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RIGHTS OF THE CHILD

**Written statement* submitted by Jammu and Kashmir Council for Human Rights
(JKCHR),
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2005]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

RIGHTS OF THE CHILD

The Protection and Promotion of the Rights of the child are our investment for the future which therefore imposes upon us huge responsibilities. Whilst the Convention on the Rights of the Child is viewed as a universal stepping stone to upholding these responsibilities we are still a long way from ensuring that these provisions are fully implemented and adhered to.

The Rights of the child incorporates wide range of issues which the International Community needs to continue to tackle as well as face new challenges concerning the Fundamental Rights that children are entitled to.

Children in today's complex world face an equal amount of complex issues such as sexual violence and exploitation, Labour exploitation and Recruitment in armed conflict as child soldiers. Children in these conflicts suffer displacement, are made refugees and natural disasters also apportion a bad lot and bad impact to them.

Our responsibility lies in campaigning and advocating for awareness, protection and implementation of children's rights. It is on using platforms such as these to highlight some of the areas concerning the Rights of the child.

The question of invisible soldiers, namely the child soldiers and combatants has registered itself in many parts of the world as a threat to a stable future civil society. The international community has an obligation to protect these children and not be used and exploited in warfare whether it be in internal or external conflicts.

The use of children in conflict is of a varied nature with children being involved both directly and indirectly in conflict quiet often without any training but merely as means to exploit all the avenues to defeat their enemy. They are used to accomplish swift ambush and transport military equipment and carry food supplies.

Treating children in such a manner deprives not only the children of their childhood but is depriving the society of a future generation. Child soldiers are treated as adults having both psychical and psychological consequences. It is appalling that children continue to be used in such a manner without adequate food and sheltering, and exposure to disease and take full participation in the military aspect.

Furthermore children are viewed as better fighters and soldiers because of their impressionable and compromising nature. Some children are encouraged to participate in killing members of their own community as a means to prevent them from running back to them. This consequently seals any hope of the child returning to the community and is an effective way to ensure that the child is dependent upon the life of conflict. He remains anaesthetized for the rest of his life and is able to perform only within a conflict environment.

It is sad to note that although boys and girls are used in armed conflict, the girl child is further humiliated by often being sexually exploited with many girls being married to their rebel leaders. This too prevents the girls and young women from returning to their respective homes and communities. These girls lose the sense of belonging to a community and remain detached from their roots for the rest of their lives.

It is even more worrying that no standard exist in the treatment of the captured child soldiers by opposing rebel groups. Most soldiers and combatants are subjected to similar interrogation abuse and torture as adult soldiers and combatants.

Whilst the above is only a brief snapshot of the issue of child soldiers and combatants, it highlights that the issue is still one of grave concern for the international community particularly when one looks briefly at the consequences.

The consequences are such that affect the child beyond childhood and all along into adult life. The physical and psychological effects cannot be separated from one another. The physical injuries sustained whether they be loss of sight or loss of limb only serve to further alienate the child from society. This combined with the psychological aspect makes a dangerous combination.

Children separated from families and homes and exposed to violence, killing and bloodshed no doubt leaves the child deeply scared and traumatized. It is fundamentally important that children have mechanisms and means at their disposal to detach from their past experiences and to reintegrate into society.

However it is a very difficult process and at times impossible process if they are greeted by poverty, unemployment and hostility. The conflict in Kashmir is one example which has led to a generation of orphans subjected to a life of fear. Some children have taken direct and indirect participation but all have suffered the consequences. A new generation in Kashmir born in 1990 has grown up surrounded by a multiple violence, suffering and a dehumanizing social habitat. These children are deprived and traumatized. It would be reflected all along in their future life.

A particular difficulty in conflicts of such an ongoing nature is that the children born and raised in a conflict find the rehabilitation and reintegration process even more difficult. Initiatives such as a recently opened rehabilitation centre in Naranthal, Baramulla Kashmir by JKCHR is the first of its kind on such a scale and hopes to inspire similar initiatives.

Furthermore the fact that children are not able to develop and progress in society is going against the heart of the Convention on the Rights of the Child which strives for the protection of children from violence and abuse as well as to encourage maximum development.

Another major issue which continues to pose a challenge is that of poverty, which hits children the hardest. Children are forced into the labour market at an early age largely to support their families particularly in South Asia. A prime example is the use of child labour in Carpet industry. The art of carpet weaving is of particular concern as it encompasses variety of issues for the child. Children are seen as a perfect source of cheap labour. This type of work exposes children to unhealthy working conditions such as dust intake and in the longterm leading to diseases such as tuberculosis.

A worrying factor is that children also turn to drugs and narcotics. They are unable to support their families and are unable to continue to feed this habit after sometime. As they grow old they are regarded less productive in the carpet weaving. It is an art which requires nimble finger work only present in young children. Once thrown out of the carpet weaving due to a loss of their nimbleness of fingers they are consigned to a life without hope and sustenance.

Children are then further exploited as beggars which quite often involves self mutilation and the malaise is ever increasing in the Asian sub continent. Another emerging concern is the trend to sell body organs to raise money for the family and wander outside medical establishments to sell their blood for a meal or to feed a habit.

The above are classic examples of poverty and economic motivations behind child exploitation which if not addressed will become deeply embedded in the psychology of the child and handed down to the future generations.

Having looked at these examples where children are continuously being exploited and denied their rights, we find that the International community finds similar issues arising from new catastrophes. The tsunami disaster has affected all of humanity in some way and yet it is a child which has to endure yet again more pain and suffering which transcends beyond tomorrow.

We find reports of trafficking, sexual abuse and the displacement of children leading to them becoming even more vulnerable to new ways of exploitations will involve looking at longterm perspectives to restore normality and security into their lives. However as this tragedy has shown that a rebuilding of lives and communities on such a scale requires global unity, we must keep this as a guiding principle as only global unity, perseverance and commitment can ensure that the rights of the child are fully assured, protected and implemented.
