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RIGHTS OF THE CHILD

**Written statement* submitted by the Transnational Radical Party (TRP),
a non-governmental organization in general 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).

According to the Unrepresented Nations and Peoples Organization (UNPO), many prostitutes working in Mon State in Myanmar are under the age of 18. In interviews gathered for their website UNPO quotes a business man as saying that "about 30 percent of [prostitutes] are children". He also added that in Ye Township alone, there are over ten brothels, each of which approximately has about 8 prostitutes working, where men can easily buy alcohol and sex at a cost of 5-10 dollars (5,000-10,000 Kyats).

According to other sources some brothels are operated in co-operation with local authorities and the Burma Army. Customers who order drinks in the shop have taken opportunities of sexually harassing these girls while being served. The young girls are effectively forced to follow the wishes of their customers, as they risk losing their jobs and vehicles, if refusing the drunken men who approach them for sex.

One Mon businessman interviewed, allegedly with a good relationship with local Burma Army commanders, claimed that soldiers expect free sex when they visit the brothels. "The commanders get free sex because these young women worry about losing their business if they refuse," he is quoted as saying.

Girls in the Mon State endure several forms of intimidations; in fact, according to a youth leader from Thanbyu Zayat (ZopBu), there is a joke currently circulating about a new threat to the prostitutes, who are exploited for sex. The young girls have been told that they would be arrested if they refuse to provide free sex to the Army officers, because they have no permission to own cars without licenses.

In another testimony, gathered by UNPO, Nai Win (not his real name), a community leader, brought attention to the fact that the use of contraception is frequently disregarded, particularly in relation to drunkenness. This, combined with the current situation in which the owners of brothel bars pay monthly bribes to the local authorities, may result in these regions witnessing a surge in HIV/AIDS cases. The intimidations and the involvement of the Army may contribute to keeping the situation away from the public and international attention, which could result in an epidemic of infections.

Despite the fact that Iran is a signatory to the UN Convention on the Rights of Child, which prohibits the execution of people under the age of 18, the Islamic Republic's judiciary often issues death sentences for minors and executing them once they turn 18. Cases where criminal offenders have been executed while they are still minors have also been reported by Radio Free Europe.

The United Nations Committee on the Rights of the Child urged Iran in a report on 28 January 2005 to take the necessary steps to immediately suspend death sentences imposed on persons convicted of crimes before the age of 18. Furthermore, the UN said earlier that month, Iranian officials issued a study saying such executions had been suspended. But, according to other press reports, on the same day that study was issued, a minor was executed in Iran.

Under the UN convention, any person under the age of 18 is considered a child. Last year Amnesty International recorded three executions of child offenders in Iran. One of them was a 16-year-old girl who was hanged in public for having what was termed "illegitimate sexual relations."

The Transnational Radical Party joins the International Federation of Human Rights and Amnesty International in urging Iran to bring its law and practice in line with its international obligations.

In October 2004, some 20 Iran-based human-rights groups, including the Center of Human Rights Defenders, founded by Nobel Prize winner Shirin Ebadi, called on the head of Iran's judiciary not to sentence minors to death. Ebadi, who has been fighting for the improvement of women and children's rights in Iran, had called for a rally to protest against the practice –the demonstration, however, was banned by the authorities.

According to Shiva Dolatabadi, the director of the Society for the Rights of Children in Tehran, a bill outlawing juvenile execution has been sent for review to the parliament, but "as far as we have been able to follow the issue, the bill has been sent to the parliament, but we haven't heard about it being finalized. It seems that the good news we heard -- that these things are not going to happen anymore -- was when the bill was sent to the parliament, but it hasn't become a law yet," Dolatabadi said.

Experts say that if the bill becomes law it should clearly prohibit juvenile execution and not give judges the power to choose whether or not to assign such a sentence.

The UN Committee on the Rights of Child has also called on Iran to suspend the imposition and execution of all forms of torture and cruel, inhuman, or degrading treatment, such as flogging and stoning for crimes committed by underage people.

Ms. Dolatabadi says flogging sentences are being issued for boys and girls who socialize with each other and that "most of it is connected with relations between girls and boys, which according to [legal] definitions here can easily become a crime. We hear a lot about sentences [of flogging] being issued in connection with people going to parties and such things. However, we don't know to what extent [the sentences] are being applied. We don't have enough figures," Dolatabadi says.

In recent months, international pressure has been growing on Iran to end the execution of minors. In October, the European Parliament condemned Iran for issuing death sentences for minors. Iranian officials have not yet reacted to the UN Committee on the Rights of the Child report.
