

WHAT YOU CAN DO...

### JOIN AMNESTY INTERNATIONAL'S CAMPAIGN

More than 52% of the world's 13.5 million refugees are under the age of 18. If we fail to protect and assist children and adolescents adequately, we are failing a large proportion of the world's refugees. Failing to provide for the needs of young refugees can cause irreversible harm to them in their childhood, adolescence and even in their adulthood, so the implications for the future (for the individual as well as communities) can be serious.

Refugee and internally displaced children have fled their homes because they felt their lives and security were threatened. But the place they end up in may not be much safer, especially if they are unaccompanied. Children in camps may be particularly vulnerable; they may lack adequate food and medical supplies, or they may be at risk of exploitation - including sexual violence and forced recruitment to armed forces. Even if they manage to reach a "safe" country, they may be detained - sometimes in prison-like conditions, denied a fair asylum procedure, or access to welfare, social security and education.

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#### Please write to the Government of Australia:

- < Urge the government to ensure that no refugee children are detained in contravention of international standards. In particular urge the government to resort to detention only when it is in the best interests of the child, as stated in the Convention on the Rights of the Child.
- < Urge the government to allow periodical reviews of continued detention of children seeking refugee protection, in conformity with the International Covenant on Civil and Political Rights.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
- < Help raise awareness about refugees and the specific needs of child refugees. Inform people of the human rights violations which cause children to flee their homes.
- < Urge your government to act. Find out if it has ratified, and is honouring, the international treaties protecting child refugees.
- < Show solidarity with refugees. Support refugee children who are at risk of being forcibly returned.

ACT 31/05/97

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REFUGEE CHILDREN  
DETENTION IN AUSTRALIA

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AMNESTY  
INTERNATIONAL  
APPEAL

## DETENTION OF REFUGEE CHILDREN IN AUSTRALIA

*Dushi (not his real name), a 13-year-old Tamil boy from Jaffna Province of Sri Lanka, fled with his family from artillery attacks and bombings in his village. They had to flee to various refugee camps, and Dushi spent approximately 18 months fleeing to avoid the conflict. During one artillery attack his 15-year-old brother was killed. While in the north of Sri Lanka Dushi was under threat from the Liberation Tigers of Tamil Eelam, an armed opposition group who wanted him to become a fighter. Eventually his family sent him to Colombo to live with relatives there, hoping that he would be safer. However, soon after his arrival in Colombo he was detained and beaten by the local police. His family, increasingly worried about his safety, arranged for him to leave Sri Lanka.*

*Dushi arrived alone in Sydney in early 1997 without valid travel documents. He was immediately detained under Australian immigration law and held in the maximum security section of an immigration detention centre. This meant he was kept in enclosed, prison-like conditions, and Dushi was often heard crying at night. The authorities claimed that they could take better care of his welfare if he was kept in the maximum security section of the detention centre. After he was interviewed the authorities started discussing which government department would be responsible for his guardianship if he were allowed to stay in Australia permanently. Dushi continued to be kept in maximum security conditions while appropriate guardianship arrangements were negotiated. He was not granted refugee status until almost three months after his arrival.*

Under Australian law refugee children and their parents who arrive in the country without proper documents must be kept in detention until their status has been determined and a possible claim for asylum assessed. Those who apply for asylum immediately upon arrival at the airport may also face detention. In its present form, the law does not allow a review of detention on the individual circumstances of a detained child or adult, and continued detention -- after an initial period of determining a person's identity and visa application -- cannot be challenged in court. Of the 2,854 "boat people" who

arrived between 1989 and June 1997, 763 children and 75 babies born in detention centres spent up to four years behind barbed wire fences, in clear violation of international standards. Responding to a refugee's complaint, the UN-based Human Rights Committee in April 1997 expressed the view that Australia violated provisions on arbitrary detention and the right to have continued detention reviewed in court, as enshrined in the International Covenant on Civil and Political Rights to which Australia is a party. On 22 May 1997, 51 children were reportedly being held in various detention centres. The main immigration detention and processing centre is in Port Hedland, some 1,300 kilometres from the nearest city, Perth, and about 4,000 kilometres from Sydney or Melbourne where most assistance organizations for refugees are based.

Although children may be released at the government's discretion, conditions for release are such that hardly any child is eligible. In addition, there are no provisions for a parent to be released to take care of a child, even if the child meets all the conditions required. Among all "boat people" detained since 1989 only one per cent (or 30 individuals) have so far been released under these special provisions, most of them adults. Once released, these people are not eligible for income support or social security assistance.

Despite recent reductions in the average length of the asylum determination process -- and hence the length of time asylum-seekers spend in detention -- those who appeal against an initial rejection are effectively penalized by prolonged detention and limited contact with the outside world. While some provisions are made for schooling of children, such detention can have a significant impact on a child because it can last for years.

The 1989 UN Convention on the Rights of the Child, which Australia ratified in 1990, states that the imprisonment of a child should be in conformity with the law and should only be used as a measure of last resort and for the shortest period of time. It guarantees the basic rights of all children, without discrimination, ensuring that they live in freedom, dignity and security. It also obliges states to take special care in dealing with the cases of refugee children. The Australian government is clearly not living up to its obligations regarding refugee children.

**Please send your appeals using the recommendations on the following page to:**

The Hon. Philip Ruddock  
Minister for Immigration and  
Multicultural Affairs  
Parliament House  
Canberra ACT 2600  
Australia

and to Australian diplomatic  
missions in your country.

WHAT YOU CAN DO...

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#### Please write to the Government of the Democratic Republic of Congo:

- < Express concern at reports of grave human rights violations against refugee children. Remind them that they have an obligation to uphold the standards set in the UN Refugee Convention and UN Convention on the Rights of the Child, both ratified by the former government of Zaire.
- < Urge them to show commitment to human rights by identifying and punishing the perpetrators of these violations.
- < Seek assurances that refugee children in the Democratic Republic of Congo will be protected from further violations, and will not be forcibly returned to their home country.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
- < Help raise awareness about refugees and the specific needs of child refugees. Inform people of the human rights violations which cause children to flee their homes.
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REFUGEE CHILDREN  
DEMOCRATIC REPUBLIC OF  
CONGO



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INTERNATIONAL

APPEAL

## DEMOCRATIC REPUBLIC OF CONGO - MASS KILLING OF REFUGEES

*There have been many reports of violence against Rwandese Hutu refugees of all ages. On 26 April 1997, 52 Hutu refugee children who were at the Lwiro hospital being treated for illness and malnutrition were abducted by the AFDL (Alliance of Democratic Forces for the Liberation of Congo-Zaire). They were kept in a closed container, beaten up and denied food and drink for three days. They were returned to the hospital after an outcry by members of the international community. UNICEF reported that the children were in a "pretty bad condition" when they were returned.*

*Mass graves have been reported in various places, including at Mpwe, Katchungu, Langue-Langue and Shabunda. As many as 200 Rwandese refugees were reportedly killed on 13 May 1997 by members of the AFDL in and around Mbandaka, in the Equateur region. Witnesses said a further 140 refugees were killed by the AFDL at nearby Wenji. AFDL soldiers reportedly held children by the legs and smashed their heads against the ground or trees.*

*On 29 May, four Rwandese refugees, including a child, and a Congolese Save the Children Fund worker were shot dead when members of the AFDL at Karuba opened fire on them. Karuba was a major collection point for Rwandese refugees seeking to return to Rwanda. Rape by members of the AFDL has also been reported, although individual testimonies are rare, due to the social stigma attached to the victims.*

Some of the worst human rights abuses which cause children to flee their homes and seek refuge occur in situations of armed conflict. The atrocities committed in Rwanda and Burundi over the past few years have caused millions to flee these countries. Many fled to the Democratic Republic of Congo (former Zaire). However, they did not find safety, and instead became caught up in the civil conflict between the Zairian Armed Forces, supporting ex-President Mobutu, and the Tutsi-led Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL), supporting the new President Kabila, and who are now part of the national army.

Children are not excluded from gross human rights violations committed against refugees, and are sometimes even targeted. Sources estimate that thousands of civilians have been killed since October 1996, when civil war broke out in the eastern part of the country. Cases of "disappearance", torture, rape, arbitrary arrests and unlawful detentions have also been reported. The main targets for these abuses are members of the Hutu ethnic group, in particular Rwandese refugees, but also Burundian refugees and Congolese nationals. It is estimated that over 50% of the

refugees are children. The AFDL are responsible for many of the gross abuses against refugee children.

The AFDL also obstruct access of humanitarian aid workers to refugee camps - leaving the refugees even more vulnerable to shortages of food and medical attention. Children and the elderly are often the most vulnerable. In Biaro and Kasese camps, south of Kisangani, access in April 1997 was restricted to two hours a day, even though thousands of people were severely malnourished and very ill, with as many as 70 dying each day. The AFDL persistently claimed that access to camps was being denied in the interest of humanitarian workers' security. However, many humanitarian organizations expressed fears that the denial of access was to prevent them from witnessing massacres or discovering massacre sites.

Reasons for the obstruction became apparent in late April when as many as 40,000 Rwandese refugees "disappeared" as a result of operations or obstructions by the AFDL. The group of refugees "disappeared" from Kasese and Biaro camps after about 80,000 refugees were reportedly attacked by AFDL combatants and local Zairian civilians armed with weapons such as machetes. On 21 April, the day before the attack began, humanitarian workers were refused access to the camps.

By 23 April, the Biaro camp was entirely deserted. When some 40,000 refugees were found in nearby forests by humanitarian workers in subsequent days, some of them bore bullet and machete wounds. Some of the women refugees claimed that boys and men among them had been selected and taken away by the AFDL, and gunshots were heard moments later. AFDL soldiers and local civilians reportedly buried several hundred refugees in mass graves in and around the camps.

The Convention on the Rights of the Child gives all children, without discrimination, the right to live in freedom, dignity and security. It obliges states to take special care in dealing with the cases of refugee children. Zaire ratified the Convention on the Rights of the Child in 1990. Zaire also ratified the 1951 Convention relating to the Status of Refugees in 1965, and its 1967 Protocol in 1975. These safeguard the fundamental rights of all refugees, including children. Under international law, the new government of the Democratic Republic of Congo is bound by these obligations to safeguard the rights of refugee children in its territory.

**Send your appeals using the recommendations on the following page to:**

Son Excellence  
Laurent-Désiré KABILA  
Président de la République  
Présidence de la République  
Kinshasa-Ngaliema  
République Démocratique du Congo  
Address: Monsieur le Président de la République

M. Bizima KARAHA  
Ministre des Affaires étrangères  
Ministère des Affaires étrangères  
BP 7100  
Kinshasa-Gombe  
République Démocratique du Congo  
Address: Monsieur le Ministre

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#### Please write to the French Government:

- < Request a full and fair investigation into the disputed circumstances of the killing of Todor Bogdanovif and, if justified, the prosecution of the officer.
- < Urge them to ensure that the forthcoming Asylum Bill will fully conform to France's obligations under the various international and regional human rights and refugee standards. Police patrolling borders must be made aware of these procedures.
- < Urge them to implement the recommendations of the UN Human Rights Committee of July 1997, in order to fulfill their obligations under the ICCPR.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
- < Help raise awareness about refugees and the specific needs of child refugees. Inform people of the human rights violations which cause children to flee their homes.
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REFUGEE CHILDREN  
FRANCE: Todor Bogdanovif

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INTERNATIONAL

APPEAL

## FRANCE: EIGHT-YEAR-OLD CHILD REFUGEE SHOT AND KILLED BY BORDER POLICE

*"We had left our country because of the war. We crossed Albania and then Italy to escape a desperate situation. We were afraid the whole time."*

*Rados Bogdanovi f quoted by Agence-France Presse*

provisions of the International Covenant on Civil and Political Rights (ICCPR). During the meeting of the Committee, experts on the Committee raised the case of Todor Bogdanovi f, an eight-year-old Roma boy who was shot dead by border police. The police were members of the *Direction centrale du contrôle de l'immigration et de la lutte contre l'emploi des clandestins* (DICCILEC), which had recently replaced the *Police de l'air et des frontières* (PAF). The new department was formed by the former government in a climate of growing tension in France with regard to terrorism and illegal immigration.

On 20 August 1995 at about 3.30am a convoy of four cars and two trailers approached two border police officers on a small, remote mountain road in southern France, near the Italian frontier, leading to the village of Sospel. The convoy contained 43 Roma from Novi Pazar in the Muslim region of Sandjak, Serbia, a village close to the Bosnian border. The Roma were refugees, having left Serbia with the intention of seeking asylum in France or Germany. In January 1995 the UN High Commissioner for Refugees had drafted a special note expressing concern at the deteriorating human rights situation in Sandjak and stating that "the UNHCR continues to believe that the eligibility of these asylum-seekers originating from...Sandjak must be evaluated on a case by case basis, while insisting on the imperative necessity of a very attentive examination of individual applications during the course of a complete and equitable procedure."

The two border police officers claimed that as the convoy approached they attempted to stop it. They maintained they were in uniform and had set up a road block with a warning light. When the first two cars failed to stop, an officer fired three shots, one at the first car with a rubber bullet and two at the second car with metal bullets. The bullets fired at the second car, driven by Todor Bogdanovi f's father, hit the rear window at very close range. Todor, who had been sleeping on the rear window shelf of the second car, was killed.

Contrary to the police officer's statements, the Bogdanovi f brothers, who were driving the first two cars in the convoy, said they saw no warning light and no uniforms, but only 'shadows', which they thought were bandits. The officer claimed to be acting in legitimate self-defence. An internal police inquiry was immediately opened, but did not establish that the officer had acted in self-defence and said that the two shots fired at the second car had been 'untimely'. However, in December 1996 the judge conducting the investigation into the death ruled that there were no grounds for prosecution (*non-lieu*), and that the officer could legitimately have believed that his life was in danger. This ruling not only

contradicted the findings of the initial police inquiry but also the police rules regarding use of firearms and the Penal Code provisions on the limits of legitimate self-defence.

Both the police rules and the Penal Code on legitimate self-defence allow the use of firearms against an oncoming car where the officer's life is in danger, but once the car has passed him any use is forbidden and open to prosecution.

The members of the convoy applied at once for asylum. The immediate family of Todor Bogdanovi f were given permission to remain in France until mid-December 1995, but on 21 August, just a day after the killing, the Prefect of the Alpes-Maritimes issued orders expelling all the other Roma across the border before their requests for asylum could be fully examined. The administrative tribunal of Nice confirmed the orders. Among those expelled was at least one key eye-witness to the killing, who had not been interviewed by the judge. On 2 June 1997 France's highest legal body, the Council of State, quashed the expulsion orders as illegal. It ruled that in expelling the Roma the Prefect had exceeded their powers. It is not clear what has happened to all the convoy members since their expulsion from France, but some relatives of the dead child's family returned recently to France in the hope of being able to attend an appeal hearing against the *non-lieu*.

Experts on the UN based Human Rights Committee expressed concern in the oral sessions at the treatment and expulsion of refugees as well as at what appeared in this case to be an arbitrary and reckless use of firearms. The Committee was also seriously concerned by allegations of ill-treatment by law enforcement officials, including unnecessary use of firearms leading to death, and pointed out that the risk of such ill-treatment was much greater in the case of foreigners and immigrants. In addition, the 1951 UN Convention relating to the Status of Refugees forbids any country from returning a person to a country where he or she would face serious human rights violations, and obliges countries to provide protection to refugees. France has been a party to the Convention since 1954. However, the authorities in Nice contravened these standards by expelling the Roma before their requests for asylum could be fully examined. France also has obligations under the 1989 UN Convention on the Rights of the Child, which it ratified in 1990, to ensure that all children in its jurisdiction, including refugees and asylum seekers, are able to live in freedom, dignity and security.

**Please send your appeals using the recommendations on the following page to:**

**PRIME MINISTER:**

Monsieur Lionel JOSPIN  
Premier Ministre  
Hôtel Matignon  
57 rue de Varenne  
75007 PARIS

**MINISTER OF JUSTICE:**

Madame Elisabeth GUIGOU  
Garde des Sceaux  
Ministère de la Justice  
13 Place Vendôme  
75001 PARIS

**MINISTER OF THE INTERIOR:**

Monsieur Jean-Pierre  
CHEVENEMENT  
Ministre de l'intérieur  
Ministère de l'intérieur  
Place Beauvau  
75008 PARIS

WHAT YOU CAN DO...

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**Please write to the Pakistan government and urge them to:**

- < Take immediate steps to safeguard the rights of Afghan refugee children;
- < Ensure that no Afghan refugee children are placed in detention in contravention of international standards;
- < Comply with the provisions of UN Convention on the Rights of the Child, which it has ratified;
- < Ratify and implement the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
- < Help raise awareness about refugees and the specific needs of child refugees. Inform people of the human rights violations which cause children to flee their homes.
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REFUGEE CHILDREN  
AFGHAN REFUGEES IN  
PAKISTAN



AMNESTY  
INTERNATIONAL  
APPEAL

## AFGHAN REFUGEES IN PAKISTAN - ARBITRARY DETENTION OF CHILDREN

*In July 1996, thirty-six Afghan refugee children were arrested in Pakistan for not possessing valid passports. They were placed in detention in Adiala central jail, Rawalpindi. Some were as young as 12 years old. They were held for periods of between one and nine weeks, locked up in a cell for all but two hours of the day until their parents could buy their release.*

Over the past decade and a half, hundreds of thousands of Afghan families have fled a devastating civil war in Afghanistan which has left the country fragmented and its people traumatised.

Men, women and children who have seen their homes destroyed and their loved ones brutalised have made a long and arduous journey across inhospitable terrain to seek refuge in Pakistan.

For many, however, arrival in Pakistan has not brought them safety or security. Having left their homes with what few possessions they can carry, some refugees have been forced to pay bribes to Pakistani guards to get across the border. On reaching the refugee camps, many vulnerable Afghan families,

particularly widows with children and elderly relatives, struggle to survive. Relief assistance to all but the most recent arrivals has been cut. Medical facilities and food are inadequate.

Afghan refugees, including children, are routinely detained by the Pakistan authorities for not possessing valid passports or visas. The police arrest Afghans at random, demanding money for their release. Those who cannot pay the bribe are usually charged with illegal stay in Pakistan and sent to judicial custody. To obtain release they have to provide a valid visa and passport. This entails paying a further bribe as they are required to have their passport photograph authenticated by the police. The whole cost of this process is well beyond the means of the majority of Afghan refugee families.

Refugee children are the main target of this form of harassment as the Pakistani police know that Afghan families will sell what they can to get

Photo on front: Afghan children at a refugee camp in Pakistan

their children out of jail.

The basic rights of refugee children are governed by two international conventions: *The 1951 UN Convention and 1967 Protocol Relating to the Status of Refugees*, and the *1989 UN Convention on the Rights of the Child*. In addition, the *1994 UNHCR Guidelines on Refugee Children*

Afghan children at a refugee camp in Pakistan

provide practical guidance on the treatment of refugee children. They state that detention must only be used as a last resort and must always have a proper justification, and that the conditions of detention must meet the needs of the children, including access to education and time for play. Detention of refugees is allowed by international standards only on specific grounds, and even then only when absolutely necessary. If applied, these standards guarantee that the basic rights of children are met, ensuring that they live in freedom, dignity and security.

The UN Convention on the Rights of the Child states that the imprisonment of a child should be in conformity with the law and should only be used as a measure of last resort and for the shortest period of time (Article 37(b)). It also obliges states to take special care in dealing with the cases of refugee children. Pakistan ratified the Convention on the Rights of the Child in 1990, but is clearly not living up to its obligations to Afghan refugee children.

**Please send your appeals using the recommendations on the following page to:**

Prime Minister Nawaz Sharif  
Office of the Prime Minister  
Islamabad  
Pakistan

President Farooq Leghari  
Office of the President  
Aiwan-e Sadar  
Islamabad  
Pakistan

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### Please write to the Russian Government and urge them to:

- < Abide by their obligations under the 1951 Convention on Refugees and its 1967 Protocol, and the 1989 Convention on the Rights of the Child.
- < Abide by the principle of non-refoulement.
- < Take immediate steps to establish a fair and satisfactory refugee determination procedure, and to ensure that ill-treatment and arbitrary detention of asylum seekers by police is stopped.
- < Ensure that the special needs of refugee children are given due attention.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
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REFUGEE CHILDREN  
RUSSIAN FEDERATION

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AMNESTY  
INTERNATIONAL

APPEAL

## **RUSSIAN FEDERATION - DENIAL OF ACCESS TO ASYLUM PROCEDURES**

*"I have five children, three of them were born in Moscow. They are all sickly, we can afford to eat only twice a day and cannot afford to buy meat or vegetables. There is not enough money to buy clothes for the children. My children are not allowed to attend school. We experience hostility from the neighbours - I was once threatened with a knife in the lift. We had to leave our last apartment because of harassment from police and from the neighbours. I have no right to work, and have to pay fines to police officers constantly as I do not have a document saying that I am a refugee."*

*- Abdirazak, a Somali asylum seeker who arrived in Moscow five years ago. Interview with Amnesty International, August 1996*

*On 2 February 1993, the Russian Federation acceded to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. This means that it has expressly undertaken certain obligations towards those seeking protection from serious human rights violations in their own country. However, the sad reality is that the Russian Federation has failed to live up to these commitments and refugees and asylum seekers, among them large numbers of children, remain unprotected by law and at risk.*

*Persons wishing to seek protection in the Russian Federation are routinely denied access to asylum procedures. Left in a legal limbo, often for years, these people are unable to obtain from the Russian authorities any*

*documents identifying them as asylum seekers, and are consistently harassed and ill treated by law enforcement officials. Asylum seekers in this situation are at constant risk of being detained and are sometimes threatened with return to their country of origin (refoulement). Refoulement takes place on a regular basis from the transit zone of Sheremetev-Il international airport in Moscow.*

*Amnesty International is particularly concerned that the laws on asylum procedures are confusing, contradictory and often applied arbitrarily, and that other decrees or laws have the effect of specifically blocking access to asylum procedures. This denial of access to asylum procedures results in asylum seekers being frequently left vulnerable to harassment, extortion and ill-treatment, and often denied access to basic social, medical and educational provisions. Children refugees have many particular needs which should be taken into account. They are often the ones who suffer most from*

*this lack of status, some spending their most formative years in the Russian Federation - unable to attend school, uncertain of their future, and often afraid to leave their lodgings for fear of being fined or stopped by law enforcement officers on the streets.*

*Groups of people moving to the Russian Federation include refugees and forced migrants from former Soviet republics, as well as "internally displaced persons" (IDPs) fleeing conflicts within the Russian Federation. Another significant movement is that of refugees and asylum seekers from outside the CIS and the Baltic states into Russia from, for example, Afghanistan, Iraq, Angola, Zaire, Ethiopia, Somalia, Sri Lanka, Nigeria, Rwanda and Cameroon. A large percentage of these people seeking asylum are children.*

*Amnesty International calls upon the government of the Russian Federation to honour its obligation to ensure that children and their families at risk of serious human rights violations in their own countries are afforded protection against refoulement.*

*In addition to the 1951 UN Convention and 1967 Protocol relating to the Status of Refugees, the Russian Federation ratified the 1989 UN Convention on the Rights of the Child in 1990. This Convention guarantees the basic rights of all children, without discrimination, ensuring that they can live in freedom, dignity and security. Rights guaranteed by the Convention include access to education, social security and access to courts. The Convention also obliges states to take special care in dealing with the cases of refugee children. As a party to the Convention, the Russian Federation has a clear obligation to protect the well-being of refugee children, but is as yet failing to live up to these obligations.*

**Please send your appeals using the recommendations on the following page to:**

President of the Russian Federation  
Boris Nikolayevich YELTSIN  
Rossiyskaya Federatsiya  
g. Moskva  
Kreml  
Prezidentu Rossiyskoy Federatsii  
YELTSINU B.N.  
Fax: (Press office) (7 095) 206 51 73

Federal Migration Service of the Russian Federation  
Tatyana REGENT  
Rossiyskaya Federatsiya  
107078 g. Moskva  
Boyarsky pereulok, 4  
Federalnaya Sluzhba Migratsii  
Predsedatelyu  
REGENT T.

**WHAT YOU CAN DO...**

**JOIN AMNESTY INTERNATIONAL'S CAMPAIGN**

More than 52% of the world's 13.5 million refugees are under the age of 18. If we fail to protect and assist children and adolescents adequately, we are failing a large proportion of the world's refugees. Failing to provide for the needs of young refugees can cause irreversible harm to them in their childhood, adolescence and even in their adulthood, so the implications for the future (for the individual as well as communities) can be serious.

Refugee and internally displaced children have fled their homes because they felt their lives and security were threatened. But the place they end up in may not be much safer, especially if they are unaccompanied. Children in camps may be particularly vulnerable; they may lack adequate food and medical supplies, or they may be at risk of exploitation - including sexual violence and forced recruitment to armed forces. Even if they manage to reach a "safe" country, they may be detained - sometimes in prison-like conditions, denied a fair asylum procedure which takes their best interests into account, or access to welfare, security and education.

Amnesty International is a worldwide voluntary human rights movement that works impartially for the release of prisoners of conscience, fair trials for political prisoners and an end to torture, "disappearances", political killings and executions. Amnesty International campaigns to stop anyone being returned to a country where they would be in danger of these abuses.

**Please write to the Government of Yemen:**

- < Seek clarification on the fate of the 418 Somali nationals forcibly returned from Yemen in August 1995; ask how many children were among those deported.
- < Call on the government to abide by its obligations under the Convention relating to the Status of Refugees.
- < Urge the government to not forcibly return any person to a country where he or she is likely to face human rights violations.
- < Call on the government to abide by its obligations under the Convention on the Rights of the Child.

- < Join AI's campaign. Contact the Amnesty International office in your country and ask how you can help.
- < Help raise awareness about refugees and the specific needs of child refugees. Inform people of the human rights violations which cause children to flee their homes.
- < Urge your government to act. Find out if it has ratified, and is honouring, the international treaties protecting child refugees.
- < Show solidarity with refugees. Support refugee children who are at risk of being forcibly returned.

ACT 31/05/97

**Don't  
play  
with my  
future!**



**REFUGEE CHILDREN  
SOMALI CHILDREN  
REFOULED FROM YEMEN**



**AMNESTY  
INTERNATIONAL** | **APPEAL**

## SOMALI CHILDREN 'REFOULED' FROM YEMEN

*A number of children are believed to have been among a group of at least 418 Somali nationals forcibly returned to Somalia from Yemen in August 1995. In a statement issued on 29 August 1995, the UNHCR announced: "According to some reports, police involved in the operation beat refugees, destroyed property, forcibly separated adults from their children and confiscated documents proving refugee status."*

*The group, many of whom were recognized as refugees by UNHCR, were forcibly returned by ship from Aden to Bassasso in Northern Somalia, as part of the campaign against so-called "illegal" residents in Yemen. The number of women and children reported to have been amongst those deported remains unclear, but they are believed to have been living in Yemen since fleeing the Civil War in Somalia.*

Some of the worst human rights abuses which cause children and their families to flee their homes occur in situations of armed conflict and civil disturbance.

Faction fighting in Somalia has caused hundreds of thousands to flee their homes. At the end of 1996 over 1.5 million Somali refugees remained outside the country.

Women and children were not excluded from the human rights abuses carried out by the warring factions in Somalia. Abuses included deliberate and arbitrary killings, detention, torture, rape, and ill-treatment.

Yemen was the destination for thousands of these Somali refugees, where many were housed in refugee camps in various parts of the country. In August 1995, the Government of Yemen began a campaign of deportation against so-called "illegal" residents. Thousands of foreign nationals, particularly Somalis, were arrested as a result of this campaign and forcibly deported. They included

people who were recognized as refugees by the UNHCR. By January 1997 the Minister of Interior was reported in the media to have announced that 18,000 individuals had been deported from Yemen since the campaign against the so-called "illegal" immigrants began. Amnesty International fears that many of these people were forcibly returned to a situation where they may be at risk of grave human rights abuses. These included 20 Saudi

Arabian nationals who were sought by their government, reportedly on political grounds, who were forcibly returned by the Yemeni authorities in October and November 1996, where they were reportedly detained on arrival.

Yemen is a State Party to the 1951 Convention relating to the Status of Refugees and is prohibited under international law from forcibly returning any person to a country where they risk serious human rights violations on their return. The deportation of the 418 Somali nationals and 20 Saudi Arabian nationals was carried out in clear contradiction to Yemen's international obligations under this convention, Article 33 of which states:

"No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

Yemen is, in addition, a State Party to the UN Convention on the Rights of the Child. Under this Convention, Yemen is bound to hold the best interests of the child as paramount in any dealings with children, and is also bound to take special care in dealing with refugee children. By forcibly separating these children from their parents, and by returning children to a country where they or their families are at serious risk of human rights violations, the Yemeni authorities have clearly failed to live up to these obligations.

**Please send your appeals using the recommendations on the following page to:**

His Excellency  
Hussein Muhammad 'Arab  
Minister of Interior  
Ministry of Interior  
Sana'a  
Republic of Yemen  
Fax: +967 1 251 566

His Excellency  
Dr 'Abd al-Karim al-Iryani  
Deputy Prime Minister and Minister of Foreign Affairs  
Sana'a  
Republic of Yemen  
Fax: +967 1 276618

His Excellency  
General 'Ali 'Abdullah Saleh  
President of the Republic of Yemen  
Sana'a  
Republic of Yemen

Fax: +967 1 274 147  
Telex: 2422 RIASAH YE

