, because all other doors have been closed to one who is defined as *noshito meye*? We strongly encourage this newspaper to take a lead in establishing more ethical journalistic norms and conventions, in line with the Convention on the Rights of the Child (Art. 16).

The author is Team Leader, The Child Study, Radda Barnen.

Not Letting Them Go Blind

"RAFIQUE is a blind helpless child, because he didn't have the required vitamin A-rich food at a tender age. On the other hand, Ali can see quite clearly and faces no difficulty regarding his eye-sight. It is because he consumed — unlike Rafique — vitamin A with his daily food intake."

One can easily imagine or visualise the differences between these two children regarding their well-being. And this is one of the instances how the IPHN (Institute of Public Health and Nutrition) of Ministry of Health and Family Welfare was campaigning all over the country last week just before the 'Vitamin A Week' that began on October 28 and will end on November 5. The week, during which all the children — one to six years of age — of city corporations and pourashava areas are being fed V-A capsules, also includes the target of eradicating iodine deficiency-prone disorders as well.

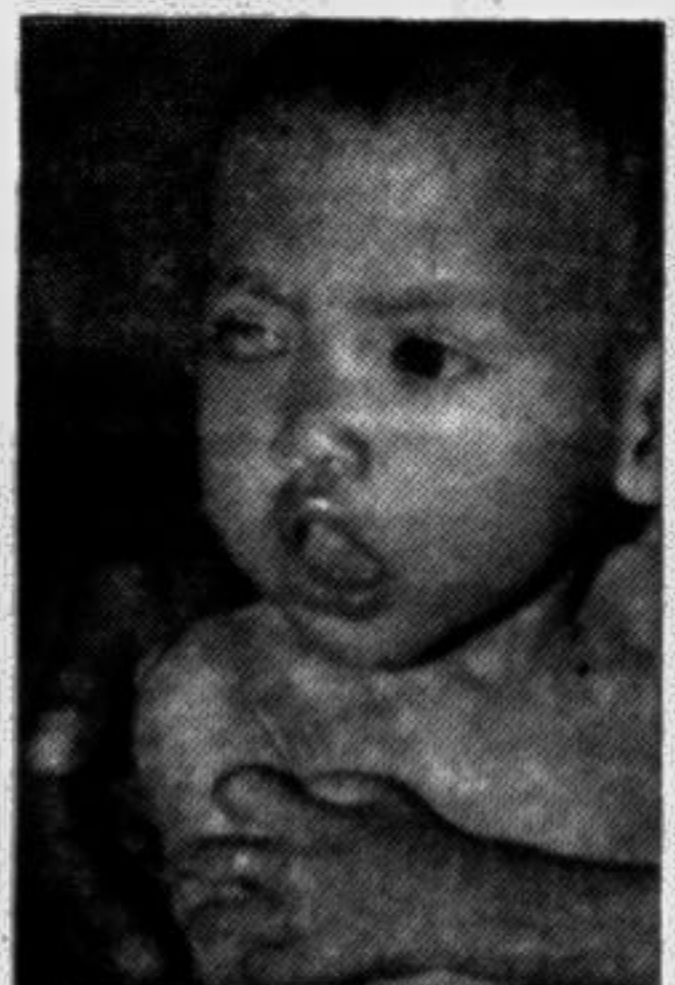
In 1990, according to the UNICEF's *State of World's Children* report, more than half a million mothers first noticed that there was something wrong with their children's eyes. Typically, the first sign of the problem was an inability to see properly in the half-lit dawn or dusk — a disease popularly known as *Ratikhana rog* in Bangladesh.

Soon after, foamy-white specks or patches began to appear in the children's eyes. Wiped away easily at first, they began to recur more frequently. After a few months, the child — obviously weak — fell victim to an attack of diarrhoea or measles from which he or she never seemed to recover properly.

Even today the child began avoiding the light altogether, hardly ever trying to go out of doors, and keeping his or her eyes shut for long periods. Finally, the corneas of the eyes began to dissolve and after three or four more hours, it was gone. Within a year, half of those 500,000 children had died from common diseases which they were clearly too weak to resist. But... those who survived, will not see again.

The cause was Vitamin A deficiency. And like iodine deficiency, both the problems and solutions have been known for decades — daily diets can be changed — usually

by Ekram Kabir



You can prevent this blindness



For young children, who cannot chew or swallow capsule, cut capsule and squeeze liquid into child's mouth



Feed children dark green, leafy vegetables or yellow fruits everyday

at little cost — to include small amounts of green leafy vegetables; or 2-cent Vitamin A capsules can be given three times a year to children over six months of age; or vitamin A can be added to sugar or cooking oil.

Assessment of the pre-

sent-day world is that it is familiar of images of hunger. This is more so in Bangladesh in terms of malnutrition. Most of the children's — though malnourished — childhood is either fleeting with suffering by various diseases or with early family responsibilities which are compelling them to work as labourers. To protect these children from all sorts of afflictions, specially the dietary deficiencies, the World Summit on Children in 1990 came up with some mid-decade and year-2000 goals. Ending vitamin A deficiency was one of them.

So, where does one get vitamin A from? It's easy: vitamin A exists in a variety of dark green leafy vegetables, dark orange and yellow fruit, and certain animal products like all the small fishes, eggs and liver. For very young children — before they are weaned — the richest source is the first milk from mothers and breast-milk generally. But in Bangladesh, dietary consumption is not adequate or regular enough to prevent vitamin A deficiency.

The government — with the assistance of the UN Children's Fund — in an effort to address this chronic lack of Vitamin A in the population, specially in children, has been conducting a national high-dose capsule (200,000IU) distribution programme since 1973. This distribution of capsules takes place twice a year from April to May and October to November. This week's is the 40th session of such kind, with a little difference.

This time the approach is being replicated to that of the NIDs (National Immunisation Days) conducted earlier this year where 45 per cent of all under-five children were given oral polio vaccine (OPV). In addition to the second NID in April, to boost the national coverage of V-A and to create general increased community awareness, high-dose capsules were given to all children who came for immunisation at the centres.

With the same NID approach, the target of this week is in fact to achieve more than 85 per cent coverage which needs a concerted effort of volunteers from NGOs, student bodies, representatives from pourashava level and the media.

A legal hearing of global significance is about to unfold in the Netherlands. For the first time, the legal status of nuclear weapons will be tested at the International Court of Justice.

The hearing starts on 30 October at the appropriately named 'Peace Palace' in the Hague.

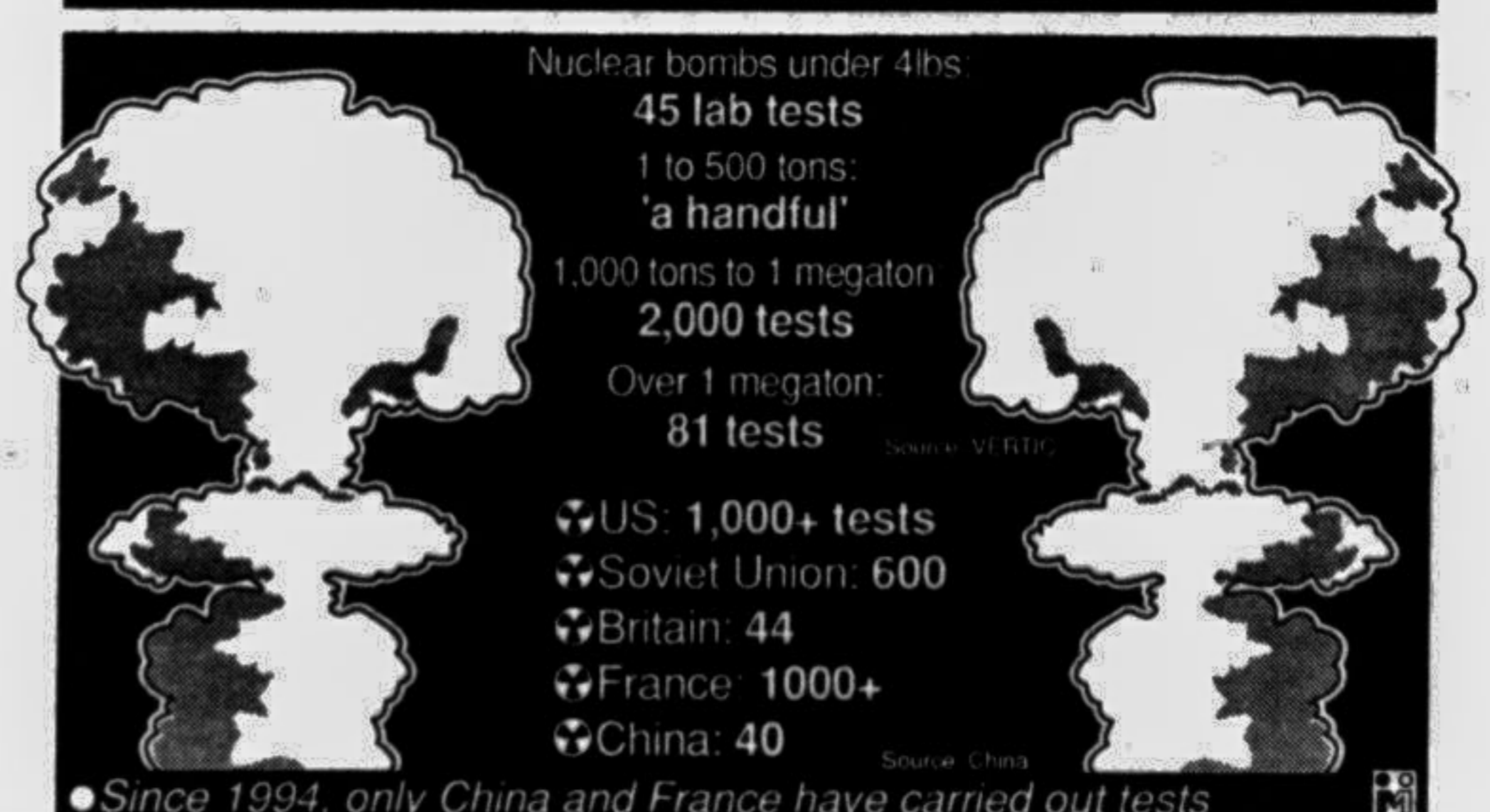
Although the event is open to the public, only representatives of governments have the right to present arguments to the Court. In an unprecedented move, however, the Court has accepted petitions from independent organisations.

"We are confident that a large body of international law supports the view that the threat or use of nuclear weapons is illegal," says Alyn Ware of the United States Lawyers' Committee on Nuclear Policy. "However, there is a chance that the judges could be influenced to fudge the decision, which is why these oral proceedings are so important."

Twenty-five member states of the United Nations will each be allowed 90 minutes to put their case. The 15 judges will retire to deliberate on their 'advisory opinion' on 15 November. A ruling is expected by early 1996.

Representatives of NATO (the North Atlantic Treaty Organisation), the main West-

A testing time for the world



Peace Palace Goes Nuclear

Tony Samphier writes from The Hague

Campaigners against nuclear weapons do not believe a ruling in their favour at the International Court of Justice (Hearing starts 30 October) will bring about instant disarmament, reports Gemini News Service. But they believe it would boost their cause.

ern military alliance) will be out in force to protect their nuclear arsenals, but so, too, will experts from Pacific island states, riled by France's resumption of nuclear testing.

The New Zealand statement considers that "even if it is not possible to say that, in every case, international law prescribes the threat or use of nuclear weapons, there is little doubt that the law has been moving in this direction. We have made it clear that New Zealand's view is that the sooner this point is reached the better."

The Japanese delegation will be headed by the Mayor of Hiroshima, the city over which the world's first atomic bomb was exploded 50 years ago.

And the Japanese head of the UN World Health Organization (WHO), Hiroshi Nakajima, in a written petition, challenges the use of nuclear arms on health and environmental grounds: "The best way to ensure human health and peace is for all nations of the world to forswear the

production, testing and use of nuclear weapons."

Campaigners arguing for a pronouncement that nuclear weapons are illegal do not delude themselves that success at the Court would banish the threat of nuclear war to the dustbin of history. But they do believe that an anti-nuclear stance by the UN's chief judicial organ would be a big step forward for disarmament.

"NATO nuclear weapons states have bitterly opposed our work and the Court's ruling would not make them disarm overnight," admits George Farebrother of the World Court Project (WCP), an umbrella group of anti-nuclear activists who got together in 1992 to press for a legal test at the International Court.

"However, it would add considerably to worldwide pressure for a nuclear weapons convention and put nuclear weapons in the same category as chemical and biological weapons, which are already banned by international law."

WCP estimates that 18 of the oral statements to the Court will argue for nuclear illegality. The pro-legality case is likely to be made by the United States, Britain, France, Russia, Germany and Italy.

The December 1994 UN General Assembly resolution to take the issue of the "legality of the threat or use of nuclear weapons" to the Court was sponsored by countries belonging to the Non-Aligned Movement. It split the world forum down the middle.

East and Western Europe joined the United States in opposing the move, while most of the rest of the world backed the legal challenge to nuclear weapons.

The General Assembly initiative was the result of pressure from the WCP and other lobbyists. The strongest WCP network exists in Britain, headed up by retired Commander Robert Green, who had his finger on the nuclear trigger during the Cold War but now favours doing away with weapons of mass de-

struction altogether.

Three million "Declarations of Conscience" have been collected by WCP members worldwide. The Declaration states: "It is my belief that nuclear weapons are immoral."

In one small British town, an elderly activist got 30,000 people to sign up.

Anti-nuclear campaigners believe that the scales of international law-making are tipping in their favour. "The majority of states submitting written evidence to the Court have been supportive of our view," Alyn Ware explains. "Out of 42 countries, 31 have supported the case being heard and/or the view that the use of nuclear weapons is illegal."

International law specialist Nick Grief says the "Martens Clause" in the Hague Conventions on the rules of war, adopted at the turn of the century, means that countries do not have a free-hand where weapons of mass destruction are concerned.

"In the context of war, it is not true that states can do anything which is not specifically prohibited," he argues. "Their freedom of action, even in self-defence, is constrained by elementary considerations of humanity."

TONY SAMPHIER is a British freelance journalist.