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HIDDEN SCANDAL, SECRET SHAME ---

The torture and ill-treatment of children

“They shot my father right in front of me. He was a shop-keeper. It was nine o’clock at night. They came to our house and told him they had orders to kill him because he allowed me to go to school. The Mujahideen had already stopped me from going to school, but that was not enough. They then came and killed my father. I cannot describe what they did to me after killing my father.”

A 15-year-old girl who was repeatedly raped by armed faction leaders in Kabul, Afghanistan, in 1994.

The fact that children could suffer torture at all should come as a terrible shock. Their dependency and vulnerability should render them immune from the atrocities adults inflict on one another. Yet violence against children is endemic.

Children are tortured because they are caught up in wars or other conflicts, for political activism or alleged criminality, or because they are socially marginal. Children can be tortured as part of a collective punishment, simply because of their membership of a particular community. Children who belong to certain ethnic groups may be tortured as a result of discriminatory policing. Children who are active in student groups or opposition movements can be detained and ill-treated for activities such as joining demonstrations, distributing leaflets or attempting to organize in their schools and workplaces. Sometimes, torture is inflicted on children because they are the most vulnerable members of their community — abused by the authorities in order to force a parent or family member to provide information or to turn themselves in. More often, however, children are tortured for the same reasons as adults: they are accused of breaking the law, they are on the “wrong side” in a conflict, or they belong to an ethnic or religious group likely to suffer discrimination.

Although investigations carried out by Amnesty International (AI) concentrate primarily on human rights violations by states and abuses by armed opposition groups, much of the abuse inflicted on children is committed by private individuals — often in the home, where it is “hidden” and therefore difficult to investigate and punish.

Armed conflict

War is a daily reality for millions of children. Some have never known any other life. While children injured in armed conflict are often innocent bystanders, some are targeted by security forces and armed opposition groups in retribution or to provoke outrage in each other’s communities.

Some, mainly girls, are singled out for sexual abuse. Young men are often picked up without charge, on the assumption that they participate in, or sympathize with, armed opposition groups. Many children are tortured or killed simply because they live in an “enemy zone”, or because of the politics, religion or ethnic origin of their family.

Armed conflict has forced millions of children around the world to flee their homes in search of refuge. Many get separated from their families along the way. In Africa alone, conflict has forced more than 20 million people from their homes.

One of the most serious situations for terror and violence inflicted in armed conflict is in Sierra Leone. Throughout the nine years of civil war, children have suffered disproportionately and on an unprecedented scale. Thousands have been killed or subjected to mutilation, rape and abduction during systematic campaigns of atrocities committed largely by rebel forces. Almost all of the thousands of girls and women who have been abducted by rebel forces have been raped and forced into sexual slavery.

Another terrible facet of the civil war in Sierra Leone has been the large numbers of boys and girls, some as young as five, recruited as child soldiers by both sides. Most of the children serving with rebel forces were abducted from their homes and forced to fight, kill, mutilate and rape — often under the influence of drugs, alcohol or simply because of fear. However, the problem of child soldiers is by no means confined to Sierra Leone or Africa alone. More than 300,000 under-18s are fighting in armed conflicts in over 30 countries worldwide. In the United Kingdom (UK), there are more than 9,000

under-18s in the armed forces. Children are especially vulnerable to practices of bullying and ill-treatment, whether by supervisors or colleagues. In August 1997, a 17-year-old girl in the UK was forced to perform a sex act and was raped by a drunken instructor while on manoeuvres.

Torture at the hands of the police

“My legs were cut with blades and cocaine was rubbed in the wounds. Afterwards, I felt like a big person. I saw the other people like chickens and rats. I wanted to kill them.”

Komba, 15, who was abducted in 1997 and forced to fight by rebels in Sierra Leone.

Children suspected of criminal activity — or detained on that pretext — are frequently at risk of torture and ill-treatment. Police officers are responsible for most documented cases of torture; a common and rapidly increasing form of torture committed against children is the beating of criminal suspects and social marginals in police custody. Beatings can be severe, even deadly. Children have been struck with fists, sticks, chair legs, gun-butts, whips, iron pipes and electrical cords. Children detained by the police have also been burned with cigarettes or electricity; exposed to extremes of heat and cold; deprived of food, drink or sleep; or made to stand, sit or hang for long hours in awkward positions. Both boys and girls are vulnerable to rape and sexual abuse — the very threat of rape can cause severe psychological trauma amounting to torture.

In countries across the world, children are routinely made to suffer torture or ill-treatment in detention. In Turkey, boys and girls as young as 14 are reported to have been stripped naked, sexually assaulted and threatened with rape. In Pakistan, children detained by the police are often sexually abused, beaten, hung upside down, held in leg-irons and whipped with rubber straps. The abuse often has fatal consequences. In November 1998, 17-year-old Vladimir Popov died after spending two days in custody in the city of Ekaterinburg, in Russia’s Sverdlovsk region. The police claimed Vladimir had jumped out of the third floor window of the police department voluntarily. However, an autopsy documented numerous injuries on his body, which the family say could not have been caused by the alleged fall. A criminal investigation was opened, but subsequently closed because of “lack of evidence.”

The torture and ill-treatment of children is sometimes intensified by discrimination against them because they are poor, or belong to racial or religious minorities. Street children in particular are vulnerable to arbitrary arrest and ill-treatment. An estimated 100 million children live and work on the streets, surviving through begging, petty crime or prostitution — activities which regularly bring them to the attention of the police.

Racist abuse has been an element in a number of torture and ill-treatment cases investigated by AI. A 17-year-old Angolan student, known under the pseudonym “Didier” to protect him from reprisals, said he was beaten to unconsciousness by Swiss police officers and subjected to racist abuse after being detained on suspicion of having participated in a street fight. Didier filed a complaint against the police but although the Geneva Attorney General opened a preliminary investigation he subsequently ordered its closure without questioning Didier about his allegations. Didier appealed and in August 2000 a Geneva court ruled that an investigating magistrate should carry out a full inquiry.

Abuse in detention centres and other institutions

Children are often detained in conditions that pose a serious threat to their health and safety. Juvenile detention centres are often housed in old and disused adult facilities, with poor heat, light and ventilation; many have no educational or recreational facilities. Conditions are often unsanitary and overcrowded, leaving inmates exposed to disease and other health problems. Custodial institutions for children seldom have appropriate medical facilities, staff or supplies. In some cases, lack of nourishing food results in malnutrition and, in extreme cases, starvation. Many child detainees are dependent on family members to bring their meals, others have to pay or bribe the authorities just to get adequate and decent food.

Children held in adult prisons have frequently been the target of sexual and physical abuse by adult inmates, and are at greater risk of suicide. Recognizing this, international standards expressly state that

incarcerated children should be separated from older inmates, but in many countries children are still housed with adults.

The Malawi government has gone further than many other countries to ensure children are housed separately from adults. However, some corrupt prison officers at the country's largest prison, Zomba, are reported to have accepted bribes to smuggle young inmates into adult blocks. Some boys are reportedly recruited into prostitution rings or forced into giving sexual favours to older inmates in return for food, warm blankets and clothes.

Both Panchito López juvenile detention centre in Asunción, Paraguay, and the Imigrantes juvenile complex in São Paulo, Brazil, are bywords for ill-treatment and wretched conditions. Both have witnessed scenes of violent rioting by inmates protesting against the overcrowding and brutal conditions. Eight boys died after inmates at Panchito López set their cell alight on 11 February 2000, reportedly following a severe beating of some of the cell's occupants by guards the night before. At Imigrantes, 1,648 inmates share a space designed for only 360 and are subject to arbitrary and humiliating punishments by wardens. Such horrendous conditions led to extremely violent riots in October 1999 in which rioting teenagers took hostages, burned mattresses and injured fellow detainees.

“I really did not know where my parents were and was very scared because I did not know how long I was going to stay there ... I saw children being beaten by a teacher using sticks and they were crying ... [I also] saw the teacher bending children's fingers backwards and they were crying...”

An 11-year-old boy who was kept in a Saudi Arabian orphanage for two days after he was arrested in May 1999 and beaten by police who were seeking his parents.

In the USA, AI has documented many cases of cruel, inhuman or degrading conditions and at the end of 1998, 40 states were holding at least 3,700 children in adult prisons without segregation from adult inmates. In March 2000, an emergency court order was sought by the US Justice Department to stop ill-treatment of children at the Jena Juvenile Justice Center in Louisiana. A memorandum in support of the injunction noted that “penal officers at Jena have rubbed inmates' faces into cement floors, taken away clothing, slammed youths against doors, walls and floors, and forced naked juveniles to squat with their buttocks in the air while searches are performed ... evidence exists showing officers actually have encouraged peer violence.”

But it is not just children in penal custodial institutions who suffer from cruel, inhuman or degrading conditions. Orphanages and other state-run institutions suffer from many of the same problems that beset juvenile justice facilities, including underfunding, poorly trained and underpaid staff as well as an overall lack of resources. Children taken into state care are often orphaned, abandoned or disabled.

Impunity

One of the strands that unites children who have been tortured — in whatever circumstance — is the almost complete impunity enjoyed by those who torture or ill-treat them. Perpetrators know that they are likely to get away with torturing children because children — whatever their social group — seldom have adequate means of protecting themselves or of seeking redress. A child who has been abused or tortured will probably be distraught and fearful, and may not have the confidence needed to make an accusation against an adult, particularly an adult who appears to be backed by the power of the state. Many victims remain quiet because they have been threatened with further violence against themselves or their families if they tell anyone what has happened. Allegations of torture against police officers are usually investigated by the suspect's colleagues or even accomplices. Children in detention centres who have been ill-treated or subjected to harsh conditions are usually forced to direct their complaints to their wardens, who may be the very people responsible for the conditions or the abuse. Children who do complain are often victimized; some are beaten, deprived of food, or forced to spend days or weeks in solitary confinement. Assumptions about the unreliability of children as witnesses frequently lead to their complaints or requests for help being disbelieved or ignored.

“For punishments there were beatings on the soles of the feet or on the palms of the hands, or kicks in the stomach. Boys were stripped naked and hung upside down on the patio and beaten with sticks, or else they made you stand on your hands up against the wall. You had to stay like that for as long as they wanted, if you fell down they beat you. They’d hang you from a pillar or from the doorway. They hung me up for three hours, and all the guards that passed by hit me. If someone does something and they don’t discover who, everyone in the block is beaten with sticks.”

A former inmate of the notorious Panchito López juvenile detention centre in Paraguay.

The effects of torture on children

Because of their vulnerability, children are particularly susceptible to the physical and psychological effects of torture. A child’s personality, intellectual and social skills are still developing, and a traumatic experience can alter that development at a fundamental stage. The earlier this occurs, the more likely it is to have enduring and unexpected after-effects. What happens in childhood determines the future personality and abilities of the adult, how much they will depend on others, and how far they will be able to support others. Young children living through a war may internalize the idea that killing is the normal way to resolve conflict. Teenagers, seeing their community or whole way of life destroyed, may feel they did not do enough to protect themselves, their family or friends, and be overcome by hopelessness, guilt and depression. Children of all ages who have been victims or witnesses of torture or brutality often find it difficult to develop trust in others, which can affect their ability to form close social relationships.

Torture is absolutely prohibited under international human rights standards including the UN Convention on the Rights of the Child and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It should also be expressly prohibited in the domestic law of every state.

The Convention on the Rights of the Child is the most ratified of all the human rights treaties. It has been ratified by every country in the world except Somalia, which has no functioning government, and the USA.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents(s), legal guardian(s) or any other person who has the care of the child.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment...

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance...

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

In more than half of the world’s countries, people are still being subjected to torture or cruel, inhuman or degrading treatment. In October 2000, Amnesty International launched its global campaign, Take a step to stamp out torture, to confront this reality and take practical measures to eradicate it. Hidden scandal, secret shame — Torture and ill-treatment of children is a report highlighting one of the most horrifying aspects of torture today – its use to harm and intimidate children.

What you can do

Join our campaign. You can add your voice to AI's campaign and help us to make a difference. Contact your national office of AI and ask for information about how to join the campaign.

*Obtain a copy of the report, Hidden scandal, secret shame — and any of the other reports being published as part of the campaign — from your local AI office or from the website, and help make its findings known.

*Campaign online. You can appeal on behalf of individuals at risk of being tortured, simply by registering to take action against torture at www.stoptorture.org. Once registered you will receive urgent e-mail messages alerting you to take action during the campaign. The website also allows visitors access to AI's information about torture, including this report.

*Share this information with friends, family and any relevant contacts working on issues relating to child rights, human rights or juvenile justice in your country.

*Light a candle for the people who have been tortured and tell your friends and family what it means.

*Write to your government asking them to: 1) make clear that torture and cruel, inhuman or degrading treatment will never be tolerated; 2) make clear their commitment to do all they can to eliminate torture, and to ensure that preventative safeguards be established and enforced, including those in *AI's 12- Point Program for the Prevention of Torture by Agents of the State* (available on www.stoptorture.org); 3) unequivocally condemn the torture of children wherever it occurs and work for the eradication of torture worldwide; 4) ensure that their laws do not condone or allow impunity for acts by private individuals that may amount to torture.

Captions

A young girl whose hand was amputated by rebel forces when they attacked Freetown, Sierra Leone, in January 1999. © Stuart Freedman

Drawing by a former child soldier from Uganda, where thousands of children have been abducted and forced to work for the Lord's Resistance Army © AI

Firoz © AI

A boy who escaped from a burning cell block is watched over by a guard at Panchito López juvenile detention centre in Paraguay, February 2000. ©

A child searching for food at Chowpatti beach, Bombay, India, is approached by a policeman wielding a lathi (long wooden stick) © Dario Mitidieri

Children of the peace community of San José de Apartadó, Colombia. In March 1997 the community declared itself a peace community and demanded that all parties to the conflict respect the lives of the civilian population and their right not to be drawn into taking sides in the conflict. © Private