

## Child Rights What can we do in Oman?

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### حقوق الطفل ماذا نستطيع عمله في عُمان؟

لمك اللمكي

IN THIS ISSUE OF SQUMJ, DR. MUNA Al Saadoon and her colleagues report a series of 6 cases, which demonstrate different types of child abuse or child maltreatment.<sup>1</sup> Dr. Al Saadoon and her colleagues describe clearly the disgraceful way that some children in Oman are treated. There are no statistics to indicate the frequency of such treatment, but clearly it does exist, as evidenced by the six reported cases. Unfortunately, this is, most likely, just the tip of the iceberg and the scope of the problem is likely to be much greater. In most countries, the rate of child abuse cases that are reported to the authorities is much smaller than the real incidence. It is possible that in Oman, because of culture and religion, the magnitude of child maltreatment is lower, but, such a conclusion would require substantiation by research employing rigorous methodology. There is an indication that what is deemed child abuse in one culture may be perceived as 'parenting style' in other cultures. However, this is no reason for tolerating any form of child maltreatment in any country in the world. Unfortunately, children are deprived of their rights in many ways, and it is a universal problem.

Child abuse, or taking away the child's rights, has a very long history. Confucius, the Chinese philosopher (551 to 479 BC), stressed children's obedience to their parents, and parents used various measures to ensure such forms of socialisation.<sup>2</sup> The Greek philosopher, Plato, in stressing the importance of education, suggested state ownership of children in his famous book, *The Republic*, thus

depriving them of their rights. He also suggested that only healthy men and women should be allowed to consummate in order to produce healthy children, thus resulting in a noble generation. Thus, he effectively suggested that the life of a child should be used as a tool to further the ambitions of the state.<sup>2</sup> Another Greek philosopher, Aristotle, although he disagreed with Plato, endorsed abortion as a tool to control the child population and suit the needs of the state—yet another piece of evidence from ancient history of the mass deprivation of child rights.<sup>2</sup> Roman law authorised a father to sell a child like a slave, or even to sacrifice the child's life as a punishment (*Ius vitae necisque*), an example of the father's power of life and death (*patria potestas*).<sup>2</sup> In pre-Islamic times, the Arab man often regarded a child and wife as his property. In some other societies, children were used as 'bait' to lure animals in hunting or even sacrificed to the gods.<sup>2</sup> Sadly, maltreatment of children is not limited to ancient history, but is prevalent today—in maybe even more abhorrent forms—as demonstrated in the movie, *Slumdog Millionaire*. That film shows the actions of organized crime gangs which are allegedly still current practice in India. They amputated the hands of children and blinded the friends of Jamal Malik, so the children had no option but to beg in the streets for their bosses. A similar action was reported in Cairo as narrated by the Egyptian Nobel laureate, Naguib Mahfouz.<sup>3</sup> Until this day, in some countries, female circumcision, also referred to as female genital mutilation, is still being practised. The infringement of child rights varies according to

cultures and the education level of the society, but almost all countries have cases of child abuse and other forms of deprivation of child rights. In June 2002, on the *World Day against Child Labor*, the International Labor Organization (ILO) announced that 70 million children under the age of 10 are working, and 10 million under the age of 15 were coerced into hazardous work that would likely dent their growth and prevent a meaningful existence.<sup>2</sup> According to the ILO, at one time, there were 13 million children working as labourers in the Middle East and North Africa (MENA region) alone.<sup>2</sup>

The paucity of data on the degree of child abuse in Oman, and, for that matter, the rest of the world, hinders the implementation of evidence-based prevention and intervention. Gathering more data on the prevailing situation in Oman would be an essential first step. The Research Council of Oman (TRC) should perhaps consider calling for more research on the different types and causes of child abuse in Oman. TRC has now received, and is considering, one research proposal on this topic. We hope more research studies will be conducted to shed light on the situation in Oman that would have direct bearing on prevention of harm to children, and also lead to the treatment of the adults involved. The basic principle of quality assurance calls for 'measurements' to be taken before any effort is undertaken to improve quality. In the case of child rights, that will include collecting information on the prevalence and extent of the abuse so that further studies on treatment and prevention can be carried out. In 2006, the United Nations (UN) tried to carry out a study on violence against children in various locations, and came to the conclusion that we are lacking the tools to elicit accurately the extent of child abuse.<sup>4</sup>

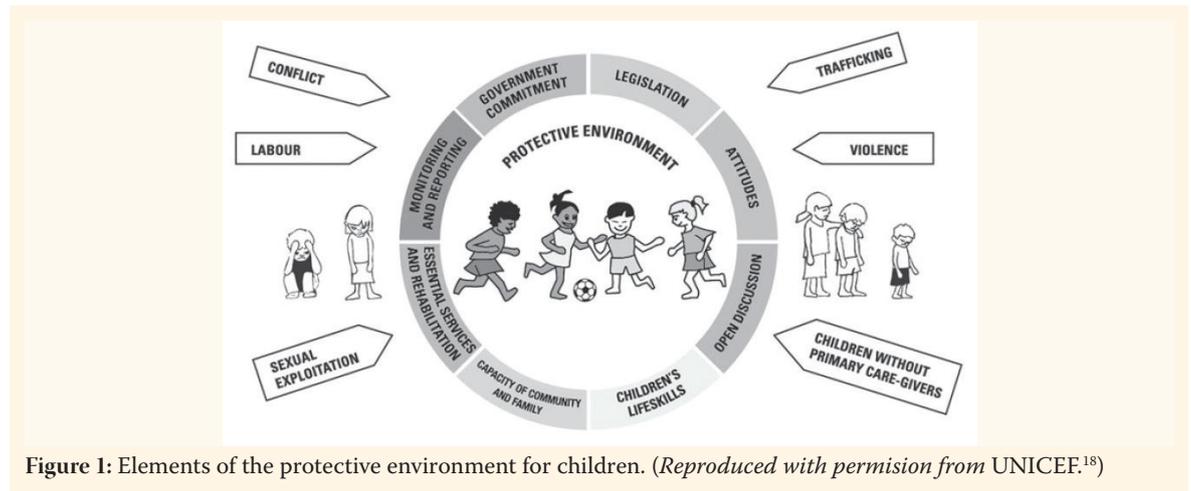
As a result of that failure, 122 experts from 28 different countries, under the auspices of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN), developed the International Child Abuse Screening Tools (ICAST). This instrument is considered a culturally-free assessment tool. ICAST has been translated into many languages as well as back translated to ensure accuracy. It has been tried out in several countries and it has adequate psychometric properties including for Arab speaking populations. ICAST is basically three types of questionnaire: 1) ICAST-P (parental version); 2) ICAST-R

(retrospective) for young adults aged 19–24, and 3) ICAST-C for children. The latter has both home and institution versions.<sup>4,5</sup> The availability of ICAST should mean it can be employed to quantify the situation in Oman.

With the creation of the United Nations Organization (UNO) in 1945, children appeared in the international human rights agenda as a separate group. That was a major step towards the comprehensive introduction of rights for children, but the international fight for child rights goes back to 1923 with the child rights declaration of the International Save the Children Union.<sup>2,6</sup> This was endorsed in 1924 by the League of Nations as the *World Child Welfare Charter*.<sup>2,6</sup> The UN's 1948 *Universal Declaration of Human Rights* followed this.<sup>7</sup> In 1959, the UN General Assembly adopted the 10 principles of the *Declaration of Rights of the Child* and declared that a child should be among the first to be protected.<sup>2,6,7</sup>

All these efforts culminated in the adoption of *Convention on the Rights of the Child* (CRC) in 1989 by the UN General Assembly, the fruit of 10 years of comprehensive negotiations between experts from governments, non-governmental organisations (NGOs), various advocates of human rights and lawyers, as well as health specialists, social workers, and educators. The CRC has 54 articles and is supplemented by 2 optional protocols. It recognises the rights of all children (persons under 18) to develop physically, mentally and socially to their fullest potential, to express their opinions freely, and to participate in decisions affecting their future. It also ensures that they develop their personalities, abilities and talents to the fullest.<sup>4,6</sup> "The CRC is a legally binding international instrument that incorporates the full range of human rights, civil, cultural, economic, political and social".<sup>4,6</sup> It provides a vision of children as individuals, and as members of the family and community, with their rights, and responsibilities, appropriate to their age and stage of development and assures that children have access to education and health care and have the right to nationality, to a name, to freedom of speech and thought, and to freedom from exploitation, torture and abuse.<sup>4,6</sup> The governments that have ratified the CRC have to send periodic reports to the UN on the progress on their efforts related to child rights.

The CRC is the most respected international agreement and has been signed by all nations



in the world, except the United States and Somalia. The current US president, Barack Obama, has described the US failure to ratify the convention as “embarrassing” and has promised to review this.<sup>7</sup> Oman acceded to the Convention in 1996, but with five reservations. After extensive discussion with the UN, Oman has finally withdrawn its objection to all but one clause—Article 14, which gives the child a right to choose his/her own religion. Otherwise, Oman had fully ratified the treaty as of 22 September 2011. In 2004, Oman signed agreements to both of the Optional Protocols of the CRC, and the government established a National Committee to follow-up both the implementation of the CRC and the Optional Protocols.

There are several ways a child can lose his/her rights. This can be in a form of child abuse which includes “doing anything that results in harm to a child or puts a child at risk”.<sup>1</sup> Child abuse can be physical, sexual, or emotional; neglect, i.e. not providing for the child’s needs, is also a form of abuse as it deprives the child of the basic rights delineated in the CRC. Among the cases reported to child protection services, neglect is by far the most commonly observed child abuse, followed by physical and sexual abuse. Approximately 5.5 million children are neglected annually, and 3 million cases of other incidents of child abuse are reported each year.<sup>1,8</sup> Most abused children suffer greater emotional than physical damage.<sup>1</sup> This can range from being withdrawn to being severely depressed. Sometimes emotional abuse subsequently triggers drug or alcohol abuse, or running away from home. Unfortunately, a study

in United States has shown that the majority of children who run away, are taken into a prostitution ring within 48 hours. A declaration of the *World Congress against Commercial Sexual Exploitation (CSEX) of Children* held in Stockholm in 1996, defined CSEX as “sexual abuse by adults and remuneration in cash or kind to the child or a third person/s. The child is treated as a sexual object and as a commercial object.”<sup>9,10</sup> Commercial sexual exploitation, where children are forced into prostitution and child pornography, appears to be increasingly common in several societies. The CRC explicitly rejects any form of sexual harassment of children. One of the most horrifying statistics is that 75% of minors that are engaged in prostitution have a pimp.<sup>9,10</sup> The United Nations Children's Fund (UNICEF) estimates that 2 million children are exploited in prostitution and pornography every year.<sup>9-11</sup> As far as we know, this is not a problem in Oman,<sup>12</sup> but nevertheless, we have to be very resolute and diligent, in protecting our children against all forms of exploitation, as our society is rapidly changing with young children increasingly spending hours on the Internet and in Internet chat rooms.

What else can we do to ensure the preservation and improvement of child rights in Oman? Much is already being done, but we need to make more diligent efforts both individually and also collectively. The country needs to promote a public education campaign (e.g. TV shows) that openly discuss the issue of child abuse and how it can be prevented or avoided. Such a campaign should target both parents and children. The Ministry of Social Development (MOSD) has formed executive

committees to celebrate 2012 as the 'Year of the Child' in Oman, and will establish a cultural centre for children to enhance children's capabilities and polish their skills.<sup>13,14</sup> Clearly, this is great news and should be met with rejoicing by all of us in Oman. NGOs need to work on, or support, others' efforts in improving the acceptance of child rights in Oman. More individual effort is also overdue. The MOSD is playing its role, e.g. they have opened a Child Help Line which both children and adults can access, but is this help line getting calls all from the children who need help? Annually, child help lines worldwide receive 11.3 million calls from children and youth needing care and protection,<sup>15</sup> thus more public education about child rights is needed. Teachers, nurses and daycare workers need to be educated. The MOSD has also organised a Child Rights Seminar in Muscat to discuss combatting violence against children.<sup>16</sup> Oman is currently preparing a draft Law of the Child. Also, the Law on Juvenile Accountability (Royal Decree 30/2008) has significantly advanced guarantees for juveniles. Clearly, we are getting somewhere in Oman with all the efforts of the MOSD and some NGOs. For example, "there are no reports of child prostitution and child labor is not a problem in Oman" according to a US Report.<sup>17</sup> Nevertheless, more individual efforts and efforts by the media, both electronic and print, is urgently needed to stop cases like those reported by Dr. Al Saadoon *et al.* in this issue of SQUMJ.<sup>1</sup> Children need a fully protective environment in order to thrive. Figure 1 shows the 8 protective elements (circle) and the 6 threats (arrows). Therefore, we need more enthusiasm by everybody concerned to live up to the spirit of the CRC.<sup>4</sup>

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