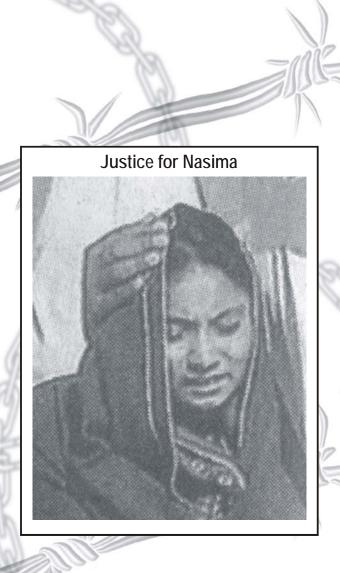
VOICE AGAINST TORTURE

Feb 2007 Vol 13 No. 2



Voice Against Torture (VAT) is an interdisciplinary Human Rights organization working against all forms of torture.

VAT Newsletter

Monthly . Islamabad . Pakistan

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Mandate

Establish channels of online/offine information for communication and advocacy to help eliminate all forms of torture and discrimination; Increase information sharing to encourage NGO organizations and communities; information, seek feedback and provide support to the direct service projects and grassroots work of Voice Against Torture (VAT).

Founded 1988 by Dr. Mehboob Mehdi

Voice Against Torture

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Voice Against Torture Acknowledges ICCO and Our readers for their support in the Publication of VAT Newsletter

from VAT Desk

A growing awareness of human rights (HRs) imbibed by informed advocacy, effective legislation and enforcement of HR-related instruments around the world, helped change the HR landscape in the past two years.

However, nothing substantial in this context could be witnessed in Pakistan in the yesteryear. With the dawn of New Year, the picture remains gloomy and at times embarrassing. The Human Rights Commission of Pakistan (HRCP) while reporting on the "State of Human Rights in 2006" noted that there were 1821 cases of murder, rape, mutilation and burning, and 565 cases of honor killings during 2006. It further unveiled that till July 2006, there had been 48 incidents in which 66 journalists were targeted. The key area of concern highlighted by the HRCP Report was the disappearance of people by different government agencies. It said that the people who had disappeared were suspects in the attacks on the President or were Sindhi and Balochi nationalists.

While there were efforts to promote a 'softer image' of Pakistan and we may take a crack at establishing linkages between some ongoing efforts and the impeding factors but the fact remains that human rights are impinged in Pakistan. General masses have been threatened and at times tortured despite some judicial activism in the country.

The sad stories where women, young women and even children have been sexually assaulted and humiliated are nothing short of barbaric crimes. Sonia Naz, and now Nasima, stigmatizes the HR face of the country as they continue to be entrapped in a vicious circle of injustice, humiliation, torture, pain and agony.

VAT joins the voices that call for the signing of international treaty on disappearance and its ratification by Pakistan, and to bring justice to Nasima, Sonia Naz and other survivors of sexual abuse.

Faroog Mehdi

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Inside VAT

ICCO Delegation

Delegation of ICCO from Netherlands visited VAT office on the 18th of January 2007, in connection with a workshop organized for ICCO partners aiming at promotion of financial discipline among non governmental sector organizations in Pakistan. The two delegates were briefed by the VAT team on the various programs and projects of VAT. The ICCO delegates viewed VAT Research & Documentation Center and visited the Center for Children in Crisis.

Workshop

The ICCO organized a workshop on Financial Management of the non-profits. This event was hosted by ICCO on 17^{th} January 2007 at a local hotel. It was attended by organizations working with ICCO from across the country.

New VAT Research

VAT Research and Documentation Centre announces new research topic for the first quarter of 2007. The title of the research is "Health related consequences of physical and sexual violence against women and their vulnerability to addiction".

Reader Response

We received wonderful response to the January issue of VAT Newsletter. Here are some messages from our readers.

From: Carlos Gonsalves Sent: Wednesday, January 31, 2007 Thank you for your informative newsletter. I appreciate receiving information that arrives without prior censorship.

From: "TRC(PM)" Ramallah, West Bank, Palestine Sent: Wednesday, January 31, 2007 Dear Voice Against Torture, Outstanding newsletter, very powerful; we applaud you! Keep up the good work. Amazing.

From: "S D Singh" Cochin, India Sent: Thursday, February 01, 2007 Thanks for sending the newsletter. I went through the content and congratulate you for the excellent lay out and high professional standard.

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Human Rights Victory in Iran Nazanin Fatehi



Nazanin Fatehi, 18, was sentenced to death for murder in Iran on January 3, 2006. She had stabbed one of the three men who attempted to rape her and her 16-year-old niece in a park in a suburb of Tehran, on March 2005. She was seventeen at the time.

According to reports three men had approached Nazanin and her niece, forced them to the ground. Seeking to defend her niece and herself, Nazanin stabbed one man in the hand with a knife that she possessed. As the men continued their attack, she stabbed another in the chest, which eventually caused his death. She was sentenced to the maximum punishment possible under Iranian law, death by hanging.

Nazanin and many like her are caught between two undesirable options. On one hand, Iranian Penal Code severely limits the possibility of using 'self-defense' as a legitimate defence to aggression. On the other hand, if Nazanin had allowed the rape to take place, she could still be imprisoned, flogged or stoned for having sex outside of marriage unless four male witnesses to the actual rape would testify on her behalf. Moreover, Iran is a signatory to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC) and is therefore under obligation NOT to impose the death penalty on those under the age of 18. Nevertheless, Amnesty International has recorded 18 executions of child offenders in Iran since 1990. In 2005 alone, at least eight executions of child offenders were recorded. Nazanin was 17 years old at the time of commission of the offense and therefore Iran is in breach.

In May, the case was sent to the Supreme Court for consideration. The verdict was given at the end of May 2006. The death sentence was overturned after direction from the head of Judiciary, Ayatollah Shahroudi. It was decided that the case would be sent back to a lower court for new ruling.

Nazanin's re-trial started August 30, 2006. The trial only lasted for one day, and was then postponed until January 10, 2006. This trial has now finished, and although the written verdict has not been presented, Nazanin's defense attorneys have received verbal confirmation from the court that she will be exonerated from the charge of murder, and that the killing has been recognized as self-defense. However, they have asked Nazanin to pay blood money in order to receive a pardon from the family of the deceased and then be released from prison.

Nazanin's attorneys are appealing the sentence of blood money, but this appeal may take several months. In the mean time, her lawyers have paid bail, collected by donations from all over the world, so Nazanin could be released from prison.

The Masses will Rule Faiz Ahmed Faiz

We shall see/certainly we, too, will see that day that has been promised us

When these high mountains Of tyranny and oppression turn to fluff And evaporate

And we oppressed Beneath our feet will have this earth shiver, shake and beat And heads of rulers will be struck With crackling lightening and thunders roar.

When from this God's earth's All falseness will be removed Then we, of clean heartscondemned by zealots those keepers of faith, We, will be invited to that altar to sit and govern When crowns will be thrown offand over turned will be thrones

We shall see certainly we, too, will see that day that has been promised us

Then God's name will remain Who is invisible and visible too Who is the seer and is seen Then will rise one cheerl am God! Who I am too And so are you Then the masses people of God will rule. Who I am too and so are you Then will rise one cheerl am God! Who I am too And so are you

Translation by Maniza Naqvi Artwork by Ismat Raza

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Faiz Ahmed Faiz is amongst those gifted few who were endowed with objectivism, grandeur of thought, uniqueness of insight, novelty of expression, an in-built love for humanity and above all, the courage to challenge injustice.

This great son of soil was born in the year 1911 in Sialkot and studied at Lahore. His lucid expression and his love for the masses became the hallmark of his revolutionary poetic expression. In recognition of his work, he was conferred with Lenin Award for Peace. His struggle and passion for human rights led him behind the bars, had him exiled, but he kept moving on with unflinching faith.

Faiz breathed his last in February of 1984. The nation celebrates the 23rd anniversary of his departure with love and solemnity.

Humayoun Awan

Pakistan must sign the International Treaty to outlaw enforced disappearances opens for signature

A new international treaty outlawing enforced disappearances and upholding the right of victims to know the truth about the circumstances and fate of those disappeared was officially opened for signature at a ceremony in Paris on Tuesday according to a UN statement.

"Far from being a tragic relic of past "dirty wars" this shameful practice still persists in all continents. This treaty closes a glaring gap in international human rights law by making explicit the prohibition on disappearances," said UN High Commissioner for Human Rights Louise Arbour.

"The task now is to ensure that the new Convention is promptly applied to meet the hopes and the demands for justice of the victims and their families and satisfy their "right to know".

The International Convention for the Protection of All Persons from Enforced Disappearance was adopted by the UN General Assembly on 20 December 2006.

Echoing the absolute prohibition on torture, the Convention states that, "No one shall be subjected to enforced disappearance" and highlights that no exceptional circumstances whatsoever may be invoked as a justification for such violation.

It calls on all States Parties to ensure that enforced disappearances constitute an offence under domestic law and significantly, states that the widespread or systematic practice of enforced disappearances constitutes a crime against humanity.

The Convention affirms the right of victims including families of those abducted to know the truth about the circumstances of an enforced disappearance and the fate of the disappeared person and to claim reparation for the harm inflicted to them.

The Convention's monitoring body will be entitled to receive requests for urgent action on individual cases, to conduct visits with the agreement of States parties concerned, and, in the situation of suspected widespread or systematic cases of enforced disappearance being practiced in the territory under the jurisdiction of a State party, to urgently bring the matter to the attention of the General Assembly.

The Convention will enter into force after 20 countries ratify it.

It may be good to note that only four countries from Asia (Japan, India, Mongolia and Azerbaijan have signed it. This needs particular attention considering disappearances continue to happen in the region and Asia holds the highest number of disappearance cases. Thus, we still have much to do in the coming months or even years to help further secure a world without disappearances!

Asian Human Rights Commission

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Sukkar Gang Rape We demand justice for Nasima

Nasima, a 16-year-old woman living in Habib Labano village (Langho Union Council, Ubaro Town, Ghotki district) in the Sindh province of Pakistan was abducted and raped on 27 January 2007. She was abducted along with her mother from her home by 11 persons living in the same village including Abdul Sattar Labano, Moor Zado, Abdul Jabbar, Munawar Hussian, Mohammad Anwar Hussain Labano, Khadim Hussain Labano, Ali Hassan, Shah Baig and Shabeer Loung. Abdul Sattar Labano and the other perpetrators are their relatives.

Nasima was then taken to the house of Abdul Sattar Labano where the mother was released. According to Nasima, she fainted after being raped by Mohammad Anwar Hussain Labano and then by his father Abdul Sattar Labano. She does not clearly remember what



happened to her after that. During this time, her mother was shouting for help and several women and men had gathered outside the house. Afraid that the police had arrived, the perpetrators became scared and kicked the woman out. But when they found that there was no police outside, the perpetrators forced the woman to parade naked through her village.

It is alleged that Nasima's cousin Bhan Labano had fallen in love with a woman who was a friend of one of the alleged perpetrators. Bhan and the woman got married and left for another town. The perpetrators were against this marriage because of class differences as both families belong to the same caste but Nasima's comes from lower level of Labanos. The perpetrators led by Abdul Sattar Labano had been allegedly threatening Nasima's family to break the marriage and handover the man to them. On January 27, the perpetrators finally barged into Nasima's house in the absence of her father.

After being released, Nasima was taken to the government hospital in Sukkur City. There, Dr. Zaib-ul Nisa conducted the examination and declared that Nasima was four months pregnant. The doctor later said that she denied the instance of rape because of heavy pressure put on her by some 'influential persons'.

Local people were infuriated by the doctor's report and began protesting outside the hospital later marching into Ubaro town. However, Aftab Farooqi, Sub Inspector and investigation wing-in-charge of the Ubaro police station, allegedly refused to register the case of rape. The police later simply recorded the complaint of Nasima's father to calm down the protestors but refused to register the rape charges, saying that they cannot institute the rape case without medical confirmation. As a result, no First Information Report (FIR) could be registered and charges of rape and abduction not filed against the alleged perpetrators.

Nasima was then admitted to the Sukkur District Civil Hospital, where she underwent second medical examination.

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The Ubaro police has since arrested five people including Mohammad Anwar Hussain Labano but for an inquiry about the complaint lodged by Nasima's father. Rest of the perpetrators are at large in the same village and have been threatening Nasima's father to withdraw his complaint. After the inquiry, the arrested five persons may be released as no case has yet been filed against them.

Now Nasima and her family are living in fear while being denied any redress or protection from the government authorities.

We appeal to the State authorities to ensure justice to Nasima by:

- Conducting a transparent, fair and proper inquiry
- Releasing factual medical examination report
- Immediate registering of FIR with charges of gang rape, abduction and forced disrobing against the alleged perpetrators
- Protecting the girl and her family from future intimidation and threats
- Taking appropriate measures to avoid any abuse of law in the hands of influentials

SUGGESTED ACTION

Please urgently write to the relevant Pakistan authorities listed below to gather support to save Nasima and her family.

General Pervez Musharraf

President Islamic Republic of Pakistan President's Secretariat Islamabad, Pakistan Fax: 51 922 1422, 4768 51 920 1893, 1835

Mr. Justice Iftikhar Choudhry

Chief Justice of Pakistan Supreme Court Building Islamabad Pakistan Fax: +91-51-921 3452

Chief Secretary

Government of Sindh Chief Secretariat, Karachi, Sindh province, Pakistan Tel: +92 21 921950 Fax: +92 21 9211946 Email: cs.sindh@sindh.gov.pk

Mr. Muhammad Wasi Zafar

Minister of Law, Justice and Human Rights S Block Pakistan Secretariat Islamabad Pakistan Fax: +92 51 920 2628 E-Mail: <u>minister@molaw.gov.pk</u>

Mr. Justice Sabih Uddin

Chief Justice of Sindh High Court High Court Building Saddar, Karachi, Pakistan Fax: +92-21-9213220 Email: info@sindhhighcourt.gov.pk

Secretary

(Criminal Prosecution) SGA &CD Department Government of Sindh Sindh Secretariat, Karachi, Sindh Province Pakistan Email: secy.cpsd@sindh.gov.pk

Dr. Fagir Uluccoin	VAT N
Dr. Faqir Hussain	ev
Registrar	Newsletter
Supreme Court of Pakistan Supreme Court Building Islamabad, Pakistan Tel: +92-51-9213770	tter I
E-mail: registrar@supremecourt.gov.pk	Feb.
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Nuclear Balochistan

By Dr Mahboob Mehdi and Basria Mehdi Part 1 of 2



Nuclear History of Chagai Bhagai & Ras Koh Hills

The story of Chagai began in 1976 in Quetta when a functionary received a transmission from the Pakistan Army General Headquarters (GHQ) in Rawalpindi. Over the next three days, scientists from the PAEC (Pakistan Atomic Energy Commission) reconnoitred the area between Turbat, Awaran and Khusdar to the South, Naukundi to the East and Kharan to the West. Their objective was to find a suitable location, preferably a mountain, for an underground nuclear test. After a hectic and careful search they found a mountain that was 185-metre base-to-summit high granite in the Ras Koh Hills in the Chagai Division of Balochistan.

This survey took one year and in 1977, became the reason to bore a tunnel in a mountain that could withstand 20-40 kilo tonnes of nuclear force. In the same year, President Zia-ul-Haq was told that the PAEC wanted to lease him from the Army to carry out work related to the Pakistan nuclear program.

This resulted in the creation of an organization called the Special Development Works (SDW), a subsidiary of the PAEC but directly reporting to the Chief of the Army Staff. It was entrusted with the task to prepare Pakistan's nuclear test sites. The sites were to be designed in a way that they could be utilized at short notice (in less than a week) and were to be completed by 31 December 1979 at the latest. Therefore, a second site for a vertical shaft tunnel was prepared in the Kharan Desert, at a barren location approximately 150 kilometres west of the Ras Koh test site, located in a rolling sandy desert valley lined with sand ridges between the Ras Koh Hills to the north and the Siahan Range to the south.

Ras Koh literally means, "Gateway to the Mountains" in Urdu, Arabic and Farsi, The Balochistan Plateau lies east of the Sulaiman and Kirthar Ranges with an average elevation of about 600 meters. The Toba Kakar Range and Chagai Hills in the north form the border of Pakistan with Afghanistan. The mountains and hills are carved by innumerable channels that contain water only after rains though water reaches the low-lying basins. Numerous alluvial fans are found in the Balochistan Desert. A structural depression separates the Chagai Hills and the Ras Koh Range to the south, consisting of flood plains and areas covered with thin layers of salt. Apart from the Toba Kakar Range, which has scattered juniper, tamarisk and pistachio trees, the other ranges are largely devoid of vegetation. Most people, therefore, lead nomadic lives raising camels, sheep and goats. The Siahan Range is in the west-central part of Balochistan, while the coastal Makran Range contains valuable deposits of coal, iron, gas, chromite, copper and several other minerals. Balochistan is fortunate to have considerable mineral wealth of natural gas, coal, chromite, lead, sulphur and marble.

Nuclear Tests

On 28 May 1998 Pakistan announced that it had successfully conducted five nuclear tests. According to local reports, these detonations took place over a two hour period. One device was said to be a boosted uranium device, with the four other tests being low yield sub-kiloton devices.

On 30 May 1998 Pakistan tested one more nuclear warhead with a yield of 12 kilotons. The tests were conducted at Baluchistan, bringing the total number of claimed tests to six.

By searching satellite imagery for features that matched those seen in the videos, Pabian located the likely test area and confirmed it by obtaining post-shot satellite images which revealed the test equipment and the surface displacements caused by the rock slides.

The location of the shot turned out to be in the Ras Koh Hills about 14 km east-southeast of the location centers given by the PIDC and USGS seismic data (and about 9 km outside of the calculated PIDC uncertainty ellipse). The immediate area of the shot was a mountainous region called the Koh Kambar

On 31 May, the day after the second test, the test team flew into the capital of Islamabad from Balochistan in a special C-130 aircraft of the Pakistan Air Force (PAF). It was a large device with a yield of about 30-35 kt and four smaller devices.

Dr Pervez Hoodbhai, professor of Physics at the Quaid-i-Azam University in Islamabad, said a radiochemical analysis of the environs of Baghalchur had to be carried out and a complete medical checkup of the area residents should be conducted to ascertain affects of radiation (if any) on their general health condition. He stressed that an independent inquiry commission should also be constituted to look into dumping of active nuclear waste in the area. It may be added here that around 50,000 people live in scores of hamlets situated in and around Baghalchur, which is not far away from Dera Ghazi Khan town of half-a-million population.

Nuclear waste casts a menacing shadow

Dera Ghazi Khan District: The locals said that the arrival of trucks laden with drums of waste material is a recurrent affair. In reply, the PAEC authorities in Dera Ghazi Khan claimed that waste was being dumped underground in the tunnels and there had been no radioactive effects of it on the area population. The locals, however, countered the PAEC claim saying if the dumped material was not radioactive then why it was being placed here after removing from far-off centers of the commission. The district court forwarded the case to the Law, Justice and Human Rights Commission for further hearing in February 2006. The Commission is said to be chaired by the chief justice of Pakistan.

Utter neglect of the authorities becomes evident when one visits Baghalchur. The uranium mines can be seen unprotected while heaps of sand and material left in the leaching process of uranium are found lying along the natural watercourses of the area. According to a news report, a remote village in Dera Ghazi Khan (DG Khan) has been allegedly used by Pakistan Atomic Energy Commission (PAEC) as dumping ground for deadly nuclear waste. Ismail Leghari, a dweller of a village in the vicinity of Baghalchur, told that livestock mortality and diseases among people had been on the rise for the last one year. The matter of dumping nuclear waste is a cause of concern for all and sundry. Though illiteracy is something glaring over there, the locals somehow understand that radiation in the active nuclear waste is another matter.

Situated in the mountainous tribal area of Dera Ghazi Khan district, Baghalchur remained an important site for uranium extraction for 22 years until further mining there was stopped in 2000. Tribesmen belonging to various sub-clans of Buzdar and Leghari tribes of Balochi origin inhabit Baghalchur and its adjoining areas, including Ronghan. The locals said after the tests, arrival of trucks laden with drums of waste material became a recurrent affair. Initially, people sought help of their tribal elders to have their concerns addressed but most elders remained indifferent as they lived in Lahore, Karachi and Islamabad.

However, some of the locals mustered courage and moved the Dera Ghazi Khan district and sessions court in October 2005 as a last resort to stop the PAEC from dumping its waste in a populated area. Earlier, the PAEC authorities were informed about concerns and demands of the local population on March 3, 2005, by the then political assistant, Syed Imtiaz Husain Shah. Their straightforward and valid demands were that the PAEC should tender a certificate that the material being dumped in the Baghalchur repository was not harmful to the people and their animals and in case of any bad effect of the nuclear waste surfacing at a later stage, the medical treatment of the local community would be its responsibility.

Jaffar Buzdar, the nazim of the area union council, said the people were not given any assurance regarding their concerns and demands. In their application to the district court, petitioners Naseer Shah, Nazeer Buzdar, Lal Muhammad and Maqsood had said the adverse effects of the emitting from the nuclear waste had started affecting the local population and its livestock. They particularly pointed out abnormal growth of the feet of some animals.

Part 2 in Next issue of VAT Newsletter

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Dr. Mehboob Mehdi, B.Sc., M.B.B.S. (Multan) 6th International Seminar on Rehabilitation of Torture Victims and Their Families (London) and Basria Mehdi Stress Reduction Therapist (Kobenhavn)



Prevalence of Abuse among Madrassa Students

Researcher: Tehmina Yaqoob Supervisor: Shumila Qureshi SR #15, 2005

This study commissioned by VAT, was carried out to explore the prevalence of abuse among Madrassa students and also to find out its relationship with different demographic variables. The study is presented in two parts.

Part-I deals with the development of an indigenous scale called the Child Abuse Questionnaire (CAQ) that has a four-point rating scale of 30 items. These items were further categorized into three sub-scales

- (i) Physical Abuse
- (ii) Mental and Emotional Abuse
- (iii) Sexual Abuse

Part-II aims at measuring psychometric properties of the scale and its ability to fulfil research objectives. Sample takes 70 madrassa students, 35 male and 35 female, from four madrassas in Islamabad and Rawalpindi. Employing Convenience sampling technique, data was collected using the CAQ and a demographic information sheet.

Findings

Findings indicate that students do experience abuse at Madrassas. Mean scores put subscales physical abuse and mental/emotional abuse ahead of sexual abuse.

Results show that male students of Madrassas experience more abuse than female students. A high and positive relationship was found in the CAQ and all of its sub-scales, in two categories: age of the student and the time duration of studying at a Madrassa. Results also show that live-in students experience more abuse than the day scholars.

VAT Research and Documentation Centre has made the following researches available on demand

Prevalence of Sexual Harassment among Nurses SR #11, 2005

Prevalence of Abuse among Madrassa Students SR#15,2005

An Exploratory Study of Attitudes toward Islamic Punishments SR #16, 2005

Awareness of Reproductive Rights of Women among Men and Women of Tehsil Fatehjang SR #3, 2005

Implications of Hudood Ordinances on Christian Rape Victims SR #2, 2004

Impact of Development Activities on Kihal Women SR #5, 2004

Level of Awareness about Child Sexual Abuse and HIV/AIDS among School Going Children SR #9, 2004

Torture Infliction upon Women Prisoners in NWFP SR #10,2004

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For complete list and rates contact us at E-mail: rahat_@hotmail.com

VAT kidz with Raymond and Martj from ICCO







Home and what does it look like?





VAT Newsletter Feb. 07

We are happy to present these four images on the theme of "home and what does it look like" by Afghan refugees in VAT Children Centre. Selected from 26 entries, the images reflect cars that look like tanks, and helicopters.

VAT Newsletter

Monthly . Islamabad . Pakistan



Call for Submissions

Date of Publication: Fifteenth of the MonthUpcoming Issue:March 15, 2007Send materials beforeMarch 05

The VAT Newsletter, a quarterly publication of Voice Against Torture, has gone monthly to respond to the needs of a dynamic community. The Editorial Board invites submissions and input in the following areas:

HR Landscape

Current activities of anti-torture interventions in South Asia or policies and laws that may have an impact on it. Send us information on actions taken by your community, institution or organization to combat forms of torture in your village, city, province or country. Max. 250 words.

Upcoming Events

Announcements of events regarding human rights, health and wellbeing of our communities. Max. 120 words

NGO Services

Provide information about services offered by your organization or institution in Pakistan and the region Max. 150 words

Articles

Unpublished articles on current developments on issues important to you. Max. 600 words. Contact the Editor for larger items. Honorarium: One Year Online Subscription to RAHAT Journal.

Guidelines

- Send materials before the fifth of each month.
- Send contributions in an electronic format: Text in MS Word, WordPerfect etc., photos and artwork in .Gif or .jpg
- Keep materials accessible by keeping the text simple.

E-mail: rahat_v@hotmail.com Or mail to: Editor, VAT Newsletter POBox 2428, Islamabad, Pakistan Anything over 600 words? Contact the Editor (rahat v@hotmail.com) RAHAT Health and Human Rights JOURNA

> Next Issue March 2007

Quarterly RAHAT Journal provides information

about Human Rights,

various forms of

torture, its

consequences

and treatments.



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