

# FOCUS

## Law and Our Rights

### A Brief Investigation on the Eviction of Kandupatti Brothel A Sheer Violation of Human Rights

by Shireen Sultana, Md Asaduzzaman and Md Raihanur Rahman

ON 12th May 1997, around six hundred inmates of Kandupatti brothel were evicted by the local PANCHAIET COMMITTEE. It was led by Hossain Molla and Syedur Rahman Syed, the Ward Commissioner (ward no. 71) and the president of the said PANCHAIET COMMITTEE respectively. The Eviction of the Brothel was a process started long ago but everytime they failed to evict the brothel. Finally on 12th May 1997, unruly mobs led by the above named persons evicted them under the very nose of the law enforcing agency. They were asked under threat by the local goons on 11 May to vacate by 10 am on Monday, 12th May 1997, with law enforcing agency remaining silent spectators. They were entitled to enjoy full Constitutional and Legal protection but had not have that. On 15th May 1997, the ousted inmates staged a sit-in demonstration in front of the National Press Club demanding their rehabilitation at Kandupatti and to the Government for their resettlement in the place from where they were evicted unlawfully by the hooligans and goons. They claimed that the sex workers and their kids would face a lot of hardships if they were not allowed to continue their profession.

The Government is yet to decide and optine regarding this matter. On 23rd June 1997, Hon'ble Prime Minister Sheikh Hasina in her TV programme could not give a satisfactory answer to the question of Kandupatti eviction as she was highly proud of speaking of woman rights everytime. We, the team, just went to visit the place and collected informations and exchanged our views regarding information with the investigation cell of Ain O Salish Kendra, were followed by the Writ petition filed by Ms Samsun Nahar. We are also grateful to the Kandupatti inmates who delighted us serving the informations.

**Historical background:** "Prostitution is one of the ancient professions of the Society. When concept of Civilisation was untouched, when there was no sign of education, the dignity of women were oppressed since that period. By the Chronological history, the society has been expanding with a new dimension of civilized society. Once, the concept of women indicated that women would only be the house wife then it came to the concept that women would be the inspiration of men. Now it is the most modern concept that woman is the partner of man. Inspire of their provisions and chronological history, prostitution or sexual business or comfort women were and are existing in all the societies like in the fanatic society, progressive society etc. This KANDUPATTI Brothel is one of that examples as it is about two hundred years old. Since then it is continued up to this position. The brothel and prostitution is existing in all over the world.

Prostitution was never been considered as a good profession but it continued and existing. Then the question may arise in spite of all sorts of barriers why this profession is continued, the answer is we want its survival.

#### Spot Report

Kandupatti, the two hundred years old brothel was found quite. Only some policemen were sitting outside the brothel gate where the Panchaet Committee had made a stage to occupy the place from the brothel camp. Asking to local people it was heard that around 6 hundred prostitutes were in this brothel. Among them 20% were given license. The others were illegally staying here. At the day of eviction they were not given any prior notice. Even they had no time to take their daily necessary goods. The local people attacked the brothel and evicted the prostitutes. Some of the inmates were beaten also. The windows and gates were broken, small stones were left in the floor which indicates the torture and frequency of eviction. Police was present at that time but no protection was given by them. We interviewed several persons. One Mr. Abul Hossain, president, Malitola Shokheer association, told us that "It was a brothel of hundred years. Several times our predecessors wanted to evict it during the British period and Pakistan period but they could not do that as some influential persons backed them. During the war of independence, it was evicted temporarily. But Badsha Gunda, Keshu Sheikh re-established it. It became the eye of their evil deeds, they used to take various type of narcotics here. He also said that during Ershad period, it was about to evict but police protected them. Recently the situation was such that school going girls were kidnapped and taken to this camp. They could never been freed. Our purchaser, the ordinary people could not go through that road as the prostitutes hold their hands and took them to their bed forcibly. The Ex-OC of Kotwali Police station Mojibul Huq was very much attached with this situation. He closed the gates of GOLON PARLANE. The sitting O.C. Shamsuddin Ahmed is also agitated with their activities. Recently he rescued three school girls from the brothel. Now the brothel is about to empty. People took this chance and evict

them. The panchaet committee is consisted of 51 members."

We talked to the president of the said Panchaet Committee, Abu Sayed. He informed us that this old brothel of hundred years was evicted during the war of independence. But after that the then ward commissioner re-established this in spite of the protest by the people. It was settled only for 6 months, but it continued upto this period. He commented that the local people were very much unbearably angry with the prostitutes for the situation they created recently. People wanted help from the administration, from the city corporation, but no reply was given from them. Recently some girls were rescued by the NGO's (Salma Ali), people got afraid of their daughters. They were combined to remove this brothel. That's why they have evicted this. He pointed out that they had not evicted it only for sexual business but this place became the shelter of all sorts of crime. The teenagers used to go to the brothel, they were involving with the heinous crimes, so, for the peace and security of the locality, the panchaet has evicted the brothel. Moreover, the mosque is situated nearby this brothel. Society demands that the should not be a spot of evil deeds nearby the mosque.

One member of the Committee, Mr. Selim reported about the ownership of the property and building of the brothel, that some influential persons are

the owner of this brothel. One of them is Mr. Hossain Molla, the sitting ward commissioner who is also a member of the panchaet committee. One local shopkeeper Zakir said that the said Hossain Molla earned a lot of money with the help of this brothel. Now he is a man of vast property. How far the shopkeepers know is that, it was the property of the Hindus long before. No body can give the information how Hossain Molla became the owner of the land of the brothel. This prostitution could not be evicted in the past few years as it was directly administered by Hossain Molla. Now Hossain Molla thinks that he needs fame and good will. So he agreed to evict this. Thus it happened.

On the spot we saw that so many small rooms/houses are within this Brothel camp. Some body told us that some prostitutes used to come at night and stayed whole night while they used to go in the morning. Some also came at day and went away in the evening.

#### Statements of the prostitutes:

One prostitute named Maksud reported that the area of the brothel camp is ten bigha. Formerly it was the land of Hindus. In 1971 Hossain Molla and his companions entered into this place and until 1974 they killed 30 men and women and became the owner of this land by way of making hooliganism. Since then he used to

take rent as a owner of the houses. In 1974 Hossain Molla fled away from the police custody in Dhaka court with his gang. Bangladesh government then declared 50 thousand taka as award to identify Hossain Molla. With the help of the court officials Hossain Molla, by dint of black money, took away all the files and burnt it. She also said that in 1984, during Ershad reign, Hossain Molla killed several students of Jagannath College which no body could come to know. When students made procession against them Hossain Molla countered it in the name of Dhaka Locality Unification slogans. He became ward commissioner by the votes of more or less 5 thousand prostitutes. She also reported that as Ershad scattered the students movement by the police, Hossain Molla did with the help of the local hooligans goons. He is a billionaire; he has so many houses, hotel business, gold business and he is involved with gold smuggling.

She furthermore reported that Hossain Molla along with his wife Renu, who was also a prostitute, deal the sexual business all over the Dhaka city. She reported that the daily income of Hossain Molla from this business per head 400/= per day and 25/= toll for the Association. She along with her other colleagues also gave a part of damage list of some inmates which are as follows:

Name	Damages
1. Momtaj, daughter of late Hares Mia	Gold 30 grams, cash Tk. 80,000/=, Cloths and daily needs of an amount of Tk. 10,000/=
2. Maksud, daughter of late Md. Shamsuddin	Gold ornaments 25 grams, cash Tk. 6,000 daily needs of an amount of Tk. 8,000/=
3. Anwara, daughter of late Md. Moslem	Gold ornaments 20 grams, cash Tk. 5,000/=, daily needs of an amount of Tk. 5,000/=
4. Renu, Daughter of Talash	Gold ornaments 25 grms, cash Tk. 10,000/= daily needs of an amount of Tk. 6,000/=
5. Bulbuli, daughter of late Jahangir Alam	Gold ornaments 15 grms, cash Tk. 5,000/= daily needs of an amount of Tk. 4,000/=
6. Shilpi, daughter of Karim Bhuyan	Gold ornaments 15 grms cash Tk. 4,000/= daily needs of an amount of Tk. 6,000/=
7. Halima, daughter of Abdul Goni	Gold ornaments 15 grms cash Tk. 8,000/= daily needs of an amount of Tk. 6,000/=
8. Asma, daughter of Hashem	Gold ornaments 20 grms cash Tk. 5,000/= daily needs of an amount of Tk. 7,000/=
9. Ziasmin, daughter of Ashraf	Gold ornaments 20 grms cash Tk. 7,000/= daily needs of an amount of Tk. 8,000/= one tape recorder of 3800 Tk
10. Nasima, daughter of Mojaffar Khan	Gold ornaments 15 grms cash Tk. 7,000/= daily needs of an amount of Tk. 6,500/= electric fan and tape recorder of 5000 Tk
11. Farida, daughter of late Abdur Razab Ali	Gold ornaments 20 grms cash Tk. 10,000/= daily needs of an amount of Tk. 8,000/=
12. Hawa, daughter of Kallu	Gold ornaments 30 grms cash Tk. 12,000/= electric fan and tape recorder of 5000 Tk, daily needs of an amount of Tk. 12,000/=
13. Salma, daughter of Selim	Gold ornaments 15 grms cash Tk. 6,000/= daily needs of an amount of Tk. 3,800/= electric fan and tape recorder of 5000 Tk
14. Shahnaz, daughter of Soheli	Gold ornaments 15 grms cash Tk. 3,500/= daily needs of an amount of Tk. 4,800/= electric fan 1800 Tk
15. Hasina, daughter of Moslem Bepari	Gold ornaments 10 grms cash Tk. 5,000/= daily needs of an amount of Tk. 3,800/= electric fan 1800 Tk
16. Amina, daughter of Asgor Ali	Gold ornaments 15 grms cash Tk. 5,000/= daily needs of an amount of Tk. 4,800/= electric fan and tape recorder 5200 Tk
17. Razia, daughter of Khoshred Alam	Gold ornaments 10 grms cash Tk. 2,500/= daily needs of an amount of Tk. 6,000/=
18. Shahida, daughter of Shaheen	Gold ornament 20 grms cash Tk. 6,000/= daily needs of an amount of Tk. 6,000/=
19. Paruli, daughter of Md. Goni	Gold ornaments 15 grms cash Tk. 10,000/= daily needs of an amount of Tk. 9,400/=
20. Parvin, daughter of late Asgor Sheikh	Gold ornaments 15 grms cash Tk. 1,200/= daily needs of an amount of Tk. 6,000/=

#### Law Relating to Prostitution

The laws relating to the prostitution in Bangladesh are:

1. The constitution of the people's Republic of Bangladesh;

2. The suppression of immoral Traffic Act 1933.

3. Women and Children Repression (Special Provision) Act 1995.

4. The Penal Code

5. The Police Ordinance of DMP, 1976 etc.

1) Article 18(2) of the Constitution of the People Republic of Bangladesh Provides, "The State shall adopt effective measure to prevent prostitution and gambling."

This article is not enforceable by Court. But it signifies that Laws will be made in connection with this principle. State will take necessary steps. It includes state will ensure the fundamental rights and fundamental needs of the citizens. When state will prevent some body to do her/his own business for his/her lively hood according to her own wish, then it is the responsibility of the state to ensure their jobs and works. Until and unless the state can not provide them any work, morally it can not prevent some one to do their profession by making laws. This eviction relates to the violation of the fundamental rights of the inmates. Article 31 of the constitution said, "To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable rights of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law" but in this respect they did not enjoy that rights. Article 40 of the constitution provides, "Subject to any restrictions imposed by law, every citizen possessing such qualifications, if any as may be prescribed by law in relations to his profession, occupation, trade or business shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business," so in that respect the prostitutes are entitled to have their profession and the eviction was illegal. Article 43 of the constitution provides, "Ev-

ery citizen shall have the right, subject to any reasonable restrictions imposed by law that he interests of the security of the State, public order, public morality or public health.

a) to be secured in his home against entry, search and seizure; and

b) to the privacy of his correspondence and other means of communication."

In respect of Kandupatti Brothel eviction both the parties blamed the government. The local Panchaet Committee said that the people urged the administration to evict the brothel for so long but they failed to do so. That's why people took the responsibility to enforce the law. On the other hand, the prostitutes said that while they were evicted police become silent.

Recently advocate Shamsun Nahar filed a writ petition numbered as WP No 3017/97 before the Hon'ble High Court Division of the Supreme Court.

After the service of Notices a Divisional Bench of the Supreme Court gave a descriptive verdict. Justice M M Hossain declared that eviction illegal and directed the Government to re-settle them providing full security to the brothel inmates. While Justice Md Hasan Amin in his findings sought out the eviction illegal but he verdicted that writ Jurisdiction is not maintainable in this case as it is evicted by the individuals not by the Govt. Now... the case is pending for another hearing before a 3rd Bench.

2. The suppression of immoral Traffic Act 1933 is to prevent the prostitution from expanding in the society as it is a social degeneration. Section 11 of the Act provides that if any body confining any girl below 18 and bound her to sexual business will be convicted for 3 years imprisonment.

\*\* The suppression of Women and Children (special provision) Act 1995 is more tough to deal with such sexual business. It provides the punishment for life imprisonment for the offences mentioned in the Suppression of Immoral Traffic Act 1933.

However, the Kandupatti brothel eviction is a legal and human rights violation to the mankind with the development of legal and humanitarian concept. A section of public opinion has been canvassing for de-criminalisation and

possibly legalisation on prostitution. Some developed countries of the world have already adopted policies to develop a legal regime reflecting the prostitute's rights approach. We think Justice MM Huq, has rightly found the legal, social and cultural aspects of the re-settlement of the Kandupatti brothel eviction. They are human beings; they have got right to the freedom of their profession. The Government should adopt a policy so that they could enjoy their fundamental rights like other citizens of the country and cannot be spread over the society which will be more harmful to our new generation and for the social dignity and values.

Shireen Sultana and Md. Asaduzzaman were in Odhakar. Md. Raihanur Rahman is a member of Jatiya Ainyibi Parishad.

## Lawscape

The government plans to send as many as 600 soldiers to the Naples area this week in a crackdown against warfare among rival mob gangs.

A 26-year-old mobster by one an 8-year-old girl - were wounded during shoot-outs in small towns this past weekend.

Interior Minister Giorgio Napolitano announced Sunday night that the military will be placed regular police in the protection of public buildings, thus freeing police to patrol the streets.

The army has been used in the past to help fight crime, most recently in Sicily in 1992 following the assassination of anti-Mafia prosecutor Paolo Borsellino.

The crime situation in Naples is an emergency situation, and it therefore needs emergency measures," Naples prosecutor Agostino Cordova told Italian newspapers.

A total of 85 people have been killed in the Naples area in the past six months in deaths attributed to rivalry among factions of the Camorra, the local mob.

Premier Romano Prodi announced he will meet with Parliament's anti-Mafia commission to discuss future measures from his return later this week from a NATO summit in Madrid.

### Environmental Degradation and Human Rights In Quest of an Integrated Approach

by Syed Imtiaz Ahmed

HUMAN rights as a concern of international community was first officially codified with the adoption of the Universal Declaration of Human Rights by the UN in 1948. The preamble to the Declaration upheld the aspirations for a world in which human beings shall enjoy freedom of life, opinion, freedom from fear and also a healthy living condition.

We are approaching the 50th anniversary of this historical Declaration but these rights for human beings have not yet been fully established. Rather, new dimensions of human rights violations are surpassing the categories of violable rights originally apprehended in the Declaration. One such is linked with the much talked-about degradation of world environment. Human beings built-up this magnificent civilization by extracting the fruits of nature. Thus the rights that a man or woman is entitled to is without any doubt has a deep involvement with the earth's environment.

Three major arguments constitute the link between environment and human rights and the arguments are by and large related to the notion of environmental justice.

a) A worldwide trend can be observed where activists for protecting environment are tortured, harassed and even killed by governments, business communities, persuaders of illegal professions such as drug cultivators & traders.

b) Environmental degradation usually carries a high human cost and as a famous environmentalist pointed out, such cost is often borne disproportionately by the people least able to cope with it people already on the margins of the society.

c) A wide range of discrimination may be observed in terms of access to ecological benefits.

According to 'World watch' Paper of December 1995 in 1988 Chico Mendes, a widely known environmental activist who stood against Amazonian deforestation was brutally assassinated by a group of land-hungry cattle ranchers. Law enforcement officers in this case and in several other cases of this sort made virtually no effort to protect civil liberties such as the right to speak out and organize protests as they share the ranchers view that any one who objected the felling and burning of rain forests represented merely an obstacle to progress. Apart from it many other examples may be cited where the rights of the environmentalists, have been severely violated and remained without remedy Henry Domoide of the Philippines was

murdered in 1991 by the members of a militia with ties to the Philippines Army as he campaigned against military involvement in illegal logging of local tribal lands. Plots Kozhevnikov of former Soviet Union, Mahesh Mehta of India, Guy Pence of the USA were also harassed threatened and even attacked because they stood against efforts to plunder nature's resources.

As for the second argument every person on the earth has a right to a stable climate, an intact ozone layer, clean water, air and healthy oceans. But mainly for the faulty consumption pattern of the elite wealthy class in 'modern' industrial societies of the countries of the North and of the perpetual consumers of modernity in developing worlds, that right is at stake. Industrial countries, according to world watch sources, are responsible for more than 90% of the 360 ml metric tons of hazardous waste dumped in poorer countries violating the inhabitants' basic human rights.

Over the last five years there have been at least 299 documented dumpings in Eastern Europe, 239 in Asia, 148 in Latin America and 30 in Africa.

In some cases developing countries are even cheated. For instance as world watch magazine reveals, in 1988 an Italian Waste Company offered a Nigerian farmer \$ 100 a month to use his backyard as a storage area of 8000 barrels of fertilizers. Later the barrels were found to be filled with industrial waste containing fibres and high levels of PCBs. Another aspect of this problem is that developing countries, following Western Models of development often take up steps to modernize their countries without noticing whether the steps are in harmony with people's living condition. Numerous environmentally hazardous development projects illustrate this fact.

An ongoing dam project in India's Normada Valley has forced relocation of thousands of tribal people and gold mining operations have poisoned drinking water in several of the black South African homelands. In Bangladesh Kaptai Dam Project inundated 400 sq. miles of area, including 5400 acres of cultivable land and uprooted 18,000 tribal families comprising more than 1,00,000 people. But the Government compensation were not adequate. Both in developed and developing countries such environmentally hazardous projects seem to affect the impoverished minority or subnational groups more than the majority. Unfortunately, no account is taken of the fact that minority groups are entitled to equal rights.

The order of the Indian Supreme Court to shut down 31 industrial units in 1995 in West Bengal, which were allegedly polluting the purity of Ganges water resulted in the probability of immense job losses. So, that verdict was later withdrawn. Specially in case of developing the imposition of western ideas in the models of environmental movements is increasingly facing accusation of overlooking the people. Just

Unequal access to ecological benefits can be easily observed in the unequal distribution of natural resources both among and within countries. Also the contradiction between the wealthy class and of the people living on margins of society makes this fact apparent.

Having broadly discussed the issues linking environment and human rights we may try to find out whether the present movement to safeguard human rights and environment are complimentary to each other or not.

In the 1948 Declaration, Human rights were assumed to have fallen broadly into two categories:

a) Individual civil liberties ranging from free speech to freedom from torture and

b) Communal rights to basic human requirements like food shelter and work.

Many environmentalists are finding it easy to preserve environmental rights of men through the present doctrines which include not only the 1948 Declaration but also international Covenant on Economic, Social and Cultural rights, International Covenant of Civil and Political Rights etc. For instance, the article 25 of the 1948 Declaration which holds 'Every one has the right to a standard of living adequate for health and well being of himself and of his family..... can be easily linked with man's right of enjoying a healthy, pollution free environment. The rights to free speech can be used to protect environment related communal rights like right to safe drinking water.

But, there are problems. Firstly, there is a group of environmentalists who seem to be reluctant about the presence of human element in nature. In Kenya setting aside of wilderness preserves such as Amboseli National Park has forced a large group of Masai People to abandon their homelands. In India the creation of Kutr Tiger and Buffalo Reserves in Madhya Pradesh displaced 52 villages of Maria tribals, many of whom have since joined insurgent movement, often creating severe threats to ecological preservation efforts.

The order of the Indian Supreme Court to shut down 31 industrial units in 1995 in West Bengal, which were allegedly polluting the purity of Ganges water resulted in the probability of immense job losses. So, that verdict was later withdrawn. Specially in case of developing the imposition of western ideas in the models of environmental movements is increasingly facing accusation of overlooking the people. Just

because these people say that they are helping the environment' insists one Tyua Women in Western Zimbabwe, does not mean that they should be able to violate our human rights."

On the other hand, the traditional human rights approach is, according to some environmentalists, is not a foolproof environmental strategy. Sometimes exclusively rights based approach for protecting local people opens door to increased environmental degradation which is turn tends to erode people's basic right to a healthy living condition.

Along the costs of Ecuador's Galapagos Islands, for instance, empowered local fisheries are currently over harvesting sea cucumbers at a rate likely to wipe out supplies within four years. Similarly Kayapo Indians of the Brazilian Amazon who were given land rights by the government in face of increasing pressure from human rights activists are now mining health hazardous gold mining which is increasing mercury levels in their bloods. The right of these Indians to control their own destiny is in confrontation with their right to a healthy environment.

This rather paradoxical situation first and foremost requires effective communication between environmental and human rights activists. Environmentalists will never meet their goals without respecting the rights of local people. At the same time protectors of human rights alike need to realize that their efforts cannot cease once the traditionally apprehended rights of men are secured. If that is at the cost of severe ecological imbalance then preservation of rights will not be sustainable. Only by combining their efforts human rights can be truly recognised.

Moreover, there is an immediate requirement of lawfully addressing the environmental issues in international human rights agenda. Thanks to more than a decade of documenting problems, environmentalists and human rights activists have begun to understand the necessity of combined effort. And also campaign to write environmental justice into international law is well under way, spearheaded by environmental lawyers and activists working in conjunction with the UN's Sub-Commission for prevention of discrimination and protection of minorities. Accepting the fact that environmental degradation has endangered the living on earth, men's life cannot be free from fear without an integrated approach for protecting environmental injustices and violation of human rights.

The writer is an MSS student of International Relations at DU.

## LAW WATCH

### WORLD CHARTER FOR PROSTITUTES' RIGHTS

International Committee for Prostitute's Rights

#### LAWS

Decriminalize all aspects of adult prostitution resulting from individual decision.

Decriminalize prostitution and regulate third parties according to standard business codes. It must be noted that existing standard business codes allow abuse of prostitutes. Therefore, special clauses must be included to prevent the abuse and stigmatization of prostitutes (self-employee and others).

Enforce existing criminal laws against fraud, coercion, violence, child sexual abuse, child labour, rape and racism everywhere and across national boundaries, whether or not in the context of prostitution.

Eradicate laws that can be interpreted to deny freedom of association or freedom to travel to prostitutes within and between countries. Prostitutes have the right to a private life.

#### HUMAN RIGHTS

Guarantee prostitutes all human rights and civil liberties, including the freedom of speech, travel, immigration, work, marriage and motherhood and the right to unemployment insurance, health insurance and housing.

Grant asylum to anyone denied human rights on the basis of a 'crime of status', be it prostitution of homosexuality.

#### WORKING CONDITIONS

There should be no law which implies systematic zoning of prostitution. Prostitutes should have the freedom to choose their place of work and residence. It is essential that prostitutes can provide their services under the conditions that are absolutely determined by themselves and no-one else. There should be a committee to insure the protection of the rights of prostitutes and to whom prostitutes can address their complaints. This committee must be comprised of prostitutes and other professionals, like lawyers and supporters. There should be no law discriminating against prostitutes associating and working collectively in order to acquire a high degree of personal security.

#### HEALTH

All women and men should be educated to have periodical health screening for sexually transmitted diseases. Since

health checks have historically been used to control and stigmatize prostitutes, and since adult prostitutes are generally even more aware of sexual health care than others, mandatory checks for prostitutes are unacceptable unless they are mandatory for all sexually active people.

#### SERVICES

Employment, counselling, legal and housing services for runaway children should be funded in order to prevent child prostitution and to promote child well-being and opportunity.

Prostitutes must have the same social benefits as all other citizens according to the different regulations in different countries.

Shelters and services for working prostitutes and re-training programs for prostitutes wishing to leave the life should be funded.

#### TAXES

No special taxes should be levied on prostitutes or prostitute businesses. Prostitutes should pay regular taxes on the same basis as other independent contractors and employers, and should receive the same benefits.

#### PUBLIC OPINION

Support educational programs to change social attitudes which stigmatize and discriminate against prostitutes and ex-prostitutes of any race, gender or nationality.

Develop education programmes which help the public to understand that the customer plays a crucial role in the prostitution phenomenon, this role being generally ignored. The customer, like the prostitute, should not, however, be criminalized or condemned on a moral basis.

We are in solidarity with all workers in the sex industry.

#### ORGANIZATION

Organizations of prostitutes and ex-prostitutes should be supported to ensure further implementation of the above charter.

Source: First World Whores' Congress, Amsterdam 1985.

### Rape Case Viewed as Tone-Setter

Lewis Machipisa writes from Harare

That such a high official like Banana is being taken to Court will have a positive impact on incidents of sexual harassment at the workplace and in society in general.

This case will have a positive impact in that it brings into the open the issue of sexual harassment at the workplace and, as we know, it is women who are mainly harassed," she said. "Women have been sexually harassed at the workplace and nothing has been done. I am sure if this case involved a woman it would not be getting as much attention as it's getting now."

The case will change the attitudes of people in the society because here we have a powerful person who has done very positive things in the past being

"Homosexuality is a secondary issue," Khan told IPS.

taken to court. It shows that no one is above the law."

Other analysts share Khan's opinion.

The announcement Monday that Banana would stand trial "goes to show that no one is above the law," said Dennis Manduzo, deputy dean of the Law School at the University of Zimbabwe, although he felt it was too early to "read much into this case."

"It's just that the law is taking its course," Manduzo told IPS. "However because of the person's status, the case will attract a lot of interest both legal and political."

Increasing reports of sexual abuse against women and minors in this Southern African nation led President Robert Mugabe to call for tougher sen-

tences for rapists when he opened the fourth session of Parliament late last month.

But some analysts predict that, if convicted, Banana may be saved from incarceration by a presidential pardon because of his stature in Zimbabwean society.

"Nothing really will happen," political analyst John Makumbe told IPS. "It's one of those cases where justice will be allowed to take its course, but in the end I think Banana will be pardoned. We are talking about a former president here."

But human rights activists warn that given the incidence of sexual abuse here, Mugabe risks sending a wrong message if he lets Banana get off scot-free.