

CHILDREN'S RIGHTS NETWORK

AMNESTY
INTERNATIONAL
Aotearoa New Zealand



April, 2010

Co-ordinators – Joan & Peter Sutton, Jan Marsh

Editorial

You will, perhaps, have noticed that this newsletter is somewhat shorter than normal with fewer requests for letter writing. This is simply because we have received very little from the International Secretariat since the beginning of the year. The officer who provided the cases we work with and background information on children's rights and international publications went on sabbatical leave in mid-December and has not been replaced. Her monthly reports to networks such as ours are sorely missed.

We have put forward a resolution for the [New Zealand Annual Meeting](#) next month asking the Section to seek an urgent resolution to this problem. We ask all of you who will be attending this meeting to support the resolution.

Slovakia plans to remove Romani children from their families

Amnesty International Press Release - 8 March 2010



Amnesty International has warned that establishing boarding schools for Romani children "and gradually detaching them from the way of living they currently experience in settlements" is discriminatory and a blatant attack on the Roma way of living.

The Slovak Prime Minister Robert Fico said recently that the government proposes a system in which Romani children would be taken from settlements and placed in boarding schools.

"The idea that Romani children have to be removed from their families and put into boarding schools, when they could be educated in normal schools near their homes, is clearly against the best interests of the child. Uprooting them from their surroundings and removing them from their families, is an attack on their identity", said Halya Gowan, Europe and Central Asia Programme Director.

The fact that some Romani families living in settlements – as other families in Slovakia – experience challenges to supporting the education of children because of poverty, language barriers and other factors, highlights the need for government to provide support and assistance to all to overcome such barriers.

"Isolated from the outside world, Romani children will find it more difficult to fully participate in Slovak society. The government's proposal will perpetuate the segregation they experience now. In fact it will make it official", Halya Gowan said.

"The government's proposal is completely out of tune with developments in the European Union. If adopted it will be in absolute contravention of both Slovak law and international human rights standards on non-discrimination by which Slovakia is bound."

Amnesty International has previously voiced serious concerns about the discrimination and segregation Romani children experience in Slovak schools including their placement in special schools and classes for pupils with mental disabilities.

"Rather than establishing another parallel system of separate education for children based on their ethnicity, it is necessary that the Slovak government focus its efforts towards ensuring that mainstream schools include all children regardless of the social background, language or other abilities", Halya Gowan said.

Amnesty International calls on the Slovak government to address the core of the problem – persisting segregation of Romani children in education which should be overcome by reforms in the education system to ensure truly inclusive education for all children. The government must provide appropriate support to families and pupils who need it, so that they can effectively participate and develop to their fullest potential within mainstream schools.

For a copy of the full report, click [here](#) (Please note, this takes you to the International AI website)

Image Above: Romani children may be taken from their families and put into boarding schools © Amnesty International

MEXICO - Teenagers in detention centre beaten (UA 58/10)

Amnesty International Urgent Action (UA: 58/10 Index: AMR 41/019/2010 Mexico)

The Detention and Re-integration Centre for Young Offenders (Centro de Internamiento y Adaptación de Adolescentes Infractores) in Monterrey holds 56 young people; some aged 18 and some under the age of 18. On 27 February, almost 80 prison security guards from an adult prison were brought in to carry out an inspection for knives and drugs. Some of the youths told their families, who in turn informed local human rights organisations, that the security guards threatened them with police dogs, tied them up, hit them and beat them with planks of wood.

On 1 March, the youths reported that they were beaten again, this time by the detention centre staff. The prison staff told the youths that if they complained they would file spurious charges against them, move those over 18 to an adult prison, or prolong their detention on grounds of bad behaviour. Around 18 youths are now pursuing official complaints about the treatment they received, but they are afraid that prison officials may carry out their threats.

Officials with the Nuevo León State Human Rights Commission and a prison doctor visited the youths and confirmed that some of them had visible injuries and marks on their bodies. A local human rights organisation is concerned that no medical staff trained in assessing signs of torture have yet seen the victims.

In 1999, the National Human Rights Commission (Comisión Nacional de Derechos Humanos, CNDH) carried out an investigation into alleged incidents of torture in an adult prison near Monterrey in Nuevo León and called for several prison officials to be investigated. Amnesty International is not aware that all these officials were ever investigated or held to account for their involvement in the abuse committed in that incident.

PLEASE WRITE IMMEDIATELY making these points in your letter:

- Expressing concern for the safety of detainees at the Monterrey Detention and Re-integration Centre for Young Offenders and calling for their safety to be guaranteed;
- Calling for a full, prompt and impartial investigation into the alleged torture of young detainees on 27 February and 1 March and for the detainees to be allowed to pursue their complaints without fear of reprisals;

- Calling for the detainees to be examined by independent medical staff trained in assessing signs of torture according to international human rights standards contained in the Istanbul Protocol;
- Calling for all officials involved to be thoroughly investigated and sanctioned if found guilty and for the authorities to publish the findings of the enquiry.

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 Salutation: Dear Charge d'Affaires

ARGENTINA - Teenage rape survivor denied abortion

Amnesty International Urgent Action (UA 65/10)

A 15-year-old girl, who is pregnant after being raped by her step-father, was denied an abortion by hospital authorities in the southern Argentinean province of Chubut in February. On 12 March, a judge also rejected her abortion request.

The girl has suffered many years of sexual abuse from her stepfather, which was reported to the authorities once she found that she was pregnant. In February, the mother of the girl made a formal request to the Regional Hospital of Chubut for her daughter to be given an abortion. The hospital presented a written refusal, arguing that the case did not fall under the permitted exceptions to the prohibition of abortion in the Argentinean Criminal Code. These exceptions allow abortion in cases in which the life or health of the woman is at risk.

Several weeks later, on 10 March, a judge at the Comodoro Rivadavia Second Family Court heard the case. A group of doctors (Junta Médica) at the Comodoro Rivadavia Regional Hospital advised that the abortion was still medically possible. However, on 12 March, the judge rejected the abortion request on the grounds that the rights of the foetus prevailed over the rights of the pregnant girl to life and health, arguing that both the girl and the foetus are vulnerable. Lawyers in Argentina have argued that being

subjected to sexual abuse and rape have an impact on health, referring to the World Health Organization's definition of health as a state of complete physical, mental and social well-being.

Amnesty International believes that any denial of safe, legal abortion in rape cases constitutes a violation of human rights. It is a way of doubly victimising women who have already suffered at the hands of their sexual aggressors. Amnesty International considers the involvement of the judicial system in cases such as this to be unwarranted. As shown in this case, judicial involvement also causes unacceptable delays in decisions about abortions. For example, the girl in this case is now 23 weeks pregnant.

In another similar case, also in March, a judge from the Chubut Supreme Court ruled that a girl ("A.G.") could have an abortion, overturning the decision of a lower court judge, upheld at appeal. A.G has now had an abortion.

PLEASE WRITE IMMEDIATELY making these points in your letter.

- Expressing concern that a 15-year-old survivor of rape was denied an abortion by the Comodoro Rivadavia Second Family Court on 12 March and noting that Amnesty International considers the denial of safe, legal abortion in rape cases to be a violation of human rights;
- Urging the provincial health authorities to provide the health care, including abortion and psychosocial care, needed by the girl in this case, in line with her wishes.
- Urging federal health authorities, in conjunction with provincial health authorities, to implement without delay protocols that provide guidance to health workers on the provision of legal abortion.

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**This newsletter prepared for Amnesty International
by Joan and Peter Sutton and Jan Marsh.**

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