

Violence Against Children in TAJIKISTAN

Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child

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Save the Children UK - Tajikistan – English

www.crin.org/docs/resources/treaties/crc.25/tajikistanNGOreport.doc

[...]

- Domestic violence against children is not given full attention
- Girls are disproportionately forced out of school than boys
- Girls are increasingly being forced to marry at early age
- Girls are increasingly at risk of sexual violence in the streets and public places

[...]

- Carryover of parental and governmental attitudes from the Soviet era. There is a belief that it is the State's role and responsibility to solve social problems and that parental and family roles are of secondary importance.
- Child neglect resulting from polygamous marriages. Second, third, and fourth wives of one husband often do not take responsibility for their children. This has been a growing problem since independence. Even though Tajik law provides only one legal wife per husband, mullahs still perform religious wedding rites, which are not officially registered. Most of these women are unemployed and impoverished, and are themselves neglected. Children of such women are being brought to state institutions.
- Children's full-time care institutions are drastically underfunded. For example, only 50% of the finances required by Children's Home #1 in Dushanbe are provided by the State, the balance being provided by humanitarian aid organisations. Buildings are in need of major repairs. There is a high rate of attrition of medical staff and caregivers due to salaries in the range of \$3-4 per month.
- The process of adoption is extremely difficult, complicated, and prolonged. Unwanted babies and orphans in state care are usually taken in by willing families as a private transaction, with falsified supporting documentation. There are no protective legal safeguards for these children, or for the families who take them in.
- There is an absence of professional social work interventions in the management of "the best interests of the child" for children in State institutions.
- Teen-age orphans who have left School-Internats are faced with no stipends, little food, no real training, and no protection. Most must survive by begging and petty crimes, or are themselves victimised by crime, especially girls.

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- "Free" Education is not a reality- Costs of education are prohibitive for most families
- Attendance levels are down
- School closures
- Shortage of teachers, shortage of textbooks and teaching resources, especially in Tajik language
- Over crowded classes
- Lack of proper clothing and transportation in rural areas
- Safety issues
- Children working at home and in the community instead of attending school- especially girls
- Education not seen as a priority for girls
- Lack of recreational and cultural facilities for children and youth
- Lack of funds to repair and equip damaged facilities
- Lack of resources at public libraries

[...]

- The Republic of Tajikistan, at this time, does not have a comprehensive system of protection of rights of children. Ratification of the Convention for the Rights of the Child would involve certain obligations of our state to the international community and to its own people.
- Most juvenile offenders return to unfavourable family situations. Consequently, many of them become repeat offenders.
- The majority of judges are not familiar with international standards of justice in regard of children and the system of juvenile justice in general.
- In the list of crimes committed by juveniles, the incidence of crimes relating to property theft are the highest: burglary, picking pockets, robbery. These crimes stem from the difficult financial condition of the population, absence of mechanisms dealing with children, and the under-developed state of social services capable of meeting various juvenile needs.
- any workers of the system of internal affairs do not familiar with the issues surrounding juvenile justice.
- Juveniles are ignorant about their rights in the spheres of family, labor, civil relations, and in contact with law enforcement agencies.
- Children who were involved in armed conflicts are subject to recurrent fear and long-term aggressive tendencies. At present, the social structures in the regions where armed conflicts took place are not prepared to provide post-conflict assistance.
- Court decisions of juvenile crime are not necessarily carried out under the chairmanship of specially assigned judges, i.e. those with special training and experience, or with consideration of a jury or pedagogues and other persons experienced in upbringing youth.
- The civil war, lack of supervision and control on behalf of parents and schools, proximity to drug-producing areas, and poverty, are contributing factors to the growth in numbers of young drug addicts.
- The Republic of Tajikistan does not have effective state or public institutions to protect children from sexual violence and to help those who are victims of it.

[...]

The right to be free from torture and violence

Legislation of Republic of Tajikistan has provisions for protecting the rights of children from torture and violence. But in fact the child is not usually protected from the different forms of violence encountered within the family. It is necessary to put forth the initiative for taking measures against parents and other persons who exert various forms of violence against children.

Girls are the most vulnerable with this regard due to their inability to physically protect themselves, they are frequently subjected to psychological pressure and verbal abuse especially from men.

The deterioration in the income of families has forced many girls to drop out from their education. Many parents are of the opinion that education is the privilege for sons.

Due to the current socio-economic circumstances prevailing in the country, a significant number of young people are growing in a state of disappointment, depression, and fear of the future. There are many reasons to that: failure to build a family, lack of housing, permanent job, prolonged economic dependence on parents, etc. For some young people these reasons have led them to commit suicide, and drug abuse.

Socio-economic hardships are thought to create aggression in the society. This, in turn, is reflected first of all in tension in relations between people, which leads to sexual promiscuity, growing physical & verbal abuse, and cruel treatment of women by women and by men. Girls, being the most vulnerable suffer most of all

these. In view of their vulnerability they are subjected to moral and psychological pressure to larger extent.

There are cases when parents, fearing that their daughter might be subjected to sexual harassment, try to get their daughter married as early as possible.

Teenager girls are subjected to physical violence more often in the streets and in other public places more often than boys or within their families. The girls that are subjected to sexual abuse usually lose self worth and increasingly resort to alcohol or narcotics.

Teenagers note that the parents of relatives with whom they live treat them poorly because they systematically take alcohol or narcotics. Such teenagers live in the atmosphere of increasing danger, they realise the danger, but do not know where to apply for help.

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Family environments are at risk from the widespread poverty which exists in Tajikistan. Because of poverty there has been a steady increase in the numbers of children placed in state care, in street children (most have families), in petty crimes committed by juveniles, and in children whose parents are drug abusers. Poverty adversely affects children's nutritional status and school attendance. Parents were never particularly responsible for their children's welfare before the collapse of the Soviet Union. The State insured family income, education, medical care, and organisation of children's extracurricular time through Pioneer and Komsomol Leagues. In this sense, Tajik parents are often not equipped for their full parental roles.

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While poor families struggle to survive, wealthy families pursue materialism. The result is cadres of Tajik boys who are on neighbourhood streets without a fixed purpose involved in petty crimes and annoyances. Tajik girls are more often at home, but they, too, may be seen begging or selling small goods at sidewalk tables.

[...]

Crime is a real and constant threat to Tajik families. Burglary of private dwellings, extortion of businesses, rape, and to a lesser extent kidnapping, are everyday occurrences in the capital city. Few crimes are solved, but young armed soldiers, or "bivouacs", who intimidate the law enforcement structures, are responsible for a large number of these crimes. Crime is compounded by loan-sharking and reprisals, including murder, on delinquent creditors. Narcotics are another factor compounding the crime picture.

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By unofficial data, 45%-55% of children aged 10-14 years do physical work. In rural areas the percentage of such children is 60-75. Low salaries in the agricultural sector forces the parents to involve their children in the work. Oppressed by hard work and the poor living conditions children leave their homes, mostly for the large cities in the country, and sometimes out of the country, in search of a better life. Once in a city, they take to begging or street trade.

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Teenagers who for violations of law, i.e. begging, etc., are subjected to all kinds of violence and humiliation, both physical and psychological, by the militia. Some interviewed juveniles who have had experience with the militia reported being beaten by rubber batons, being forced to stand on one foot for as long as half-of-an-hour or longer, being threatened by firearms – the militia would shoot at the floor near their feet.

[...]

One out of three juvenile offenders has been brought up in a family with one parent. The educational level of parents of such children is below average. Many teenagers experienced poor role-modeling in the deficient or amoral behavior of their parents: alcoholism (15%), quarrels and fighting (30%), abusive treatment of children (3.5%). Of such children, one parent (14.6%) or both parents (1.7%) had been convicted earlier; 5.3% of parents of surveyed teenagers had been deprived of their parental rights.

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Fifteen-sixteen-year-old detainees, the guilt of whom has not been established, are for several months, and sometimes years, obliged to suffer inordinate hardship. They stay in small stuffy wards designed to hold 3-4 persons but contain 10-15. Exercise is limited and walks always are shorter than they should be, and administration of investigation prison can deprive any detainee of the right for the walks. The convicts not infrequently kill, rape or injure each other. As a rule, administrations of prisons do not interfere in internal conflicts, and do not protect the teenagers. As a result, many juvenile offenders come to the prisons after sentencing as sick, psychologically broken and full of hatred. Besides, while in investigation prison, they learn the science of "thief's life".

The hard conditions of the investigation prisons are aggravated by the tyranny of the administration; it can, for example, send a 15-year-old detainee to a cold room for 5-10 days; these rooms do not have light, and the floor is covered with water. It is not surprising that more than half of young prisoners upon release from investigation prison suffer from chronic pneumonia, tuberculosis, or gastritis. Despite all this, the conditions at investigation prisons for juveniles are considered luxurious in comparison to life in correctional labour institutions. When in such prison, a teenager finds himself, with non-interference of administration, in an extremely dangerous world of psychologically-unbalanced, socially maladapted, resentful peers, who in addition, because of their young age, are targets for abuse. [...]

In accordance with labour legislation of Tajikistan, persons below 15 cannot be employed. Persons below 21 shall be employed only upon passing a medical examination. Thus, Tajik legislation recognises the priority of education over labour activity of children, and determines the age of 15 years as the minimal legal work age. Upon reaching this age and upon graduating from secondary school a teenager can start working. Exception is made only for work at a family enterprise, light easy work, and some seasonal work during the school vacation period. [...]

The problem of sexual violence against children is as acute in Tajikistan as in any other country of the world. But, unlike the more advanced countries, this problem had not been paid much attention until the recent past. The Republic of Tajikistan does not have effective state or public institutions to protect children from sexual violence or to help those who are victims of it.

The Criminal Code defines and imposes liability for sexual violence, forced sex, sexual relations with persons below the age of sixteen, perversion, rape, organisation and maintenance of institutions for such services, etc.

According to the statistics of Ministry of Internal Affairs of Tajikistan, in this country with a population of nearly 6 million, in 1999, only one case was recorded for sexual exploitation and violence against a person below the age of majority. [...]