



Amnesty International Aotearoa New Zealand- Children's Rights Newsletter

June 2008

EDITORIAL

Happy Birthday! This newsletter marks the sixth anniversary of the Children's Rights Network (CRN). Thank you all for your loyal support and for your continuing efforts for the rights of children.

We can never know all the results of our advocacy but we can take pride in the fact that we have played our part in many international actions and raised the awareness of children's issues among Amnesty members.

ANNUAL MEETING

We are grateful to Jan Marsh who attended the AIANZ Annual Meeting as the Network's representative. Her comments follow:

"The Annual Meeting took place at Te Whaea School of Dance in Wellington 9-12 May 2008 and was, as usual, an intense programme, very well-organised, with excellent food to keep us all warm and working well. Business covered included appointing the new members of the governance team and confirming the revised statute. Our guest speakers gave very different but equally riveting addresses:

Phil Goff, a member of AINZ, attended in his role as Minister of Trade, speaking cogently about the issues involved in the Free Trade Agreement with China, a major theme and concern of the meeting.

Terry Hicks, father of David Hicks, gave a moving insight into how an ordinary family was transformed by being caught up in the injustice of Guantanamo and spoke of David's suffering and the ongoing consequences.

The Children's Network presented a question to the panel discussion about adopting Children's Rights as a theme for Freedom Week and made a contribution to the Strategic Plan on the importance of keeping the needs of children in focus. A "Birds of a Feather" Group gave

Co-ordinators – Joan & Peter Sutton

follow up to the issue of AI's policy on sexual and reproductive rights, to which CRN had contributed a submission and which had proved to be an emotive issue. The Catholic Church in NZ condemned AI's stand even after our NZ delegate advocated more moderate wording.

A further BoF group, led by Governance Team (GT) member Tu Williams, tackled the issue of the relevance of AI to Maori, concluding that Maori tend to focus their international effort on indigenous rights issues. We were surprised to find NZ had ratified a statute which did not contain any reference to partnership with Maori or the Treaty.

At the end of the Meeting your representative was left with a feeling of awe for the commitment of AI members in NZ and especially for the competence and dedication of the GT and staff."

CHILDREN'S RIGHTS IN NZ

Since our last newsletter in April, there has been much discussion of children's rights in this country. The excellent report by the Action Group on Child Poverty highlighted the plight of over 200,000 children living below the poverty line. Many children were reported to go to school without breakfast or lunch.

The Paediatric Society reported that very many children were admitted to hospital with preventable or treatable diseases as a result of family poverty. There were news reports of the exploitation of child workers in the delivery of advertising material with very low pay rates and delays in payment.

These items indicate that New Zealand has quite a long way to go to meet its commitments under the Convention on the Rights of the Child.

CANADA – The Case of Omar Khadr

This young Canadian national has been detained at Guantanamo Bay since 2002 when he was 15 or 16 years old. His case is at present being discussed by the International Human Rights parliamentary sub-committee of the Canadian parliament. Canada is the only western country which has not repatriated its Guantanamo detainees. Omar Khadr is about to face an unfair trial before a military tribunal.

Please write URGENTLY to the members of that sub-committee using this letter below:-

The Sub-Committee Members are:

Scott Reid (Sub-Committee Chair,

Conservative Party): Reid.S@parl.gc.ca

Mario Silva (Sub-Committee Vice-Chair,

Liberal Party): Silva.M@parl.gc.ca

Caroline St-Hilaire (Sub-Committee Vice-Chair, Bloc Quebecois):

St-Hilaire.C@parl.gc.ca

Irwin Cotler (Sub-Committee Member,

Liberal Party): cotler.i@parl.gc.ca

Wayne Marston (Sub-Committee Member, New Democratic Party)

Marston.W@parl.gc.ca

Jason Kenney (Sub-Committee Member,

Conservative Party): Kenney.J@parl.gc.ca

David Sweet (Sub-Committee Member,

Conservative Party): Sweet.D@parl.gc.ca

SAMPLE LETTER OR ADAPT

Dear [insert name of MP]:

I am writing to you as [insert role: chair, vice-chair, a member] of the parliamentary Sub-committee on International Human Rights. I have been following the case of a Canadian citizen, Omar Khadr, detained in Guantánamo Bay since late 2002, and was pleased to see this on the agenda of the sub-committee.

I am concerned that little effective action has been taken by successive Canadian governments to protect the human rights of Omar Khadr, particularly given his young age at the time of his capture by US forces and Canada's long standing advocacy on behalf of children affected by armed conflict. I am further concerned that Canada appears to support the first-ever trial of a child combatant despite the evolution of international law and standards which stress alternative approaches including rehabilitation and reintegration.

A parliamentary sub-committee charged with examining international human rights issues and cases must place these universal rights first and

foremost within its own reports and recommendations. There can be no exceptions.

I urge you to work with your parliamentary colleagues to ensure that the sub-committee completes its work before the House rises for the summer and the committee makes a strong and compelling recommendation for the repatriation of Omar Khadr. Acting now on this case is critical. By the time the House resumes sitting in the fall, Omar Khadr's unfair trial before a military commission could already be underway – or he could already have been convicted and sentenced.

Yours sincerely,

Please note – the parliamentary session ends on June 20th. Please send individual emails where possible. Choose at least the chair and a member of a different party if time is short.

IRAN – Juvenile death penalty.

Behnoud Shojaee (aged 20) UA 114/08

Saeed Jazee (aged 21) UA 08/08

Mohammad Feda'I (aged 21) UA 146/08

These three young men, all featured in earlier newsletters, are at imminent risk of execution for crimes they are alleged to have committed when 17 years old.

Please write to the Iranian authorities making these points:-

- calling on the authorities to commute the death sentence passed on Behnoud Shojaee, Saeed Jazee and Mohammad Feda'i, who are at imminent risk of execution for crimes committed when they were under the age of 18;
- noting that Mohammad Feda'I had inadequate legal representation at his trial, meaning that proceedings did not meet international fair trial standards;

- welcoming the temporary stay of execution of Behnoud Shojaee and urging the Iranian authorities to review all three cases;

- reminding them that Iran is a state party to both the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), which prohibit the use of the death penalty against those under the age of 18 at the time of the offence, and that their executions would therefore be a violation of international law.

ADDRESSES

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IRAN continued

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader

Islamic Republic St - Shahid Keshvar Doust Stt
Tehran, Islamic Republic of Iran

Email: info@leader.ir

(Your Excellency)

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of
the Head of the Judiciary

Pasteur St., Vali Asr Ave., south of Serah-e
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Email: info@dadgostary-tehran.ir

(In the subject line write: FAO Ayatollah
Shahroudi)

(Your Excellency)

COPIES TO:

President

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(Your Excellency)

WORLD NEWS

The following items were edited from reports in UN Wire and are included for information only.

CHINA Parents Anguish at 'Quake Deaths

It is estimated that 10,000 children died when their school buildings collapsed into rubble while nearby government offices and other buildings were still standing.

Grieving parents have demonstrated in many communities in Sichuan province, sometimes clashing with police and officials. They have called for the prosecution of those responsible for the construction of the schools which they called "shoddy" or "tofu". Angry parents are talking of bringing a lawsuit alleging corruption and seeking compensation. Some told journalists that teachers had said that if they

stopped demonstrating, they would be compensated with payments of US\$4,500 for each child lost (This is several times the average annual income).

Chinese law makes provision for lawsuits against authorities but these rarely take place. Sophrrie Richardson, Human Rights Watch lawyer, points out that the government has refused to renew the licenses of two prominent human rights lawyers when they had offered to represent Tibetan victims of the March violence.

Provincial officials have promised a "vigorous response" but said full scale investigations must wait until the needs of survivors had been met. The Chinese government has also promised to investigate what happened and to include parents in the panel to oversee the enquiry.

(Our network plans to write to the Chinese Embassy expressing condolences at the loss of so many children and urging a full and open enquiry into school construction.)

CHINA Child Labour Exposed

Following articles in *Southern Metropolis* newspaper, authorities in southern China's Guangdong Province near Hong Kong have made several arrests and "rescued" more than 100 children from factories manufacturing electronics and consumer goods. Authorities are now investigating reports that hundreds of children from Sichuan Province, mostly between the ages of 13 and 15 have been lured or forced to work up to 300 hours a month.

The legal working age in China is sixteen.

This child labour ring was uncovered less than a year after a similar problem was exposed in Shanxi and Honan Provinces where labour officials had rescued hundreds of people, including children, from slave labour conditions in rural brick kilns. Many workers said they had been kidnapped. The children have no ID card which makes identification difficult.

Most of the work force comes from under-developed or poverty stricken areas; some children are "sold" by their parents. At some factories children are lined up and selected according to their body types.

Factory owners in some parts of China claim they have been forced to find new sources of cheap labour, such as children, because of rising costs of labour, energy and raw materials.

WORLD NEWS continued

MEXICO Child Labour on Farms

According to a UN Report issued in May “about 132 million kids work in farms and plantations around the globe”.

A Mexican group campaigning for children’s rights suggests that there has been some progress in eradicating the problem in Mexico during the last decade but it still exists because of Mexico’s vast wealth and educational disparities and pressure on small farmers from the North American Free Trade Agreement from the USA and Canada. Mexican law prohibits children under 14 from working and those from 14 to 16 can work only in jobs that do not “jeopardise their development”. However children under 15 make up 20% of Mexico’s migrant workers.

Government studies show that 42% of these children suffer from some form of malnutrition and less than 10% attend school. A ban on child labour is difficult to enforce because in most cases children do not appear in farms’ payrolls. As “helpers” they assist their parents to pick more than the daily quota. Farms save money because they do not have to pay social security for the children.

AFRICA The State of Child Health

“The State of Africa’s Children 2008” is a UNICEF report issued at a conference in Tokyo in May. Here are some of the points reported: About five million child deaths occur annually – deaths among children under five have been rising since the 1970s;

Many die of preventable or curable diseases. Malaria accounts for 18% of under-five year old deaths, diarrhoeal diseases and pneumonia for a further 40%. These illnesses thrive in poor communities where sanitation is inadequate and residents are often under-nourished and exposed to pollution. AIDS is another major killer.

Ann M Veneman, Executive Director of UNICEF, said limited gains are being made in Sub-Saharan Africa by expanded immunisation programmes, the increased use of insecticide treated bed-nets and the provision of vitamin A tablets to children. Medication to prevent the transfer of HIV from mother to child is also being used effectively.

INDIA “Children’s Health Ignored”

More than half of Indian children under the age of 5 do not get the health care they need

according to a report by Save the Children. India has cut child mortality rates by 34% since 1990. Indian girls are 61% more likely to die than boys between the ages one and five because of the inequality of health care between boys and girls.

SEXUAL ABUSE BY PEACE KEEPERS.

The UN has welcomed and will study a report by Save the Children UK, which stated that children as young as six were being sexually abused by UN Peacekeepers and Aid Workers. Save the Children(SCF) reports that the most shocking aspect of child sex abuse is that most of it goes unreported and unpunished because children are too scared to speak out.

The SCF research was carried out on hundreds of children from Ivory Coast, Sudan and Haiti. SCF has sacked three workers for having sex with 17 year-old girls. The report suggests that “all humanitarian and peace keeping agencies working in emergency situations must admit that they are vulnerable”. It also said that worldwide child protection systems should be strengthened.

UN SEXUAL ABUSE SCANDALS

- 2003 - Nepalese troops accused of sexual abuse while serving in DR Congo. Six are later jailed.
- 2004 – Two UN peacekeepers repatriated after being accused of abuse in Burundi
- 2005 – UN troops accused of rape and sexual abuse in Sudan
- 2006 – UN personnel accused of rape and exploitation on missions in Haiti and Liberia.
- 2007 – UN launches probe into sexual abuse claims in Ivory Coast.

USA Detained 2500 Juvenile Combatants

The US has detained approximately 2,500 people younger than 18 as “illegal enemy combatants” in Iraq, Afghanistan and Guantanamo Bay since 2002 according to a report from the Bush Administration to the UN Committee on Children’s Rights. They say about 500 are still in detention facilities.

According to international law juveniles and child soldiers should be treated for rehabilitation and reintegration not subjected to further victimisation said the American Civil Liberties Union.

This newsletter prepared for Amnesty International by Joan and Peter Sutton
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