

concerning its employees who were supposedly collaborating with the army and its paramilitary allies.

In terms of Malaysia, the report addresses the practices of Imperial Chemical Industries (ICI) which is based in the U.K. and manufactures and sells paraquat, a herbicide. ICI has a formulation plant in Malaysia. The rubber and oil plantations, which are heavily dependent on herbicides and use paraquat, employ some 130,000 women, many of them between the ages of 16 and 25, to work as sprayers. Health problems are experienced by these women, including acute poisoning. Information is also included in the report about shipments from the U.K., in the first part of 1993, of more than 700 tonnes of lead acid batteries to Indonesia, where the battery waste is burned. And finally, the Special Rapporteur provides a summary description of the decision of Thor Chemicals, a British corporation, to phase out all mercury-related operations at its Durban plant by the end of 1996, after three Thor executives were charged with culpable homicide and 42 contraventions of safety laws following the death of a worker from suspected mercury poisoning. The report notes that public pressure pushed the government to ban the import of toxic wastes. The ban apparently did not include materials imported for recycling, Thor Chemicals had claimed that the materials in the Durban plant were intended for recycling.

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, Section III, C & D; Section IV, B; Section V)

The section of the report dealing with rape and sexual violence refers to a sample survey of 1,476 women at universities and polytechnics in the U.K. which found that 19.4 per cent had been the victim of sexual violence. On the issue of sexual harassment the report notes that the Sex Discrimination Act of 1975 has compelled courts to conclude that sexual harassment is discrimination. It is further noted that efforts have been made to ensure that conditions in police stations have been made more friendly and confidence-inspiring in order better to meet the needs of rape victims. In terms of trafficking in women and prostitution, the Special Rapporteur (SR) recalls that prostitution is not a crime but solicitation is prohibited, and the law intends to prevent public nuisance resulting from prostitutes operating on the streets by prohibiting soliciting, loitering and curb crawling. The report observes that the use of laws against loitering and curb crawling increases the danger of violence against prostitutes, since they have less time to assess potential risks and negotiate safe sex and, further, that such policies relegate prostitution to the private sphere where violence and abuse can be officially discounted.

In comments on the situation of women migrant workers, the SR refers to the fact that more than 2,000 cases of ill-treatment and abuse of migrant domestic workers in the United Kingdom have been documented. The abuses have included confiscation of passports, enforced change of contract, withholding of wages, deprivation of food and malnourishment, lack of access to medical and health services, imprisonment in the home of the employer, prohibition on engaging in social contacts, the interception of letters from home, and physical and sexual violence. The dependency of women migrant workers on their employer for legal residency

has meant that, in the U.K., because of a prohibition on a woman migrant worker changing employers, she loses her legal residence the moment she leaves the employer even if because of violent treatment. The SR notes that these kinds of provisions have been described as a form of "State-sanctioned, indenture-like exploitation" in which the worker is compelled to stay in the sponsored position until either she leaves the country or legal permanent resident status is granted.

Mechanisms and Reports of the Sub-Commission

States of emergency, Special Rapporteur on: (E/CN.4/Sub.2/1997/19/Add.1, Section I)

The report notes that a declaration of public emergency has been in effect since 1974, related to Northern Ireland.

Other Reports

Children and juveniles in detention, Report of the S-G to the CHR: (E/CN.4/1997/26, Section I)

Information provided by the government indicates that the Police Code and Criminal Evidence Act 1984 in the U.K. stipulates that every court must take into account the welfare of juveniles brought before it and must deal with them in a language appropriate to their age. Young offenders in custody are subject to the Young Offender Institution Rules 1988 which, to the extent possible, follow the UN Rules for the Protection of Juveniles Deprived of their Liberty.

From the age of 10, juveniles can be held accountable for their criminal actions but government policy holds that parents should take some share of the responsibility when their children offend. Children aged 12 to 14 are always held in special child-care establishments (CCEs). Children aged 15 to 18 are generally held in Prison Service Young Offenders Institutions (YOIs). Offenders aged 18 to 21 are also regarded as young offenders and held in YOIs. Sentenced female juveniles are held in establishments which hold not only female young offenders aged 15 to 21 but also women aged 21 and over. The government adheres to the broad principle that juveniles should only be detained as a measure of last resort and for the shortest period of time. Courts may only order those juveniles to be detained before trial who present a risk of serious harm to the public. A person arrested for an offence can be held for up to 24 hours in police detention before charge. Detention in excess of 36 hours requires the authority of a magistrate. There is a requirement that a detention room for juvenile suspects be located outside the cell corridor. Options to imprisonment for young offenders include providing the offender with the opportunity to make reparation to the victim directly or indirectly. Courts may also order a young person to pay compensation to the victim. The government noted that this order will usually be paid by the parent if the young person is under 16.

Programmes have been established in detention facilities to help young offenders (YOs) tackle their drug addiction, offending behaviour and other behavioural problems. The programmes include education and training to provide young offenders with the knowledge and skills they lack. Juveniles of compulsory school age must receive at least 15 hours of education a week.