

**@THE TARGETS OF HUMAN RIGHTS ABUSE**

**Some sections of society are targeted for specific forms of human rights abuse - because of their gender, their vulnerability or their ethnic origins.**

**The UN World Conference on Human Rights will consider contemporary trends and new challenges to the full realization of all human rights - including those of women, children and indigenous peoples.**

**Women**

The world's torturers, executioners and jailers do not discriminate on grounds of sex. Women suffer the full range of human rights violations practised in the modern world. They are as likely as men to suffer brutal abuses if they question the status quo, defy their governments or insist on their rights.

In different countries, with differing ideologies, women have been killed by the authorities: judicially executed, or murdered by government agents and their accomplices.

Blanca Cecilia Valero de Durán, the secretary of a human rights committee in Colombia, was murdered by a "death squad" in January 1992. When she left her office in the town of Barrancabermeja armed men in plain clothes shot her dead while police officers looked on. There has been no formal investigation and her killers remain at large. Hundreds, if not thousands, of women are prisoners of conscience, detained for their peaceful opposition to the authorities, sometimes without having been charged or brought to trial.

Aung San Suu Kyi has been under house arrest in Myanmar since July 1989. She has neither been charged nor brought to trial by Myanmar's military authorities. Her "crime" was to lead a mass movement in support of democracy. In December 1991 she was awarded the Nobel Peace Prize for her courageous defence of human rights.

When it comes to torture there is no method deemed too savage to be inflicted on women. And women are particularly vulnerable to sexual torture. In countries around the world, government agents use rape and sexual abuse to coerce, humiliate, punish and intimidate women. Many governments refuse to recognize that rape and sexual abuse by soldiers and police officers are serious human rights violations. Reports of rape are routinely ignored or inadequately investigated and the perpetrators are seldom brought to justice.

In Bangladesh tribal women in the Chittagong Hill Tracts have been raped by members of the security forces in reprisal for the actions of rebel groups. In October 1990 soldiers waylaid a group of about 25 tribal people at Bilai Chari Para in Rangamati district. Fourteen girls were taken at gunpoint to nearby huts, where they were stripped naked, beaten and repeatedly raped.

Women have been jailed, sexually abused and killed by governments not because of anything they have done but because they happen to be the wives, mothers, daughters or sisters of men the authorities cannot capture. These women become substitutes for the men in their families, and government agents torture and abuse them to punish and shame their male relatives or to coerce these men into surrendering.

A 27-year-old Muslim woman from the Bosnian town of Zenica told Amnesty International that she had been detained after her husband escaped from Serbian custody. She was interrogated about her husband for three days and then released, only to be detained again a few weeks later. This time she was taken to a private house and beaten and raped by a Serbian officer.

Some women are targeted because they are seen as vulnerable. Others are targeted because they are strong, because they are political activists, or community

organizers, or because they campaign for respect for their rights and those of their relatives. During the past decade, increasing numbers of women have spoken out for human rights protection. Many have suffered human rights violations as a result. Leyla Zana is a Kurdish independent member of parliament for Diyarbakir, in south-east Turkey, and a member of the People's Labour Party. She has been repeatedly threatened with death because of her political activities and her involvement in investigations into the abuses suffered by Turkey's Kurdish minority. In April 1992 she was threatened by the Diyarbakir military commander in front of witnesses. He told her: "I am going to kill you, but first I am going to discredit you".

Thousands of women have effectively been widowed by the state when their husbands "disappear" after being taken into custody. Women in this position are doubly punished. Not only have they lost their husbands, they become the sole breadwinners in the family, and as their husbands are not legally dead they cannot claim benefits to help them raise their children.

Women in Guatemala whose husbands have "disappeared" have been pressed by the authorities to sign statements that their husbands were killed by guerrillas. In exchange, the authorities have offered the women welfare benefits.

In some situations women are particularly vulnerable to abuse. The special needs of pregnant women, for example, are recognized in international law. Some governments not only ignore these needs but take advantage of the vulnerability of pregnant women to inflict severe physical and emotional pain.

Nour al-Houda al-Bahri was five months pregnant when she was arrested in Tunisia for being a member of an illegal political party. She was beaten, suspended by her hands and feet and threatened with rape.

International human rights covenants establish minimum standards of government responsibility. If governments ignore their responsibilities to any section of society – whether to women, to men, to the young, to religious minorities or indigenous peoples – then no-one's human rights are safe.

We recommend:

The human rights of women and gender-specific violations should be directly and more effectively addressed within the UN's human rights program, such as by the establishment of new mechanisms specifically dealing with women's rights.

- UN thematic working groups, rapporteurs and country experts should pay greater attention to violations against women. Women investigators should be included on fact-finding missions, especially when sensitive issues such as rape and sexual abuse have been reported. These UN experts should be provided with adequate resources to carry out their work effectively.

- An effective challenge should be made to the large number of reservations entered by states ratifying the Convention on the Elimination of All Forms of Discrimination against Women, and an individual complaints procedure should be developed under that treaty.

- The UN should devote greater attention to the issue of violence against women and develop measures to deal with gender-specific abuses, especially in armed conflict situations.

## **Children**

Children stimulate our protective instincts. Their vulnerability and innocence are universally recognized to demand special care, yet offer no protection from abuses of state power.

In countries across the world children are tortured, killed or unjustly imprisoned by government agents. Sometimes children are detained or tortured to force their parents to surrender or to confess. Others are singled out for human rights abuses

because they are seen as social or political threats.

During the counter-insurgency offensive in Guatemala in 1982, a member of the security forces interviewed by a foreign journalist gave this justification for killing children: "You have to kill the children of 10, eight, five years. You have to finish them off because they've already heard the things their fathers say, and the children will do it."

When government forces are waging an internal war against armed opposition groups, children in the areas of conflict often get caught in the cross-fire, suffering "disappearances", abductions, targeted killings and collective reprisals.

Thirteen-year-old twins, Abderrahmane and Dari Tchere, were arrested in Chad in 1987 as hostages for their brother who was sought by the authorities. They have "disappeared".

Children are often victimized simply because they live in an area, or belong to an ethnic group, believed to be sympathetic to one side in a conflict.

Bachar ag Khamadin, a 10-year-old Tuareg boy, was one of 30 people in Mali publicly executed by an army firing-squad in August 1990. He was killed in reprisal for an attack by Tuareg insurgents.

Thousands of children have been orphaned after their parents were killed or "disappeared" in civil conflicts.

"The civil defence patrol took them away. As they left they threatened us: 'Don't say anything or the same will happen to you!' Every day I pray that my mother and father will come back. I know they will return. That's why I don't cry." The speaker is a young girl whose parents "disappeared" in Peru in 1990.

In some countries, extreme poverty forces children onto the streets to fend for themselves. Street children are automatically regarded as criminal suspects by many law enforcement officers, and are often subjected to harassment, threats or violent attacks.

In Brazil some seven million children fend for themselves on the streets. Thousands have been tortured, murdered or abducted by death squads, often composed of or run by police officers.

The long-term effect of human rights violations on children can be devastating. Children who are tortured or ill-treated in prison, or forced to watch their parents or other family members suffer brutal or humiliating treatment, undergo a trauma which can cause persistent and debilitating psychological problems.

A 1988 study of black children who had been detained in South Africa found "loss of self-esteem, self-hate, suicidal urges and a deep sense of alienation...in young ex-detainees" and observed that "released children also commonly experience intense anxiety in the form of fear, dread and even paranoia... Among these symptoms of anxiety, it is common for children to complain of 'flash-backs' of prison experiences which lead to sudden startled reactions, hypervigilance, insomnia and nightmares - all symptoms which are typical of post-traumatic stress disorder."

A very few countries continue to impose the ultimate form of cruel and inhuman punishment on children. Over the last 10 years, seven countries worldwide are known to have put people to death for crimes committed when they were still juveniles; the largest confirmed number of such executions has been carried out in the United States of America (USA).

In February 1992 juvenile offender Johnny Garrett was executed in the USA. He was sentenced to death for a crime committed when he was just 17-years-old. He was mentally impaired, chronically psychotic and brain-damaged. Before his death he suffered from paranoid delusions, including the belief that the lethal injection would not kill him.

Even children can stand up for their rights. But when they do their youth is no protection against human rights violations.

A Guatemalan school student, arrested after a demonstration for better school

conditions, was forced to drink bleach by a police officer. He was rushed to hospital in a critical condition and had to undergo major surgery. One year later his torturer is still at large.

In the past decade, children's rights have received increased attention in international human rights law. In November 1989 the UN adopted the first universal human rights treaty for the protection of children.

The Convention on the Rights of the Child addresses the particular vulnerability of the young, the fact that they cannot be held responsible for their actions in the same way as adults, and their need for special protection.

Over 100 countries have ratified the Convention; several of them are cited in this article. For most of the world's children, the Convention's noble goal, that children should grow up "in an atmosphere of happiness, love and understanding", remains a dream.

We recommend:

- UN thematic rapporteurs, working groups and country experts should have access to adequate training and resources when investigating human rights violations against children.
- Experts specially trained in dealing sensitively with children should be included in country visits where these issues are under examination.
- Governments should ratify the UN Convention on the Rights of the Child, remove limiting reservations to that treaty and take concrete measures to ensure that it is fully implemented at the national level in legislation, policy and practice.

### **Indigenous peoples**

The UN has designated 1993 as the International Year of the World's Indigenous People. There are some 300 million indigenous people in 70 countries around the world. Among the most defenceless of all the victims of human rights violations, they have paid a terrible price for contact with the dominant society. They have been massacred and terrorized to force them from their ancestral lands, caught up in bitter civil conflicts and left without redress for the abuses they suffer. No matter where they live, or what their circumstances are, indigenous peoples are united by the urgency of their need for human rights protection.

Across the world indigenous and tribal peoples are often caught in the conflict between government troops and armed opposition groups. In some countries indigenous communities have been virtually destroyed as a result.

In the late 1970s and early 1980s the Guatemalan army massacred tens of thousands of non-combatant Indian peasants in its efforts to crush the armed opposition. Whole communities were branded subversive and their members killed. Many Indians fled to the cities, where they sought anonymity by abandoning their traditional clothing. Almost invariably those implicated in killing, abducting and torturing indigenous peoples are shielded from justice. Immunity from prosecution has been extended beyond the ranks of government troops, to members of "death squads", hired gunmen, and civilian vigilantes.

In April 1992 in Bangladesh, dozens of defenceless tribal villagers in the Chittagong Hill Tracts were killed by a mob of armed civilians and paramilitaries. According to survivors, the village of Logang was surrounded, villagers were herded into their homes and their houses were set on fire. Scores of villagers were burned alive; those that tried to flee were shot dead or wounded. No-one has been brought to justice for this terrible crime. The government has contented itself with disputing the number of victims.

Indigenous peoples whose traditional lands are sought for commercial and agricultural exploitation have suffered widespread abuses.

Members of tribal communities in the Philippines have suffered widespread human

rights violations because of the economic and political significance of the lands they inhabit. In February 1993 Chris Batan, a 26-year-old human rights worker and tribal activist, was shot dead by members of a government-backed militia.

The Basarwa are the aboriginal inhabitants of large areas of Botswana and other parts of southern Africa. In March 1992 the Botswana Christian Council reported that Basarwa who were alleged to have poached wild animals were being tortured in custody by officials of the Department of Wildlife and National Parks.

Indigenous peoples are often economically disadvantaged and marginalized from the societies in which they live by geographical, cultural and linguistic factors. Discrimination renders them more vulnerable to abuse than other sectors of society.

In some countries, they are more likely to suffer harsher penalties than non-indigenous people convicted of similar offences. Racial prejudice also results in a lack of official respect for the lives of indigenous people and their culture.

In Australia, an official commission investigating Aboriginal deaths in custody reported in 1991 that Aboriginal people were arrested at 29 times the rate of other Australians. Aboriginal communities in Australia are often over-policed. Police harassment and provoked arrests are widely reported, contributing to the disproportionate arrest and imprisonment of Aboriginal people.

Discrimination in a criminal justice system which retains the death penalty can cost indigenous people their lives.

In the United States of America, Native Americans are among the disadvantaged group who often do not have adequate legal representation. Some 44 Native Americans are now on death row. Most were represented by court-appointed lawyers who, in many cases conducted an inadequate defence. In most cases examined by Amnesty International, later investigation by lawyers representing defendants in post-conviction appeals revealed extensive mitigating evidence, which should have been presented during the sentencing.

The past decade has seen an increasing awareness of indigenous rights in many countries, often leading to popular protests and campaigns. Indigenous people have stood up for their rights in community groups, trade unions and political organizations. But many such activists have been victimized.

Rigoberta Menchú, an indigenous leader from El Quiché in Guatemala who won the 1992 Nobel Peace Prize, was forced into exile in the early 1980s, after her father, mother and a brother had been killed by the security forces. When she returned to Guatemala in 1989 to participate in internal peace talks she received death threats. She was again threatened when she visited the country in 1991 and 1992. She is now a Special Ambassador for the UN International Year of the World's Indigenous People. Despite her high profile, even she is not safe in Guatemala.

1992 was the 500th anniversary of the arrival of Europeans in the Americas, and official commemorations were held throughout the region. Yet despite the publicity, which brought the plight of indigenous peoples into focus, governments in the Americas have taken few practical steps to protect indigenous peoples from human rights violations.

Unless the international community takes urgent steps there is a real danger that 1993 will also pass without any significant progress towards protecting the human rights of indigenous peoples throughout the world.

We recommend:

- Governments should take action to protect the rights of indigenous peoples, and of all those within its territory. Governments must collectively give greater attention to the urgent needs of indigenous people through the UN human rights machinery.

- Governments of countries where indigenous people reside should initiate an independent national review in 1993 of the extent to which indigenous peoples' fundamental human rights are respected.

· Governments should support efforts by the UN Working Group on Indigenous Populations to promote better protection of the fundamental human rights of indigenous peoples. The member states of the UN should ensure that the Working Group is adequately funded to carry out its work effectively.