

CHILDREN'S RIGHTS NETWORK

**AMNESTY
INTERNATIONAL**
Aotearoa New Zealand



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Co-ordinators – Joan & Peter Sutton, Jan Marsh

Editorial

This weekend marks the 20th anniversary of the adoption of the Convention on the Rights of the Child by the UN General Assembly. This was an enormous step forward for the recognition of children's rights; it forms the framework for the work of our network and is an anniversary we can all celebrate - although the Convention is still violated every day.



The Danish Section of Amnesty is hosting an international seminar on children's rights this weekend at which New Zealand is represented by our CEO, Patrick Holmes. We hope to give a report of the seminar in a future edition of this newsletter.

An indication of what still needs to be done was contained in the following news item from the UN. "Nearly 200 million children in poor countries have stunted growth because they do not get enough to eat according to a new report published by UNICEF before a three-day international summit on the problem of world hunger. ... More than 90% of those children live in Africa and Asia and more than a third of deaths in that age group are linked to under-nutrition."

Strengthening UNCROC's enforcement capabilities

Amnesty International is also one of a group of national NGOs calling on the NZ government to support an international call to ensure that UNCROC has a mandatory communications mechanism to challenge violations. It will shortly be the only piece of human rights legislation without such a procedure.

The Committee on the Rights of the Child has adopted a position in favour of such a procedure.

HAITI - Protect Girls in Domestic Service

It is estimated that there are more than 100,000 girls aged between six and 17 working in domestic service in Haiti. Children in domestic service often come from extremely poor backgrounds and live with a host family undertaking most of the domestic chores in return for their board and lodging. They are frequently exploited, ill-treated and denied their right to education, health care and food. The UN has categorised their situation as a form of modern slavery.



The girls are at grave risk of physical abuse and sexual abuse. Sexual violence is pervasive and widespread in Haiti. This particularly affects young girls as more than half of those who report being raped are 18 or under. Girls in domestic service are isolated from the rest of society with virtually no one concerned for their welfare and being dependent on their host family makes it difficult to break free from abuse.

Haitian laws do not provide a protective framework for children. Although the State ratified the Convention on the Rights of the Child (UNCROC) in 1997 and the International Labour Organisation Convention 182 on the Worst Forms of Child Labour in 2007, it has failed to incorporate them into national law.

(Image: Former and current restaveks (child domestic workers) in Haiti, August 2006)

Please write to the Haitian authorities making these points in your letters:

1. To the President and Prime Minister:

- State that you are writing on the 20th anniversary of the Convention on the Rights of the Child calling for adequate protection of girls against physical and sexual violence, in particular those in domestic service or living on the streets;
- Urging measures to identify girls at risk and providing them with information on protection measures and reporting abuse;
- Calling for steps to ensure that the institutions responsible for implementing the National Plan for the Protection of Vulnerable Children can do so effectively;
- Urging the establishment of safe places for girls where access to primary health care and support is readily available;
- Calling for instructions and adequate resources for the Police Brigade for the Protection of Minors to investigate cases of physical and sexual abuse against girls in all contexts;
- Calling for instructions and adequate resources for the judicial authorities to prosecute all cases of physical and sexual violence;
- Urging, establishment, with donors' co-operation, of civil society programmes and activities working to bring children out of domestic service.

ADDRESSES

M. René Garcia Prével
President of the Republic
Palais National, Champs de Mars
Port-au-Prince, Haiti, (W.I.)
Fax. +509 2224 4877
(Mr President)

Prime Minister,
La Primature, Route de Bourbon
Imp. Prosper No1, (Villa d'Accueil)
Port-au-Prince, Haiti, (W.I.)
(Dear Prime Minister)

2. To the Presidents of the National Assembly and Chamber of Deputies

- State that you are writing on the 20th anniversary of the Convention on the Rights of the Child calling for adequate protection of girls against physical and sexual violence, in particular those in domestic service or living on the streets;
- Calling for the reform of national legislation in order to bring it into line with Haiti's international obligations under CROC and the International Labour Organisation's Convention No 182 on the Worst Forms of Child Labour;
- Urging the adoption and promotion, without delay, of a Children's Code to enshrine the provisions of CROC into Haitian law;
- Calling on them to adopt without delay special legislation for the protection of women and girls against all forms of gender-based violence and allocate adequate resources in forthcoming national budgets for the enforcement of such legislation.

ADDRESSES

M. Kelly C. Bastien
Président de l'Assemblée Nationale
Sénateur de la République d'Haiti
Sénat de la République
Av. Marie Jeanne, Cité de l'Exposition
Port-au-Prince, Haiti (W.I.)
Fax +509 2222 8594 or +509 2222 8543
(Dear President of the National Assembly)

M. Levaillant Lois Jeune
Chambre des Députés, Palais Législatif
Av. Marie Jeanne, Cité d'Exposition
Port-au-Prince, Haiti (W.I.)
(Dear President of the Chamber of Deputies)

Please also take action on this issue via this [e-petition](#) calling on the Haitian authorities to honour their commitment to respect children's rights by protecting girls in domestic service - click [here](#) to go to the e-petition.

Please also circulate this link to your family and friends.

This petition builds on the campaign started in November 2008 on sexual violence against girls in Haiti, and it is part of the 16 Days of activism on violence against women.

GUYANA - Torture and Possible Unfair Trial

Nouravie Wilfred aged 20, was arrested on October 27th and held incommunicado until November 3rd without charge, possibly ill-treated and at risk of torture, because he was believed to have been involved in the murder of Ramenauth Bisram, a former local government official. He was cleared of the charge and released on 3rd November.

A fifteen year-old boy (name known to Amnesty) was also arrested on October 27th in connection with the same murder. When he refused to sign a confession, he was beaten and held down while police officers doused his genital area with inflammable liquid which they then set on fire. He is no longer a suspect in the case and remains under treatment in hospital. Guyana's Commissioner of Police has publicly stated that formal charges have yet to be made against two police officers in relation to the torture against the boy as the police are waiting till he is well enough to attend an identity parade.

A third person, Deonarine Rafick was also detained on 26th October in relation to the murder. He remains in prison after he was forced to confess to the murder of Ramenauth Bisram in a confession obtained by torture. According to his testimony he was struck with a piece of wood on his back, legs, buttocks, face and scalp and the inside of his mouth was burned with cigarettes. He has apparently been examined by a doctor from Georgetown Public Hospital but it is unclear whether he has received all the treatment he needs.

Please write immediately making the following points in your letters:

- Calling for assurances that the evidence used to charge Deonarine Rafick with murder was not solely based on a confession obtained by torture; and that any legal proceedings he faces meet international fair trial standards;
- Urging the authorities to ensure that Deonarine Rafick receives immediate and regular access to all the medical treatment he needs; calling for a full, prompt and impartial investigation into the

allegations of torture and the circumstances surrounding the detention of Deonarine Rafick, Nouravie Wilfred and the 15 year-old boy, including the police's failure to bring them before a court after 72 hours in custody and refusing access to family, lawyers and medical treatment for several days, with the results made public and those responsible brought to justice.

ADDRESSES

Director of Public Prosecutions
Shalimar Ali-Hack
1, Seawall Flat
Georgetown, Guyana
Fax: +592 226 9255
Email: chambers@guyana.net.gy
(Salutation: Dear Director of Prosecutions)

Minister of Home Affairs
Hon. Clement Rohee
Ministry of Home Affairs
Brickdam
Stabroek
Georgetown, Guyana
Fax: + 592 227 4806
Email: homemin@guyana.net.gy
(Salutation: Dear Minister)

COPIES TO:

Two local newspapers in Guyana
Kaieteur News, email: kaieteurnews@yahoo.com
Stabroek News, email: stabroeknews@hotmail.com

COLOMBIA - Human Rights Defender & Daughter at Risk

Ingrid Vergara and her daughter, 14 year-old Cendy Torres have been followed and threatened by unknown individuals in the city of Sincelejo, northern Colombia.

Ingrid Vergara is a member of the National Movement of Victims of State Crimes, a coalition of organisations campaigning for justice and reparations for the victims of human rights violations committed during Colombia's armed conflict.

In April 2008, Cendy Torres was threatened by four unknown men "because of what your mother's doing". Ingrid Vergara has received a number of death threats including a message inviting her to attend her own funeral.

In October 2009, Cendy Torres noticed a white car following her on different days and neighbours had reported that a similar car had been driven slowly past her house on several days. On 26 October she noticed a white car with tinted windows and no number plates as she walked to school. The car slowed down and the occupants talked to two girls who were walking past. The children approached Cendy and told her they had said to let her Mum know "that she must shut up if she wants to reach the new year".



(Image: Ingrid Vergara of the National Movement of Victims of State Crimes (Movimiento Nacional de Víctimas de Crímenes de Estado, MOVICE) in the city of Sincelejo, Sucre department, northern Colombia, 2009. She is at the front, fourth from the right. © MOVICE)

Please write making these points in your letters:

- Expressing concern for the safety of Ingrid Vergara and Cendy Torres and urging the authorities to guarantee their safety in strict accordance with their wishes;
- Calling on the authorities to carry out a full and impartial investigation into these and previous death threats against Ingrid Vergara and Cendy Torres, to make the results public and bring those responsible to justice;
- Reminding the authorities to adhere to their obligations regarding the situation of human rights defenders, as laid out in the 1998 UN Declaration on Human Rights Defenders.

ADDRESSES

Vice-President of the Republic
Dr. Francisco Santos Calderón
Vicepresidencia de la República
Carrera 8A No 7-27
Bogotá, Colombia
Fax: +57 1 565 7682 (ask: "me da tono de fax por favor")
(Salutation: Dear Mr Vice-president)

Acting Attorney General
Dr. Guillermo Mendoza Diago
Fiscal General de la Nación (e)
Fiscalía General de la Nación
Diagonal 22B (Av. Luis Carlos Galán No. 52-01) Bloque C
Piso 4, Bogotá, Colombia
Fax: +57 1 414 9108
(Salutation: Dear Attorney General)

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

Contact us by email - childrensrightrightsnetwork@amnesty.org.nz

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